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## Thursday, the 7th day of January, 1864

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The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, Col. Foster, and Messrs. Duncan, Bayley, Dennes, Young, Burnaby, Street, De Cosmos, Ridge, Carswell.

The last Minutes having been read and confirmed.

A Communication from His Excellency the Governor to Mr. Speaker was read, approving Mr. Speaker's recommendation of R. W. Torrens, Esqre. for the Appointment of Clerk of the Legislative Assembly, and confirming the same.

Ordered for Monday next.

3rd Reading of a "Bill to incorporate the Chamber of Commerce of Victoria, V. I."

Also a "Bill entitled an Act for the Relief of John Copland."

Also House to go into Committee on Dr. Tolmie's Resolution touching "Fortification of Esquimalt."

Ordered for Tuesday next.

The consideration in Committee of certain documents received from H. E. the Governor in connexion with Steam Communication with Panama.

Ordered for Wednesday next.

An Act to grant Jurisdiction to Justices of the Peace in civil cases (De Cosmos).

Also "An Act to prevent the unauthorised issue of Bank Notes."

The House then went into Committee of the Whole on "a Bill to enable the Governor to apply certain monies to the Redemption of Municipal Debentures." Also On a Bill to render valid the collection of Licenses and Assessments by the Mayor and Councillors of the City of Victoria.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bills had come to the conclusion, In regard to the former, and finding it impracticable, To bring in a Bill to indemnify the Governor; His Excellency having given orders to redeem the Municipal Debentures of the City of Victoria.

In regard to the latter, viz. "A Bill to render valid the collection of Licenses and Assessments by the Mayor and Councillors of the City of Victoria" The Chairman reported that the Committee begged to report the Bill back to the House.

Ordered That Report be received and leave granted.

The House then adjourned till 3 p. m. tomorrow.

Speaker.

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## Friday, the 8th day of January, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Street, Duncan, Dennes, Carswell, Bayley, Young, De Cosmos, Col. Foster, and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

The House took under consideration the report of the Committee of the Whole upon "A Bill To render valid the Collection of Licenses and Assessments by the Mayor and Councillors of the City of Victoria."

A discussion ensued thereupon, in which several honorable Members joined.

Mr. Young moved That the Bill be read the first time.

Mr. Street moved an Amendment That the Bill be read this day Six Months.

Seconded by Dr. Trimble.

Mr. Young's Motion was then put.

For the Motion Ayes 2, Noes 8.

The Motion was therefore lost.

Mr. Street's Amendment was then put.

For the Amendment Ayes 8, Noes 3.

The Amendment was then put and carried.

Mr. Duncan gave Notice of Motion for Monday next.<sup>46</sup>

The House then adjourned till 3 p. m. on Monday.

Speaker.

### Detail of Votes

For Mr. Young's Motion

*Ayes:*

Mr. Young

Dr. Tolmie

*Noes:*

Messrs. Street

Duncan

Dennes

Bayley

Carswell

Col. Foster

Drs. Trimble

Powell

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<sup>46</sup> Motion Book, p. 53: "I beg leave to give Notice that on Monday (first) I shall ask leave to move that His Excellency be respectfully requested to appoint Commissioners to collect the One half of One per cent Tax now due on real Estate and the Trade Licenses the same to be paid into the general Treasury to liquidate the City indebtedness until a new Act of Incorporation is enacted."

## For Mr. Street's Amendment

<i>Ayes:</i>	<i>Noes:</i>
Messrs. Street	Messrs. Young
Duncan	De Cosmos
Dennes	Dr. Tolmie
Bayley	
Carswell	
Col. Foster	
Drs. Trimble	
Powell	

**Monday, the 11th day of January, 1864**

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Col. Foster, Messrs. Young, Ridge, Bayley, Dennes, Street, De Cosmos, Duncan, and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

The following Bills were Read a 3rd Time and passed.

A Bill entitled An Act for the relief of John Copland.

Also "A Bill to incorporate The Chamber of Commerce of Victoria Vancouver Island."

Mr. Duncan asked leave to withdraw his Motion (Motion Book 8th Jany. 1864).<sup>47</sup>

Leave granted.

The House then went into Committee of the Whole "To consider the propriety of memorialising His Grace the Duke of Newcastle as to the necessity of early means for the Fortification of Esquimalt Harbour."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above Resolution report that the Committee deems it of the utmost importance that Defences be provided for Victoria and Esquimalt and that Steps be taken forthwith to bring the subject to the Notice of Her Majesty's Government.

Ordered That Report be adopted.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken  
Speaker.

<sup>47</sup> *Ibid.*

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**Tuesday, the 12th day of January, 1864**

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The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Street, Duncan, De Cosmos, Dennes, Young, Bayley, Col. Foster, and Dr. Tolmie.

The last Minutes having been read and confirmed.

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

Victoria 7th January, 1864

To the Speaker and Gentlemen of the Legislative Assembly  
Gentlemen,

With reference to the Resolution of the House of the 19th Novr. last, I have the honor to transmit herewith Copy of Correspondence relative to the conveyance to the Church of England of the land of Victoria commonly known as the Church Reserve.

I have the honor to be,  
Your most obedient Servant,  
Gentlemen  
(sd.) James Douglas  
Governor

Ordered To lie on the Table.

Order of the Day.

The House then went into Committee of the whole to consider certain documents received from His Excellency the Governor in connexion with Steam Communication with Panama.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the documents above referred to begged to report progress therein, and asked leave to sit again.

Ordered that Report be received, and leave granted.

Ordered for tomorrow.

Recovery of small debts and demands (Mr. Dennes).

Ordered for Monday next.

In Committee of the whole.

“To consider the propriety of establishing a Government Assay Office in Victoria” (Mr. Duncan).

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken  
Speaker.

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### Wednesday, the 13th day of January, 1864

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The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Powell, and Messrs. Young, De Cosmos, Duncan, Dennes, Street, Bayley, Carswell.

The last minutes having been read and confirmed.

Mr. Dennes asked leave to bring in "A Bill for the more easy recovery of Debts and Demands." (see M. B. f. 49).

Leave granted.

Read a 2nd time and committed.

A Bill entitled An Act to grant Jurisdiction to Justices of the Peace in civil cases.

The House then went into Committee of the whole upon "An Act To prevent the unauthorized issue of Bank Notes and Paper Currency."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Bill above referred to begged to report progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Ordered For Friday next.

Mr. De Cosmos gave Notice of Motion for Monday next (18th) (see M.B. p. 54).<sup>48</sup>

Mr. Speaker then read the following Communication from J. C. Ridge, Esqre. one of the Members for the City of Victoria.

To the Honble. The Speaker of the House of Assembly of Vancouver Island and Dependencies  
Sir,

I beg leave to tender my Resignation as One of the Members of the City of Victoria and in doing so offer my sincere regards to yourself individually and my colleagues in the House.

Faithfully Yours

(signed) Joseph Chas. Ridge

Helmcken, Esqre.

Speaker of the House of Assembly, Vancouver Island.

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### Friday, the 15th day of January, 1864

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The House met this day at 3 p.m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, and Messrs. Burnaby, Duncan, Young, De Cosmos, Street, Bayley, Dennes.

The last Minutes having been read and confirmed.

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<sup>48</sup> Motion Book, p. 54: "I will move on Monday next. Resolved that it is the undoubted right of this House to originate and pass a money Bill either with or without a request from the Executive."

Mr. Burnaby presented the following petition from the Victoria Chamber of Commerce.

To the Honble. The Members of the Legislative Assembly of Vancouver Island

The Humble Petition of the Undersigned Members of the Victoria Chamber of Commerce sheweth

That Your Petitioners regarding the Question now before Your Honorable House relative to the proper Regulation and Restriction of the Issue of Paper Money by Houses purporting to be Banking Establishments as one of vital Importance to the Welfare of this Colony would beg respectfully to submit the following for the consideration of Your Honorable Body.

That in their opinion it would be inexpedient in the present State of this Colony to make a Statute definitely arranging the Banking business.

That it should be compulsory upon all persons or Companies desirous of issuing Bank Notes or Paper Money in this Colony to first obtain a Charter from the Imperial or Colonial Legislature granting such privilege upon such terms and conditions and under such guards and restrictions as the Legislature may from time to time prescribe.

That in order to protect the Public against any illegal or dangerous Issue of Bank Notes or Paper Money by unauthorised Persons or Companies Your Honorable Body is respectfully requested to pass immediately a Bill forbidding under heavy penalties such Issue except by Banks having such privilege under an Imperial or Colonial Charter.

And Your Petitioners will ever pray

(signed) Robert Burnaby, *President C.C.*  
 Charles W. Wallace  
 P. M. Backus  
 John P. Couch  
 Henry Nathan Junr.  
 Jules David  
 J. D. Walker  
 Lumley Franklin  
 M. Sporborg  
 Jules Rueff  
 F. Weissenburger  
 John T. Little  
 Edgar & Aime  
 L. L'Hotelier  
 Selim Franklin & Co.  
 E. Grancini  
 A. Casamayon  
 E. Sutro & Co.  
 Henry Rhodes  
 G. Vignolo & Co.  
 Lowe Bros.  
 J. A. McCrea  
 A. H. Guild  
 Thos. Lett Stahlschmidt

Mr. Dennes asked leave to postpone A Bill For the more easy Recovery of Debts and Demands.

The House then went into Committee of the whole upon The Resolution of Mr. Burnaby.

That a Petition be presented to His Excellency the Governor by this House praying him to appoint a Ministerial Council for initiating and carrying on the Public Business in the Legislature.

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Resolution begged to report progress and asked leave to sit again.

Ordered that Report be received and leave granted.

Mr. Speaker then read the following Communication from His Excellency the Governor giving cover to the Estimates For the Year ending the 31st Jany. 1864.

Vancouver's Island.  
Victoria, 13th Jany. 1864

To The Honble. The Speaker and Gentlemen of the Legislative Assembly  
Gentlemen,

I have the honor to lay before you, herewith, the Estimates for the Service of the Year ending the 31st of January, 1864.

2. The usual Abstracts of the Accounts of the Receipt and Expenditure for the Year ended 31st December 1863 are now in active preparation, and will be submitted to you in the course of a few days, but, as I am called away for a short period to the neighbouring Colony of British Columbia I now forward the detailed Estimates of Receipt and Expenditure alone, and I have instructed the Colonial Secretary to present such Abstracts to the House so soon as they may be completed which arrangement I trust will be satisfactory to the House and serve to avoid any unnecessary delay in the consideration of the proposed Services for the current Year.

I have the honor to be,  
Gentlemen,  
Your obedient Servant  
(signed) James Douglas  
Governor

Mr. Burnaby asked leave to proceed to England for a few Months on urgent private affairs.

Leave granted till [blank].

The House then adjourned till 3 p. m. on Monday.

J. S. Helmcken  
Speaker

## Tuesday, the 19th day of January, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Duncan, De Cosmos, Dennes, Bayley, Drs. Trimble, Tolmie, Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Dr. Tolmie, referring to the Resolution adopted by the House on the 11th Jany. (Fortification of Esquimalt) moved "That a Committee of 3 be appointed to draft a Memorial to Her Majesty's Government upon the defenceless State of the Colony."

Adopted.

Committee: Dr. Tolmie, Col. Foster, Mr. Street.

Col. Foster, from Committee on Private Bills, reported that "The Society of Good Templars had not, in their Petition, complied with the Standing Orders of the House."

Mr. Dennes moved for a Writ for the Election of a Member for the City of Victoria, vice Mr. Ridge resigned.

Carried.

Mr. Speaker appointed.

Mr. Dennes to Committee on Private Bills, vice Mr. Ridge.

Mr. Dennes ,, ,, ,, Crown Lands ,, ,, ,,

Dr. Powell ,, ,, ,, Crown Lands

Mr. Duncan ,, ,, ,, Public Accounts, vice Mr. Ridge.

Mr. Speaker gave Notice that On Thursday next (21st Inst.) he would move that "A Supply be granted for the Use of Her Majesty."

Dr. Powell asked leave to lay upon the Table, certain "Amendments to the Bank Note Act 1863."

The House then went into Committee of the whole "To consider the propriety of establishing A Government Assay Office in Victoria" (Mr. Duncan).

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Propriety of establishing a Government Assay Office in Victoria had Resolved "That an humble Address be presented to His Excellency the Governor praying him to take measures to establish An Assay Office under the Supervision of the Government in the City of Victoria."

Ordered That Report be agreed to.

Mr. De Cosmos asked leave to postpone his Motion (M. B. f. 54).<sup>49</sup>

Leave granted.

Ordered for tomorrow.

In Committee of the whole, Mr. Burnaby's Resolution "Ministerial Council."

To be read a first time.

A Bill for the more easy recovery of small debts and demands.

[To be read] a 2nd time.

A Bill entitled an Act entitled An Act for the better Protection of wooden Bridges in Vancouver Island and Dependencies.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken  
Speaker.

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<sup>49</sup> *Ibid.*



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## Thursday, the 21st day of January, 1864

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The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Duncan, Dennes, De Cosmos, Bayley.

The last Minutes having been read and confirmed.

Mr. Speaker moved that "This House do appoint a Day for going into Committee upon 'A Supply for the Use of Her Majesty.'" "

Agreed to.

Mr. Young moved that "Monday next be appointed for this House to resolve itself into a 'Committee of Supply.'" "

Seconded by Mr. Dennes and carried nem. con.

Special Order made for Monday next the 25th Inst.

Read a 2nd time and committed.

A Bill To amend an Act entitled "An Act for the Protection of the Wooden Bridges in Vancouver Island and its Dependencies."

The House then went into Committee of the Whole.

First, upon the Resolution "That a Petition be presented to His Excellency the Governor by this House praying him to appoint a Ministerial Council for initiating and carrying on the public business in the Legislature."

Second, upon A Bill "Entitled An Act for the more easy Recovery of small Debts and Demands in the Colony of Vancouver Island."

Third, A Bill "To amend An Act entitled An Act for the Protection of the Wooden Bridges in Vancouver Island and its Dependencies."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that "The Committee having had under consideration the foregoing Resolution and Bills begged to report, respectively, as follows"

In regard to the First, (Resolution, "Ministerial Council") A Postponement;

In regard to the Second, (Bill—"Recovery of small Debts" &c.) to report the Bill back to the House;

In regard to the Third, viz.: A Bill "To amend an Act entitled an Act for the Protection of the Wooden Bridges in Vancouver Island and its Dependencies" that it had passed without Amendments.

The Chairman reported progress and asked leave to sit again.

Ordered That report be received and leave granted.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken  
Speaker

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## Friday, the 22nd day of January, 1864

The House met at 3 p. m. this day, pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Powell, and Messrs. Young, Duncan, De Cosmos, Street, Bayley, Dennes.

The last Minutes having been read and confirmed.

“A Bill 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.

“A Bill Entitled An Act for the more easy recovery of small debts and demands in the Colony of Vancouver Island” (reported from Committee) was read A First [time].

The House then went into Committee of the whole upon A Bill entitled “An Act to prevent the unauthorised Issue of Bank Notes and Paper Currency.”

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Bill before it begged to report progress and asked leave to sit again.

Ordered that Report be received and leave granted.

Mr. Young gave Notice of Motion for Wednesday (27th Inst.) (M. B. f. 55).<sup>50</sup>

The House then adjourned till 3 p. m. on Monday.

J. S. Helmcken  
Speaker.

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## Monday, the 25th day of January, 1864

The House met at 3 p. m. this day pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, De Cosmos, Duncan, Bayley, and Dr. Powell.

The last Minutes having been read and confirmed.

The House went into Committee of the whole, upon the Resolution (R. Jany. 21st) “That Monday next” (this day) “be appointed for the House to go into Committee of Supply.”

Mr. Speaker left the Chair.

Mr. Street in the Chair of the Committee.

Mr. Speaker resumed the Chair.

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<sup>50</sup> Motion Book, p. 55: “I give notice that on Wednesday next the 27th Inst. I will ask the permission of this House to introduce a Bill entitled An Act to provide for the periodical publication of the liabilities and Assets of Banks in Vancouvers Island & its Dependencies and for the Registration of the names of the Proprietors thereof.”

The Chairman reported that the Committee had agreed that a Supply be granted, and that they had elected him (Mr. Street) to be, "Chairman of the Committee of Ways and Means."

Ordered That Report be received.

The Honble. The Colonial Secretary In compliance with instructions communicated to the House in His Excellency's letter, dated 13th Jany. 1864, laid upon the Table the following Abstracts of Accounts of Receipts and Expenditures for the Year ended 31st Decr. 1863, viz.:

Vancouver Island

Comparative Statement of Estimated Revenue and Revenue received.

Comparative Statement of Revenue and Expenditure as voted, and actual Expenditure for The Year ending 31st Decr. 1863.

- Also 1 Statement of Revenue and Expenditure in the Department of the Harbour Master during Year 1863—showing also a comparison with the transactions of the Year 1862.
- 2 Comparative Return of Imports in the Port of Victoria during the Years 1862 and 1863.
- 3 Comparative return of number and tonnage of Vessels of each Nation entered at the Port of Victoria Vancouver Island during the Years 1862 and 1863.
- 4 Statement of Exports from the Port of Victoria, Vancouver Island during the 6 Months ending 31st Decr. 1863.
- 5 The Number, Tonnage, and Crews of Vessels of each Nation entered at the Port of Victoria, Vancouver Island during the six months' ending 31st Decr. 1863.

- Also 1 Returns of Transactions in the Land Registry Office during the year 1863.
- 2 Return of Fees for the Years 1862 and 1863.
- 3 Return of the Value of Property registered.

Also Returns of Transactions in the Department of Lands and Works, viz.:

- A Abstract of Road Expenditure for 1863.
- B Amounts paid in 1863 on Contracts entered into in 1862.
- C Showing Number of Preemptors and quantity of Land preempted in each District during the Year 1863.
- D Amounts received in 1863 for Lands recorded under the Land Proclamation Act of 1861 and 1862.
- E Showing the Population Stock and Agricultural Improvements in the 5 Cowichan Districts to 1st Novr. 1863.
- F Showing the Population Stock and Agricultural Improvements in the Comox District to Decr. 1st 1863.

Also Statement of Instalments due on Lands sold prior to Land Proclamation Acts of 1861, 1862.

Mr. Speaker laid upon the Table a series of Resolutions in the matter of the Ministerial Council.

Ordered for tomorrow.

In Committee "Bank Notice Act, 1863."

„ „ Resolution "Ministerial Council."

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken

## Tuesday, the 26th day of January, 1864

The House met this day at 3 p.m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Duncan, Dennes, De Cosmos, and Drs. Tolmie, Trimble, Powell.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into Committee of the Whole upon a Bill Entitled "An Act to prevent the unauthorised Issue of Bank Notes and Paper Currency."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Ordered for tomorrow "Committee of Supply."

The House then adjourned till 3 p. m. tomorrow.

## Monday, the 1st day of February, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Duncan, Dennes, De Cosmos, Bayley, Franklin, Drs. Tolmie, Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Mr. Selim Franklin the Member Elect for the City of Victoria, vice Mr. Ridge resigned, took the Oaths and his Seat.

Notice of Motion for Thursday Feby. 4th Mr. De Cosmos (see M. B. fol. [blank]).<sup>51</sup>

Mr. Young, pursuant to Notice, asked leave to bring in a Bill entitled "An Act to provide for the periodical publication of the Liabilities and assets of Banks in Vancouver's Island and its Dependencies and for the Registration of the Names of the Proprietors thereof."

Leave granted.

Notice of Motion for Tuesday Feby. 2nd Mr. De Cosmos (see M. B. fol. [blank]).<sup>52</sup>

Mr. Young asked leave to lay upon the Table "Abstracts of Revenue, &c. for the Year 1863."

Order of the Day.

The House then went into Committee of Supply.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again, also that the Committee had elected him (Mr. Franklin) to be Chairman of Ways and Means vice Mr. Street who had resigned the Chairmanship of that Committee.

Ordered That Report be received and leave granted.

Ordered for tomorrow.

In Committee "Bank Note Act 1863."

„ „ Resolution "Ministerial Council."

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken  
Speaker

## Tuesday, the 2nd day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, De Cosmos, Street, Bayley, Dennes, and Drs. Trimble, Tolmie.

The last Minutes having been read and confirmed.

Mr. De Cosmos, pursuant to Notice, moved "That the House fix a day to go into Committee of the whole on the Fisheries of the Colony."

Ordered for Thursday the 11th Inst.

<sup>51</sup> Motion Book, p. 55: "On Thursday Feby. 4th 1864 I will move that the House go into Comtee. of the Whole with the object of framing An Address to His Excy. the Governor praying him to pension the present Chief Justice of the Supreme Court of this Colony and to recommend to Her Majesty's principal Secretary of State for the Colonies to send out from England a good common-law Barrister of not less than 12 or 15 years practice to be Chief Justice of this Colony."

<sup>52</sup> Motion Book, p. 55: "On Tuesday Feby. 2nd 1864 I will move that the House fix a day to go into Committee of the Whole on the Fisheries of the Colony."

The House then went into Committee of the whole upon "A Bill entitled 'An Act to prevent the unauthorized Issue of Bank Notes and Paper Currency.'"

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill had made amendments thereto and asked leave to sit again.

Ordered That Report be received and leave granted.

Mr. Young moved First Reading of "A Bill 'Entitled An Act for the periodical publication of the liabilities and Assets of Banks in Vancouver's Island and its Dependencies and for the Registration of the Names of the Proprietors thereof.'"

Mr. Street seconded.

The Bill was then read a 1st time, and Ordered to be printed.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken

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### Wednesday, the 3rd day of February, 1864

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The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Bayley, Street, Dennes, Franklin, Duncan, De Cosmos, Tolmie, and Col. Foster.

The last Minutes having been read and confirmed.

The House took up, and agreed to, the Report of the Committee upon "A Bill entitled 'An Act to prevent the Unauthorised Issue of Bank Notes and Paper Currency.'"

Order of the Day.

The House then went into "Committee of Supply."

Mr. Speaker left the chair.

Mr. Franklin in the chair of the Committee.

Mr. Speaker resumed the chair.

The Chairman reported progress and asked leave to sit again.

Ordered for tomorrow.

In Committee—Resolution "Ministerial Council."

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken  
Speaker

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### Monday, the 8th day of February, 1864

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The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, De Cosmos, Powell, Duncan, Bayley, Dennes, and Col. Foster.

The last Minutes having been read and confirmed.

The House went into "Committee of Supply."

Mr. Franklin moved that His Grace The Duke of Newcastle's Despatches be laid before the Committee.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had adopted certain Resolutions "in Supply" relative to His Grace the Duke of Newcastles Despatches. Ordered That Report be adopted.

Ordered for tomorrow.

2nd Reading "A Bill For the more easy Recovery of Small Debts & Demands."

In Committee of the Whole.

Resolution—"Ministerial Council."

„ —"Pension of Chief Justice."

Mr. Franklin gave Notice of Motion for tomorrow (M. B. f. [blank]).<sup>53</sup>

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken

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### Tuesday, the 9th day of February, 1864

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The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Duncan, De Cosmos, Franklin, Young, Powell, Dennes.

The last Minutes having been read and confirmed.

Mr. Franklin, pursuant to notice, moved that following clause be added to the Resolutions passed yesterday in Committee of the whole.

Be it resolved that "Nothing in these Resolutions contained is intended to imply that this House desires a Legislative Union with British Columbia; or

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<sup>53</sup> Motion Book, p. 57: "That the following clause be added to the Resolutions passed yesterday in Committee of the Whole.

"Be it resolved that nothing in these resolutions contained is intended to imply that this House desires a legislative Union with British Columbia; or, that it relinquishes its rightful control over the taxation and supply of this Colony, or that it will consent to any interference with its Free-trade policy."

that it relinquishes its rightful control over the taxation and Supply of this Colony or that it will consent to any interference with its Free-trade Policy.”

The Resolution was not seconded.

The House then took up the Report of the Committee of Supply made, yesterday, by the Chairman of Ways and Means.

Mr. De Cosmos moved a Resolution “that Paragraph No. 7 of the Resolutions adopted in the Report be recommitted” commencing “The House would therefore pray that Your Excellency will urge upon Her Majesty’s Advisers” &c. Mr. Franklin seconded.

The House then divided.

For the Resolution

*Ayes:* 2.

Messrs. De Cosmos  
Franklin

Against the Resolution

*Noes:* 4.

Messrs. Dennes  
Duncan  
Powell  
Young

The Resolution was therefore lost.

The Report of the Committee was then put, and Ordered to be adopted.

Mr. Dennes moved the Second Reading of A Bill Entitled An Act for the more easy Recovery of small Debts and Demands.

Seconded by Mr. Duncan.

The Bill was then read a 2nd Time and committed.

Read a 3rd Time and passed “A Bill Entitled An Act to prevent the Unauthorised Issue of Bank Notes and Paper Currency.”

Mr. De Cosmos moved that the Resolution for the “Pension of the present Chief Justice” be referred to the “Committee of Supply.”

Seconded by Mr. Duncan, and agreed to.

The House then went into Committee of the Whole upon a Resolution “praying His Excellency the Governor to appoint a Ministerial Council for initiating and carrying on the Public Business in the Legislature.”

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Resolution had agreed to the following address thereupon.

*To His Excellency Sir James Douglas, K. C. B. Governor of Vancouver Island &c. &c. &c.*

We the Loyal and faithful Subjects of Her Majesty, the Members of the Legislative Assembly of Vancouver Island in Parliament assembled humbly beg to represent to Your Excellency.

That there does not exist any connecting medium either between the Executive and the Legislature or between the Legislative Council and Assembly and that owing to this isolated condition of the various parts of the Government the views and opinions severally entertained by each are mutually unknown; misunderstanding is engendered, fostered and encouraged; much inconvenience as well in the passing of



Bills as other matters, experienced; public business delayed; and a responsibility as unnecessary as unusual thrust upon Her Majesty's representative.

The House is humbly of opinion that this unsatisfactory condition requires to be and may be remedied by the Appointment of a Member of the Legislature to represent the Government and that in order to unite its now isolated parts and to induce consentaneous Action The House would respectfully suggest that the person appointed, if selected from the Legislative Assembly should choose two Members from the same body and two from the Legislative Council, and that they should constitute a Ministerial Council.

In the event, however, of the person selected being a Member of the Legislative Council he should choose three Members from the Assembly and one only from the Legislative Council.

The duty of such Council shall be to represent the necessities of the Country and advise with Her Majesty's Representative (and when necessary or advisable, with the Executive Council) in order to devise such measures as may be deemed expedient to meet the same; introduce and explain them and assist and urge their passage through both branches of the Legislature.

The house is of opinion that the Members of such Council should not receive any Salary nor be Members of the Executive Council but deems it expedient constitutional and necessary that, in the event of their not being able to carry out their general policy, they should tender their Resignation, and, if accepted, that a new Council be formed after the manner hereinbefore suggested, or the usual alternative adopted.

The House believes that such a Council would not only render great assistance to and relieve of much unnecessary responsibility, Her Majesty's Representative, but would also bring into harmonious working the various but now unconnected Branches of Government and conduce to the welfare and progress of the Colony.

The House therefore humbly prays that it may please Your Excellency to appoint a Member of the Legislature to represent the Government directing him to adopt the suggestions hereinbefore most respectfully but earnestly recommended and as soon as possible to carry them into effect.

Ordered that Report be received.

Mr. Speaker read a Communication from the Council enclosing "A Bill Entitled An Act to establish Pilots for the Port of Victoria and for other purposes relating thereto" with Amendments attached.

Which Bill (as amended) was Read a 1st time pro formâ.

Ordered for Thursday next (11th Feby. 1864).

In Committee "A Bill Entitled An Act for the more easy Recovery of small Debts and Demands."

Also "A Resolution Upon the Fisheries of the Colony."

Report of Committee of Supply (yesterday).

*To His Excellency Sir James Douglas, K. C. B. Governor of Vancouver Island &c. &c. &c.*

The Legislative Assembly having had under consideration that part of the Despatch of Her Majesty's Principal Secretary of State for the Colonies (dated 15th June 1863) wherein a proposition is made to the effect that as soon as the Legislature of Vancouver Island shall have provided by permanent Act a civil List amounting in all to £5,800—(which His Grace considers the prospects of the Revenue appear to render no more than fitting) His Grace will be prepared to hold the Crown Revenue of Vancouver Island at the disposal of the Legislature and to place the Colony under a Governor distinct from British Columbia; Begg leave most respectfully to observe that The annual Revenue of Vancouver Island including that received from the sale of Crown Lands amounted in the Year 1863 to about £35,000—the estimated population being about 7500 persons exclusive of Indians.

That the ordinary expenses of the Government are not less than £27,000 per annum—thus leaving a very small sum for the great necessity of the Colony, viz.: internal improvements.

That the sum received from the sale of Crown Lands during the year 1863 amounted to £4,500, much of this arising from the payment of Instalments upon Land sold some years ago at £1. per acre.

That as well on account of the price of land having been reduced to four shillings per Acre, as also of the amount of available land being comparatively small, there is reason to believe that the Revenue from this source will, in future years, be less whilst a considerable sum will be requisite for the extinction of the Indian Title to and the surveying of Crown Lands and as a Government Residence for Her Majesty's Representative does not exist a still further outlay will be needed for the erection of such an Edifice.

This House is therefore of opinion 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.

The House is further of opinion 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 impracticable. Although, chiefly on account of the opposite commercial policies pursued and deemed necessary by each the amalgamation of the Colonies at the present time is deemed unadvisable if not impossible, still this House is of opinion that an intimate necessary and advantageous connexion may be practically obtained by there being, as far as possible, but one civil Establishment for the two Colonies.

The House would therefore respectfully pray that Your Excellency will urge upon Her Majesty's Government the advisability of there being but one Civil Establishment, as far as practicable, for both Colonies, and to state that the Legislature of Vancouver Island will be prepared to provide a Sum by way of Salary for those officers who serve both Colonies equal to one third of the Salary now voted by British Columbia.

The House further prays that Your Excellency will be pleased to transmit at the first opportunity a Copy of the above to His Grace the Duke of Newcastle acquainting his Grace that the House will be prepared to vote the sums mentioned and secure the initiation of all money votes to the Vancouver Island Government—Provided always that the Crown Revenues be placed at the disposal of the Legislature.

The House then adjourned till tomorrow.

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### Wednesday, the 10th day of February, 1864

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Franklin, Bayley, Street, Dennes, De Cosmos, Duncan, Powell.

The last Minutes having been read and confirmed.

The House took up the Report of the Committee of the whole upon A Resolution That A Petition be presented to His Excellency the Governor praying him to appoint A Ministerial Council for initiating and carrying on the public business in the Legislature.

Ordered that Report be adopted.

## Order of the Day.

The House then went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again; also that a Resolution had been adopted by the Committee "That An Address be presented to His Excellency the Governor praying that the collection of the Harbour dues under the Harbour Act be transacted by the Treasurer And that the Treasury Office be transferred to the buildings on what is called the Post Office Lot Government Street Victoria."

Ordered that Report be received and leave granted.

## Ordered for tomorrow.

The Consideration of the Report and Resolutions in Committee of Supply (this day).

In Committee of the whole.

Resolution "That the House go into Committee of the whole On the Fisheries of the Colony."

"A Bill Entitled An Act for the more easy recovery of Small Debts and Demands."

A Bill Entitled "An Act to grant Jurisdiction to Justices of the Peace in Civil Cases."

The House then adjourned till 3 p. m. tomorrow.

### Thursday, the 11th day of February, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Messrs. Young, Street, Carswell, De Cosmos, Duncan, Dennes, Bayley, and Col. Foster.

The last minutes having been read and confirmed.

## Orders of the Day.

The House took under consideration The Report of the Committee of Supply "That an Address be presented to His Excellency the Governor praying that the collection of the Harbour dues under the Harbour Act be transacted by the Treasurer And that the Treasury Office be transferred to the Buildings on what is called the Post Office Lot Government Street Victoria."

Mr. De Cosmos moved That the Report of the Committee on the above Resolution be recommitted.

Agreed to.

Orders of the Day.

The House then went into Committee of the Whole upon a Resolution "That the House go into Committee of the Whole upon the Fisheries of the Colony."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Resolution had adopted the following Resolutions therein.

Whereas this Committee is deeply impressed with the importance of the speedy development of the Fisheries existing in and around the shores of this Colony or contiguous thereto as a means to promote the settlement of the unoccupied parts of the Coast and to provide additional employment for labor and capital in increasing our Merchant marine and adding to our Exports in Fish and Fish Oils.

And Whereas this Committee is fully persuaded that there is very little accurate information to be had with respect to the kinds of merchantable Fish in the Waters around our Shores or in respect to the Seasons at which the different kinds of Fish visit our Shores or the Banks or Fishing-Grounds contiguous thereto or the best Season of the Year to take fish for mercantile purposes, or the kind of bait or mode required to be successful in taking them.

And whereas this Committee considers that the lack of such information tends to retard the development of the Fisheries of this Colony.

Be it therefore resolved

That this Committee is of opinion that it is desirable that an Expedition be sent out by the Government, this Year, to collect information on the following heads.

1 The kinds of fish useful for home consumption or exportation, in and around the Shores of this Colony or contiguous thereto.

2 The kinds of fish from which Oils may be taken.

3 The localities or fishing grounds where the different kinds of fish may be taken.

4 The Seasons at which it is desirable or necessary that fish may be taken for mercantile purposes.

5 The kind of bait adapted to the different kinds of fish.

6 Or where and with what fish nets may be used instead of bait.

7 Any further information of a practical character tending to develop the fisheries of this Colony or those fisheries in British Waters contiguous thereto.

Resolved that the foregoing Resolution be communicated to His Excellency the Governor with the request that he may take measures to send out such an Expedition for the purposes therein described.

And that the Committee recommend that \$2500.00 be granted for the purpose.

Ordered That Report be received.

In Committee.

Mr. Dennes asked leave to postpone the consideration In Committee of the Whole of "A Bill Entitled 'An Act for the more easy recovery of small Debts and Demands.'"

Leave granted.

Adjourned Debate (*Referred* 12th Jany.).

House in Committee of the whole to consider "Certain documents received from His Excellency the Governor in connexion with Steam Communication with Panama."

Mr. Bayley in the Chair of the Committee.

The Chairman reported that the Committee having had under consideration the above mentioned Subject had come to the following Resolution.

“That this House considers direct Steam Communication with Panama to be of the utmost importance, but is of opinion that the financial condition of the Colony will not admit, at present, of the payment of the required Subsidy.”

Ordered That Report be adopted.

Speaker.

### Friday, the 12th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Powell, Tolmie, Messrs. Carswell, Jackson, Bayley, Young, Duncan, Street, De Cosmos, Franklin, and Col. Foster.

The last Minutes having been read and confirmed.

The House took under consideration the Report of the Committee of the Whole relative to “Certain documents received from His Excellency The Governor in connexion With Steam Communication with Panama.”

Agreed to.

Also The Report of the Committee of the Whole upon “The Fisheries of the Colony” with Resolutions.

The House divided.

For the Report

*Ayes:* 3.

Messrs. Franklin

Powell

De Cosmos

Against the Report

*Noes:* 5.

Messrs. Foster

Trimble

Duncan

Bayley

Carswell

The Report was therefore negatived.

Dr. Trimble gave notice of Motion for Tuesday next (M. B. fol. 57).<sup>54</sup>

Order of the Day.

The House then went into “Committee of Supply.”

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had had under consideration, and rejected, Certain Resolutions “praying that the Harbour dues under the

<sup>54</sup> Motion Book, p. 57: “I move that the Resolutions adopted by this House respecting the Despatch of His Grace the Duke of Newcastle, referring to the Civil List, not be forwarded to his Grace, by His Excellency the Governor until further discussion shall have taken place upon the subject.”

Harbour Act be transacted by the Treasurer” and “that the Treasury office be transferred to the Buildings on what is called the Post Office Lot Government Street, Victoria,” which were reported from Committee on Supply (10th Inst.) and recommitted by the House on the 11th Inst.

The Chairman further reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Dr. Tolmie, from the Select Committee appointed to draw up a Memorial to Her Majesty’s Government upon the “defenceless State of the Colonies” reported that the Committee had framed an address thereupon to His Grace the Duke of Newcastle.

J. S. Helmcken

Speaker

### Monday, the 15th day of February, 1864

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Franklin, Street, Bayley, Carswell, Jackson, Young, Duncan, Drs. Trimble, Tolmie, Powell, and Col. Foster.

The last minutes having been read and confirmed.

Mr. Speaker said that on Thursday (18th Inst.) he would bring up “The Amendments to ‘Pilot Bill.’”

Order of the Day.

The House went into “Committee of Supply.”

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the chair.

The Chairman reported that the “Committee of Supply” had, therein, adopted the following Resolutions.

That this House humbly prays His Excellency the Governor to represent to His Grace the Duke of Newcastle the necessity of appointing a Common-law Barrister of at least 10 year’s practice in the United Kingdom (not being or having been a member of the Judiciary or Bar of this Colony or of British Columbia) to the Chief Justice-ship of this Colony.

And That this House is prepared to vote the Sum of Five Hundred Pounds as an annual retiring pension to the present Chief Justice.

The Chairman further reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Mr. Street gave Notice of Motion (M. B. fol. 57).<sup>55</sup>

<sup>55</sup> Motion Book, p. 57: “That the following returns relating to the Coroners Office be laid on the table of this House, viz.: the amount of fees paid to the Coroner during the year 1863—and the fee paid in each case. Also, the amount paid to witnesses on Coroners Juries for the year 1863. Also, return of all sums paid to the Coroner or to his order or in any way connected with the Coroners office during the same period.”

Mr. Speaker then read a Clause which had been added to the Address framed by the Select Committee appointed to draw up a Memorial to Her Majesty's Government upon the "defenceless State of the Colony," as follows.

And your memorialists earnestly pray that Your Grace may be pleased to take such Steps in the matter as may afford this Colony the much required protection.

Ordered for tomorrow.

In Committee.

"A Bill entitled 'An Act for the more easy recovery of small debts and demands' " also

"A Bill entitled 'An Act to grant jurisdiction to J. P.'s in civil cases.' "

Ordered for Thursday next (18th Inst.).

2nd Reading "A Bill entitled An Act for the periodical publication of the liabilities and Assets of Banks in Victoria V. I." &c.

The House then adjourned till 3 p. m. tomorrow.

## Tuesday, the 16th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Duncan, Dennes, De Cosmos, Bayley, and Drs. Powell, Tolmie.

The last Minutes having been read and confirmed.

The House took up the Report (yesterday's) of the "Committee of Supply."  
Agreed to.

Mr. Speaker then read the following address reported by the Chairman of the Select Committee appointed to draw up a Memorial to His Grace the Duke of Newcastle upon "The defenceless State of the Colony."

*To the Right Honble. His Grace The Duke of Newcastle, K. G.,  
Her Majesty's Principal Secretary of State for the Colonies*

We her Majesty's loyal and faithful Subjects the Members of the Legislative Assembly of Vancouver Island in Parliament assembled desire respectfully and earnestly to bring to the Notice of Your Grace the present defenceless condition of the Harbours of Victoria and Esquimalt, where, in the event of sudden hostilities, the Government and private property, and even Her Majesty's Ships of War on this Station might be destroyed by an Iron-clad, in defiance of all that could be effected from land to impede the advent of such a Vessel.

The portion of Her Majesty's Pacific Squadron heretofore cruising in these Waters has well sufficed to protect the Settlements from the evils incident to Indian wars; and for this Your Memorialists are deeply grateful.

In consequence however of the growing and of the great prospective importance of this and the Sister Colony of British Columbia and of the present threatening aspect of affairs in various parts of the world Your Memorialists feel it to be their duty to lay before Your Grace the pressing need of further protection by the mother Country in the shape of suitable defences for such vital points as the Harbours of Victoria and Esquimalt which in time of War would be the principal base of operations for the naval and military forces of the Empire in this part of the North Pacific.

Such defences might, while peace continues, be manned by a few Artillerymen and Marines directed to train the Volunteer Corps which the dutiful Subjects of Her Majesty in this Colony would at once embody, when assured that the Imperial Government was prepared to do its part for the defence of this isolated portion of the British dominions.

The raising of Volunteer Companies, without the previous existence of one or more fortified places as a rallying point for these bodies would, Your Memorialists believe, be a futile undertaking.

Your Memorialists would further represent that this Colony has by onerous taxation, in a form eminently favorable to British Interests, supported its own Government for three Years past, provided for Harbour improvement, the extension of Roads, and also for the many Charities of Victoria.

In conclusion Your Memorialists feel that they have strong grounds for their present application as well in reference to the past career of this Colony and its isolated and defenceless condition as to the solicitude invariably shown by the Imperial Government for the protection of its most distant dependencies.

And Your Memorialists earnestly pray that Your Grace may be pleased to take such Steps in the matter as may afford this Colony the much required Protection.

Report agreed to.

Mr. Street withdrew his Notice of Motion (M. B. fol. 57).<sup>56</sup>

Order of the day.

In Committee of the whole "A Bill Entitled An Act for the more easy recovery of small debts and demands in the Colony of Vancouver Island."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken  
Speaker

### Wednesday, the 17th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, Messrs. Duncan, Dennes, Jackson, Street, Young, Franklin, Bayley, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

<sup>56</sup> *Ibid.*



Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered That report be received and leave granted.

Mr. Bayley gave notice of Motion (M. B. f. [blank]).<sup>57</sup>

Ordered for tomorrow.

Amendments to Pilot Bill.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken  
Speaker

### Thursday, the 18th day of February, 1864

The house met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Trimble, Powell, and Messrs. Dennes, Young, Franklin, Duncan, De Cosmos.

The last minutes having been read and confirmed.

The House took under consideration The Amendments to the Pilot Bill by the Honble. the Legislative Council.

The Amendments of the Honble. the Council were adopted, with exceptions as follows.

Clause 17. Strike out the whole clause.

The House adhered to the original clause.

Clause 20. Strike out the clause.

The House adhered to the original clause.

Clause 21. Line 8. After the word "from" insert in lieu of the remainder of the clause "Sooke Harbour South to Washington Territory (four dollars per foot on vessels spoken or boarded inside of the said line)." The foregoing words within brackets to be erased.

"And outside of a line drawn due South from Race Rocks to Washington Territory and 'three.'" For the word "three" read "four."

"Dollars per foot with the said line from Race Rocks due south as afore-said; and if bound outwards 'three.'" For the word "three" read "four Dollars per foot in which case the Pilot shall take charge of the Vessel until she arrives at a safe Anchorage in Royal Bay."<sup>58</sup>

<sup>57</sup> Motion Book, p. 59: "I will move that the Map of Beacon Hill Park be laid before this House showing the lines proposed to be fenced in as mentioned in the Estimates on a Vote for \$1000.00."

<sup>58</sup> The minutes are not entirely clear. For the act as amended see *The Victoria Pilot Act, 1864, A Collection of the Public General Statutes of the Colony of Vancouver Island, 1859, 1860, 1861, 1862 and 1863* (Victoria: Printed at the "Evening Express" Office, 1864-[66?]), II, 321-325, PABC.

Mr. Young moved 2nd Reading of "A Bill Entitled An Act to provide for the periodical publication of the Liabilities and Assets of Banks in Vancouver Island and its Dependencies, and for the Registration of the names of the Proprietors thereof."

Seconded by Mr. Duncan.

The Bill was then read a 2nd time and committed.

The House then adjourned till 3 p. m. tomorrow.

### Friday, the 19th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Duncan, Bayley, Carswell, Dennes, Franklin, Street, De Cosmos, Jackson, Col. Foster, and Drs. Tolmie, Powell, Trimble.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned.

Speaker

### Monday, the 22nd day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Duncan, Carswell, De Cosmos, Bayley, Dennes, Franklin, Street, Jackson, Drs. Tolmie, Trimble, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Mr. Speaker then read the following Communication from His Excellency the Governor.

Vancouver's Island  
Victoria 22nd Feby. 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly.  
Gentlemen,

I beg to enclose to you for deposit in the House of Assembly a Map of Vancouver's Island showing the line of demarcation between this Colony the Colony of British Columbia and the United States of America.

I have the honor to be,  
Gentlemen,  
Your obedient Servant  
(signed) James Douglas

Notice of Motion, Mr. Street (M. B. fol. 59).<sup>59</sup>

„ „ „ Mr. Young.<sup>60</sup>

Mr. Young asked leave to lay upon the Table a Petition from the Fire Department of the City of Victoria.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken  
Speaker

## Tuesday, the 23rd day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, De Cosmos, Franklin, Powell, Street, Duncan, Dennes, Bayley, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into Committee of the whole upon "A Bill Entitled 'An Act to provide for the periodical publication of the Liabilities and Assets of Banks, in Vancouver Island and its Dependencies, and for the Registration of the names of the Proprietors thereof.'"

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

<sup>59</sup> Motion Book, p. 59: "I will move that the Speaker be requested to provide such Books as in his judgment may be necessary to the extent of the Sum voted, viz. \$1000.00 for the formation of a library—for the House of Assembly—and that the Books be obtained with the least possible delay."

<sup>60</sup> Presumably to go into Committee of Supply on Wednesday, 24 February, but neither the Motion Book nor the newspapers make any reference to this notice of motion.

The Chairman reported that the Committee having had under consideration the above mentioned Bill had agreed to the same, with Amendments.

Ordered That Report be agreed to.

Mr. Street, pursuant to notice, moved (M. B. fol. 59) "That the Speaker be requested to provide such Books as in his judgment may be necessary to the extent of the sum voted, viz. \$1000 for the formation of a library, for the House of Assembly, and that the Books be obtained with the least possible delay."

Seconded by Mr. Duncan, and agreed to.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken

### Wednesday, the 24th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Jackson, Street, Bayley, Duncan, Dennes, De Cosmos, and Dr. Trimble.

The last minutes having been read and confirmed.

Mr. Young moved First Reading of "A Bill To regulate and amend An Act Intituled The Victoria Incorporation Act, 1862."

Mr. Dennes seconded.

Agreed to.

The Bill was then read a first time and Ordered to be printed.

Order of the Day.

The House went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman brought up the report of the Committee of Supply and stated that the Committee had voted Supplies to the amount of Two Hundred and Fifty-seven Thousand, Two Hundred and Seventy-nine Dollars and Fifty cents (\$257,279.<sup>50</sup>/<sub>100</sub>), As follows:

#### 1864—ESTIMATES [CIVIL ESTABLISHMENTS]

Colonial Secretary		
Clerk	[§]1500.	
Messenger	480.	
Occasional assistance in Copying &c.	500.	
Office contingencies	500.	2,980.
Treasurer		
Clerk	1200.	
Office contingencies	720.	1,920.
Auditor		
Auditor	725.	
Clerk	370.	
Contingencies	80.	1,175.

Surveyor General		
Asst. Surveyor General	1700.	
Occasional [assistance in Copying &c.]	500.	
Contingencies	580.	2,780.
Assessor		
Assessor	2,425.	
Assistance for Copying	200.	
Contingencies	206.	2,831.
Harbour Master		
Harbour Master	1,200.	
Clerk	750.	
Boatman	500.	
Office Contingencies	250.	2,700.
Postmaster		
Postmaster	500.	
Clerk	500.	
Occasional Assistance	650.	
Contingencies	175.	1,825.

## 2ND JUDICIAL [ESTABLISHMENT]

Chief Justice		
Registrar	1,500.	
Clerk of Writs	1,000.	
Contingencies	250.	2,750.
Attorney General		
Clerk	1,000.	
Contingencies	250.	1,250.
Sheriff		
Sheriff	1,000.	
Occasional Assistance	250.	
Contingencies	100.	1,350.
Registrar General		
Registrar General	1,940.	
Advance on Registrar General's Salary	485.	
Contingencies	250.	2,675.
Commissioner of Police		
Commissioner	1,750.	
Superintendent, including allowance for horse-hire	1,500.	
Clerk and Store Keeper	800.	
Two Sergeants at \$1.75 per diem	1,277.50	
Eight Constables at \$1.50 per diem	4,380.	
Cook, at \$1.50 per diem	547.50	
One Sergeant for the Town of Esquimalt at \$2.00 per diem	730.	
Contingencies	100.	
Extra Constables on Emergencies	500.	11,585.
Governor of Gaol.		
Governor of Gaol	500.	
One Gaoler	750.	
One assistance Gaoler	600.	
One Superintendent of Convicts	800.	
Two Convict Guards at \$1.50 per diem	1,095.	
Two Door Guards at \$1.50 per diem	1,095.	
Contingencies	25	4,865.
Magistrate &c.—Nanaimo		
Magistrate & Harbour Master	1,700.	
Constable	500.	
Contingencies	50.	2,250.

Legislative Council		
Clerk	500.	
Contingencies	100.	600.
House of Assembly		
Clerk	1,700.	
Contingencies	750.	
Occasional Assistance, Expenses of Committees &c.	1,000.	3,450.

## ADMINISTRATION OF JUSTICE EXCLUSIVE OF ESTABLISHMENTS

Attorney General.		
Expenses of Prosecutions		1,250.
Sheriff		
Criminal Punishments		500.
Quarter Sessions		
Fees		250.
Coroner		
Fees to Coroner	300.	
Fees to witnesses and others	500.	
Removal and burial of bodies	576.	
Contingencies	230.	1,606.

## CHARITABLE ALLOWANCES

Victoria Hospital	2,500.	
Female Hospital	250.	2,750.

## POLICE AND GAOLS, EXCLUSIVE OF ESTABLISHMENTS

Police.		
Clothing for Superintendent and 11 men	900.	
Fuel, water and light	772.	
Bedding	75.	
Transport	350.	
Ammunition & Repair of Arms	50.	
Building and Repairs	300.	
Incidental Expenses	350.	2,797.
Gaols		
Expense of keeping 50 Prisoners	3,650.	
Clothing for Superintendent of Convicts and 4 Guards	375.	
Clothing for Prisoners	300.	
Fuel and Light	315.	
Medicine & Medical Attendance	650.	
Tools and Implements	800.	
Bedding & other necessities	300.	
Ammunition and Arms	50.	
Incidental Expenses	250.	6,690.
Rent		
Rent of Harbour Master's Office	330.	
Rent of Post Office	330.	
Rent of Gaol &c. Nanaimo	100.	760.

## EDUCATION, EXCLUSIVE OF ESTABLISHMENTS

Victoria District	1,000.	
Craigflower	1,000.	
Nanaimo	1,000.	
Esquimalt	500.	
Cedar Hill	500.	
Saanich	500.	
Lake	500.	5,000.

## CONVEYANCE OF MAILS

To New Westminster, Brit. Columbia	1,000.	
To and from Esquimalt	300.	
To and from Nanaimo, Cowichan &c.	1,500.	
To and from San Francisco	9,000.	11,800.

## WORKS AND BUILDINGS

## Surveyor General

Improvement of Victoria Harbour		
Salaries, (including premiums)		
Two Engineers,		
Nine months at \$120.00 each	2,160.	
Four Stokers,		
Nine months at \$75.00 each	2,700.	
Master of Screw Tug,		
nine months at \$120.00	1,080.	
Crew (two men)		
nine months at \$50.00 each	900.	
Cost of Steam Dredge and Steam Machinery	29,100.	
Hull of Dredging Machine and tug-boat, scows, barges, coal and working expenses	30,000.	65,940.
Painting exterior of all the Government Buildings, except the new Court House	1,500.	
Erection of Powder Magazine unexpended 1863	3,638.	
Fencing part of Government Square to keep Carts on Road	500.	
Repairs to Government Buildings	2,000.	7,638.

## Harbour Master

Painting and repairing Buoys		500.
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## Speaker, House of Assembly

Furniture and fittings for House of Assembly		1,000.
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## Roads, Streets and Bridges

Burnside Road Deviation and Burnside Road round Head of Inlet	4,000.	
West Saanich Road from Victoria to Thompson's	10,000.	
West Saanich Road from Thompson's running North of Mount Newton	5000.	
West Saanich Road, cross road at Thompson's and Two bridges	700.	
East Saanich Road and North of Mount Newton	2,000.	
Shawnigan to Cowichan	3,000.	
Quamichan Road Deviation and building three Bridges	1,500.	
Comox Road, Cowichan to Comox, amount necessary to complete existing Contract	5,000.	
Esquimalt Road	2,500.	
Metchosin Road	8,000.	
Metchosin Road, branch to Gold Stream	1,000.	
Cedar Hill Road, via Cook Street	6,000.	
To connect Beacon Hill Park with Foul Bay Road by way of Clover Point	1,000.	
To connect Beacon Hill Park with City of Victoria by way of Point Ogden	1,500.	51,200.

## MISCELLANEOUS

Sheriff, Copying List of Voters	150.	
House of Assembly, Formation of Library, revote unexpended in 1863	1,000.	
Colonial Secretary, Printing including Acts of Legislature	4,000.	

Cowichan Resurvey of 75 miles at \$5.50 pr. mile by present Land Recorder	412.50
Occasional Employment of a Surveyor to assist Settlers in taking up land	250.
Explorations and Surveys and assisting Explorers	2,500.
Land Recorder at Cowichan at \$50.00 pr. month	600.
Indian Claims—payment for lands at Chemainis, Cowichan &c. unexpended in 1863	9,700
Immigration—to aid immigration and to assist in the maintenance of an Office to give information to Immigrants	3,000
Indian Services	500
Revising List of Voters and expenses connected therewith	400
For cleaning and preservation of Small Arms the property of the Colony	100
	22,612.50

ANNUAL INTEREST ON ROAD AND HARBOUR LOAN—1862.

Interest at the rate of Six per centum per annum on £40,000	£2,400 or	11,640.
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SINKING FUND—ROAD AND HARBOUR LOAN 1862.

Five per cent of Loan (half-yearly) less Interest at the rate of £6 per centum per annum on £40,000	£1,600 or	7,760.
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LIGHT HOUSES DETAILED

Salaries		
Two Commissioners	970	
Keeper and assistants of Race Rocks Light	1794.50	
Keeper and Assistant Keeper of Fisgard Light	727.50	
Office Contingencies	50	
Stores	1,000	
Works and Buildings	1,458	
Provisions	1,000	7,000.

REVENUE SERVICE DETAILED

Expenses connected with the Assessment of Real Estate, Printing &c.	1,000	
Expenses connected with the Assessment of Trades and Professions	600	1,600.

257,279.50

Mr. Young moved that the House go into Committee of the whole upon "Ways and Means" on Friday (26th Inst.).

The House then adjourned till Friday next.

**Friday, the 26th day of February, 1864**

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Powell, Trimble, Tolmie, and Messrs. Street, Dennes, Young, De Cosmos, Duncan, Bayley, Franklin.

The last Minutes having been read and confirmed.

The House took up the Report of the Committee of Supply.



Bill read a 3rd time and passed.

A Bill Entitled An Act to provide for the periodical publication of the Liabilities and Assets of Banks in Vancouver Island and its Dependencies and for the Registration of the names of the Proprietors thereof.

Mr. Speaker then read a letter from the Honble. The Council, giving cover to the Pilot Bill with amendments (as follow) to the Amendments transmitted by the Legislative Assembly to the Honble. The Legislative Council on the 22nd Inst.

The Council adheres to the Amendment by way of erasure of Section Twenty but is willing to reintroduce Section Seventeen with the following Amendments;

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

Agreed to.

Mr. Franklin gave notice of Motion (*see* M. B. fol. 59).<sup>61</sup>

The House then went into Committee of Ways and Means.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee of Ways and Means had resolved that the sum of Two Hundred and Fifty Seven Thousand, two hundred and Seventy nine dollars and fifty cents (\$257,279.50) be appropriated out of the general Revenues to meet the Supplies for the Service of the Year 1864.

J. S. Helmcken  
Speaker

## Monday, the 29th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Jackson, Dennes, Carswell, De Cosmos, Franklin, Bayley, Duncan, Street, and Drs. Trimble, Powell.

The last Minutes having been read and confirmed.

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

Vancouver's Island  
Victoria, Feby. 29th 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly  
Gentlemen,

Having forwarded to the Chief Justice a Copy of the Resolution of the Legislative Assembly dated the 15th Inst. for the purpose of ascertaining his views in respect of the arrangement for his retirement from office which that Resolution suggests, I have the honor to enclose, herewith, Copy of Mr. Cameron's reply, and I beg at the same time to recommend that the Appropriation Act to which he alludes

<sup>61</sup> Motion Book, p. 59: "I give notice that I shall move that a Joint Address be sent by the two Houses of the Legislature of this Colony to Her Most Gracious Majesty, praying that the Island or Islands of Queen Charlotte be made a part of this Colony."

should be passed at an early date, so that I can advise Her Majesty's Principal Secretary of State thereof when transmitting the before mentioned Resolution of the House.

I have the honor to be,  
Gentlemen,  
Your obedient Servant  
(signed) James Douglas  
Governor

Mr. Chief Justice Cameron to the Colonial Secretary.

Chambers, Court House  
Victoria 27th Feby. 1864

Sir,

I have the honor to acknowledge the receipt of your letter of the 22nd Instant, transmitting to me by direction of the Governor a Copy of a Resolution of the Legislative Assembly of Vancouver Island bearing upon the position which I have now the honor to hold in this Colony, and enquiring what views I may entertain in respect of the arrangement which that Resolution suggests.

In reply I desire that the Legislative Assembly may be informed that I am quite willing to accede to the terms of the Resolution so far as it concerns myself as soon as these terms are embodied in An Act and passed by the Legislature in the usual way.

I have &c. &c.  
(signed) David Cameron, C. J.

William A. G. Young, Esqre.  
Colonial Secretary

Ordered for tomorrow The Consideration of above Correspondence.

Mr. De Cosmos presented a Petition from Horace W. Carpentier, President, California State Telegraph Company—and, therewith, "A Bill Entitled 'An Act to grant the right to construct a telegraph line connecting Victoria with the Telegraph System of the United States, and for other purposes.'" <sup>62</sup>

Referred to Committee on Private Bills.

Ordered That Committee on Private Bills act as Committee on Standing Orders.

1st Reading of A Bill "To grant Two hundred and fifty seven thousand Two hundred and Seventy Nine dollars and fifty cents out of the General Revenues for the Service of the Year 1864."

Mr. Franklin pursuant to notice, moved That the House do appoint a day to go into Committee of the whole upon a Motion "That a Joint Address be sent by the two houses of the Legislature of this Colony to Her Most Gracious Majesty, praying that the Island or Islands of Queen Charlotte be made a part of this Colony."

Ordered for tomorrow.

Ordered for Thursday next 2nd Reading of A Bill "To regulate An Act intituled the Victoria Incorporation Act."

J. S. Helmcken  
Speaker

<sup>62</sup> The petition is printed in the *Colonist*, 1 March 1864.