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## Tuesday, the 1st day of March, 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, Powell, Street, Bayley, De Cosmos, and Dr. Tolmie.

The last Minutes having been read and confirmed.

Mr. De Cosmos gave notice of Motion for Thursday next the 3rd Inst. (M. B. fol. 59).<sup>63</sup>

2nd Reading of A Bill To grant Two Hundred and Fifty Seven Thousand, two Hundred and Fifty Nine Dollars and fifty cents, out of the General Revenues, for the Service of the Year 1864.

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

### Order of the Day.

The House went into Committee of the Whole "To take into consideration the Communication received, yesterday, from His Excellency the Governor (with enclosure) in the matter of the 'Chief Justice's Pension.' "

Also upon a Resolution (Mr. Franklin *Referred* 444 [p. 85 above]) "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.' "

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 Subjects begged to report, in regard of the 1st, viz.: a Communication from His Excellency the Governor in the matter of the Chief Justice's Pension, Progress; and asked leave to sit again.

In regard of the Second, viz.: the Annexation of the Queen Charlotte's Island to Vancouver Island—A Resolution "That the Committee are not prepared to recommend An Address at the present time."

Ordered That Report be adopted.

J. S. Helmcken  
Speaker

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<sup>63</sup> Motion Book, p. 59: "That on Thursday next I will move an Address to His Excellency the Governor praying that the necessary steps be taken to ensure the Reserve at Mount Douglas being retained for the use of the public for ever."

## Wednesday, the 2nd day of March, 1864

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

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

The last Minutes having been read and confirmed.

A Bill Entitled An Act to indemnify the Governor for applying certain moneys to the redemption of Municipal Debentures was read a 2nd time and committed.

Order of the Day.

In Committee of the Whole A Bill To grant Five 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.

Also The consideration of the Communication received (on the 29th Ulto.) from His Excellency the Governor (with enclosure) in the matter of the Chief Justice's Pension.

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 subjects begged to report in regard to the first, viz.: "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"—the Bill complete without amendments.

In regard to the 2nd, viz.: A Communication from His Excellency the Governor in the matter of the Chief Justice's Pension "A Bill Entitled An Act to provide for the retirement of David Cameron Chief Justice of the Colony of Vancouver's Island and its Dependencies."

Ordered That Report be adopted.

Bill read a first time.

Chief Justice's Pension Act, 1864.

Notice of Motion, Mr. De Cosmos (M. B. Fol. 61).<sup>64</sup>

„ „ „ Dr. Trimble (M. B. fol. 61).<sup>65</sup>

Col. Foster from Committee on Private Bills, constituted also, a Committee on Standing Orders reported that the Committee recommended that the Standing Orders be waived,

<sup>64</sup> Motion Book, p. 61: "I will move tomorrow Resolved, That the Standing Orders be suspended in accordance with the Report of Committee on Standing Orders with respect to the application for An Act by the President of the California Telegraph Company."

<sup>65</sup> Motion Book, p. 61: "I move that on a future day this House go into a Committee of the whole to take into consideration means for paying the expenses of the Light Houses."

1st concerning "Advertisements"  
 2nd ,, "Estimate of Expenditure"  
 3rd ,, "Accuracy of plans of Route"  
 in the matter of 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.

J. S. Helmcken  
 Speaker

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### Thursday, the 3rd day of March, 1864

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

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

The last minutes having been read and confirmed.

Mr. De Cosmos, pursuant to Notice, brought forward An Address [to] be presented to His Excellency the Governor "praying that the necessary Steps be taken to ensure the Reserve at Mount Douglas being retained for the use of the Public for ever."

Seconded by Mr. Bayley and Adopted.

Dr. Trimble, pursuant to Notice, moved that "on a future day this House go into Committee of the whole to take into consideration means for paying the expenses of the Light Houses."

Ordered For Wednesday next.

Mr. Speaker then read the Report (yesterday) by the Chairman of the "Committee on Private Bills and Standing Orders"—in relation to which, Mr. De Cosmos, pursuant to notice, moved A Resolution "That the Standing Orders be suspended in accordance with the Report of Committee on Standing Orders with respect to the application for an Act by the President of the California Telegraph Company."

Seconded by Mr. Duncan and agreed to.

Read a third time and passed "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 Island and its Dependencies to the Service of the Year One thousand Eight hundred and Sixty four."

Read a Second time and committed.

A Bill Entitled "An Act to provide for the retirement of David Cameron Chief Justice of the Colony of Vancouver's Island and its Dependencies."

Mr. Young moved the 2nd Reading of a "A Bill To regulate and amend An Act Intituled The Victoria Incorporation Act."

Dr. Powell seconded.

Agreed to (Dissentientibus—Dr. Trimble, Mr. Bayley).

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

Ordered for Monday the 7th Inst.

The House then went into Committee upon "A Bill Entitled 'An Act to indemnify the Governor for applying certain moneys to the redemption of Municipal Debentures.'"

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 Bill had agreed to the same without amendments.

Ordered for tomorrow In Committee.

Chief Justice's Pension Act, 1864.

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

J. S. Helmcken  
Speaker.

### Friday, the 4th day of March, 1864

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

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

The last Minutes having been read and confirmed.

Col. Foster from Committee on Private Bills, constituted a Committee on Standing Orders, reported that the Promoters of 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"—had complied therein with the Standing Orders, save in the exceptions reported by the Committee on the 2nd Inst. and waived by the House on the 3rd Inst.

The above Bill was then Read a first time and referred to Committee on Private Bills.

The House then went into Committee upon "Chief Justice's Pension Act, 1864."

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 Bill had agreed to the same without amendments.

Ordered That Report be agreed to.

Ordered for Monday (7th Inst.).

In Committee "A Bill To regulate and amend An Act Intituled The Victoria Incorporation Act."

Third Reading of "A Bill Entitled 'An Act to provide for the retirement of David Cameron Chief Justice of the Colony of Vancouver's Island and its Dependencies.'"

The House then adjourned till Monday.

J. S. Helmcken  
Speaker

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### Monday, the 7th day of March, 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, Dennes, Street, Carswell, De Cosmos, Bayley, and Drs. Trimble, Tolmie, Powell.

The Last Minutes having been read and confirmed.

Order of the Day.

“A Bill Entitled ‘An Act to provide for the retirement of David Cameron Chief Justice of the Colony of Vancouvers Island and its Dependencies’” was read a 3rd time and passed.

Also “A Bill Entitled ‘An Act to Indemnify the Governor for applying certain moneys to the redemption of Municipal Debentures’” was read a third time and passed.

The House then went into Committee upon “A Bill To regulate ‘An Act Intituled The Victoria Incorporation Act, 1862.’”

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 Bill begged to report Progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken

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### Tuesday, the 8th day of March, 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, Jackson, Dennes, Street, Bayley, De Cosmos, Carswell, and Drs. Trimble, Powell.

The last Minutes having been read and confirmed.

Col. Foster from Committee on Private Bills reported that the Promoters of “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’” had complied with the Standing Orders (except as waived by the House on the 3rd Inst.). The Committee further begged to report the Bill favorably back to the House and to recommend its passage.

Agreed to.

Ordered for tomorrow.

2nd Reading of above Bill.

Order of the Day.

The House then went into Committee upon "A Bill To regulate An Act Intituled The Victoria Incorporation Act 1862."

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 therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Dr. Powell presented a Petition from John Coe and Thomas Martin, and therewith, "A Bill Entitled 'An Act to enable John Coe and Thomas Martin to introduce Water into the City of Victoria.'"

Referred to Committee on Standing Orders.

Dr. Trimble gave notice of Motion (M. B. fol. 61).<sup>66</sup>

Mr. Young gave notice of Motion (M. B. fol. 61).<sup>67</sup>

The House then adjourned till tomorrow.

J. S. Helmcken  
Speaker

### Wednesday, the 9th day of March, 1864

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

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

The last Minutes having been read and confirmed.

Mr. Dennes presented a Petition from Herman Otto Tiedeman [Tiedemann], in opposition to the Petition of John Coe and Thomas Martin praying for the exclusive right for a term of Years to introduce Water into the City of Victoria.

Referred to Committee on Standing Orders.

Mr. De Cosmos presented a Petition from the "Licensed Victuallers Association" praying The House to take into immediate consideration the desirability of reducing the present high and burthensome rate of License now imposed on Retail Liquor dealers in the City of Victoria.

Order To lie on the table.

<sup>66</sup> Motion Book, p. 61: "I give notice that tomorrow I will ask leave to bring in a New Bill to incorporate the City of Victoria."

<sup>67</sup> Motion Book, p. 61: "I give notice that on Thursday next I will ask leave to introduce a Bill, entitled 'An Act for the regulation of Electric Telegraphs within the Colony of Vancouver's Island and to secure Secrecy and fidelity in the transmission of telegraphic messages.'"

Notice of Motion (1) for Monday next, Mr. Duncan (M. B. fol. 63).<sup>68</sup>

” ” ” (2) ” ” ” Mr. Duncan (M. B. fol. 63 & 65).<sup>69</sup>

Read a 2nd time and committed.

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.”

Dr. Trimble, pursuant to Notice, asked leave to bring in “A Bill To incorporate the City of Victoria.”

Mr. Dennes seconded.

Question. “That leave be granted.”

*Ayes:* 5.

Trimble

Duncan

Bayley

Dennes

Carswell

*Noes:* 3.

De Cosmos

Young

Franklin

The Resolution was then put, and leave granted.

Order of the Day.

The House then went into Committee of the whole upon “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.’”

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 therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken  
Speaker

<sup>68</sup> Motion Book, p. 63: “That an address be presented to His Excy. requesting that he would be pleased to cause a return to be laid on the Table of the House of the receipts and expenditure of all moneys Statute labor &c. for road purposes specifying where and how such moneys and statute labour have been expended.”

<sup>69</sup> Motion Book, pp. 63–65: “That a respectful address be presented to His Excy. Sir James Douglas K. C. B. requesting him to communicate to H. M. Government the extreme and urgent necessity of their being graciously pleased to extend to this Colony the boon granted to the Majority of the other British Colonies of Postal money orders of the value of £1. and upwards.

“And that this Colony have also extended to it the privilege of remitting and receiving by Post Books Pamphlets & other printed matter upon the payment of the usual colonial Postal rates.

“Also that the British Consul at Panama be authorised to remit from that place any letters or news papers from the South American republics to Persons in this Colony—as by the present regulations they are detained at that place because of the non-payment of the American Postage to & from California to this place, as the English Company only receive the Postage to that point where their carriage ceases or that the British Consuls at the various Ports be authorised to receive the through rate of Postage to this place.”

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### Thursday, the 10th day of March, 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, Dennes, Foster, Franklin, De Cosmos.

The last minutes having been read and confirmed.

Mr. Young, pursuant to notice, asked leave to bring in "A Bill Entitled 'An Act for the regulation of Electric Telegraphs within the Colony of Vancouver Island, and to secure secrecy and fidelity in the transmission of telegraphic Messages.'"

Seconded by Mr. De Cosmos.

Leave granted.

Read a first time and Ordered to be printed, above Bill.

Order of the Day.

The House then went into Committee upon "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.'"

Mr. Speaker left the Chair.

Mr. Dennes 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 agreed to the same.

Ordered That Report be agreed to.

The Standing Orders were then suspended, and "The first Telegraph Act 1864" (above) was Read a 3rd time and passed—as amended.

The House then adjourned till tomorrow.

J. S. Helmcken

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### Friday, the 11th day of March, 1864

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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, Street, Bayley, De Cosmos.

The last Minutes having been read and confirmed.

Dr. Trimble proposed that a Committee be appointed to draft an Address to His Excellency the Governor upon His Excellency's retirement from the Government of the Colony.

Seconded by Dr. Tolmie and agreed to.

Ordered that Dr. Trimble and Dr. Tolmie be the Committee to draft said address.

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

Vancouver Island.  
Victoria, 11 March 1864

To the Speaker and Gentlemen of the Legislative Assembly  
Gentlemen,

I have had the honor to receive Your Address dated the 5th Instant, requesting that I will take such steps as may be necessary to secure for the use of the Public "The Reserve at Mount Douglas."

In reply thereto I beg to acquaint you that the Reserve in question was originally made by me for the express purpose of providing a place of recreation and amusement for the Inhabitants of Victoria; and that I have since caused it to be marked "Public Park" upon the official Map of the Colony.

I forward herewith to be placed amongst the Records of the Assembly a Map upon which the Limits and Boundaries of this Park are distinctly defined.

I have the honor to be,  
Gentlemen,  
Your Most obedient Servant,

(signed) James Douglas

Also, A Communication from His Excellency the Governor, enclosing Supplemental Estimate to provide for Works proposed to be undertaken during the Year, 1864.

Vancouver's Island  
Victoria 11 March, 1864

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

I have the honor to forward to you herewith a Supplemental Estimate of Sums that will be required to carry out certain works on roads proposed to be undertaken during the present year; and also for certain miscellaneous Services not included in the Estimates already submitted to the House.

2. The further expenditure contemplated under the Head of Education is designed to provide for the construction of a new School House with Play Ground, &c. on the School Reserve in Victoria District and to make a small grant towards the Establishment of a School at Cowichan.

3. An additional Sum in aid of the Royal Hospital at Victoria has been placed upon the Estimates at the earnest request of the Committee of Management who represent that this valuable Institution is still in debt to the amount stated.

4. In consequence of the want of Municipal Revenue the Fire Companies have ceased for some months to receive aid from the City. I would therefor submit to you the propriety of enabling the Executive to grant relief to the extent named in the Estimates to meet for the present the requirements of that efficient organisation, upon the understanding, if desirable, that the amount be repaid by the City as soon as sufficient Revenue is collected.

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

Supplemental Estimate to provide for works proposed to be undertaken during the Year 1864.

For Roads	\$14,000
To be applied as follows.	
Saanich Road	\$5,000.
Sooke Road	2,000.
Metchosin Road	3,000.
From Metchosin to Albert Head	500.
To open Waggon Road to Gold Stream	1000.

McKenzie's to Naval Hospital	1000.
McKenzie's to join Burnside Crossing Colquitz river near its mouth	500.
Mount Tolmie Cross Road	600.
Casual repairs	400.
Total	14,000

Education	5,000
Royal Hospital	2,500
Fire Department	2,000
Mail Communication along the Coast	2,000
Miscellaneous Services Refund of Taxes overpaid &c.	500
Total	\$26,000

Referred to Committee of Supply.

Ordered for Wednesday next.

Order of the Day.

The House then went into Committee of the whole upon "A Bill To regulate An Act Intituled The Victoria Incorporation Act 1862."

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 therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Dr. Trimble from the Committee appointed to draft an address to His Excellency the Governor upon His Excellency's retirement from the Government of this Colony reported the following address.

*To His Excellency Sir James Douglas Knight Commander of the Most Honorable Order of the Bath, Governor of Vancouver Island and its Dependencies.*

We, the loyal and faithful Subjects of Her Majesty, the Members of the Legislative Assembly of Vancouver Island and its Dependencies in Parliament assembled desire on the occasion of Your Excellency's retirement from Office most respectfully to express our high appreciation of the great administrative qualities and the uniform urbanity shewn by Your Excellency during the many years you have filled the responsible position of Governor of the Colony.

We consider the great prosperity of this portion of Her Majesty's dominions during the past few years as mainly ascribable to the wise policy which Your Excellency inaugurated, and, knowing how great an interest Your Excellency has taken in the welfare of this Colony, we trust that its continued advancement may be equal to Your Excellency's good wishes in its behalf.

Whilst sincerely regretting your departure we earnestly hope that Your Excellency may long live to enjoy the honors so worthily bestowed upon you by Her Majesty the Queen, and we trust that health and happiness, peace and prosperity may attend you for many many years to come.

Agreed to unanimously.

The House then adjourned till Monday.

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## Monday, the 14th day of March, 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, Street, Duncan, Dennes, De Cosmos, Dr. Trimble, and Col. Foster.

The last Minutes having been read and confirmed.

Mr. Speaker informed the House that he, Mr. Speaker, Messrs. Young, Franklin, Dennes, Street, Bayley, and Drs. Tolmie, Trimble, Powell, had waited upon His Excellency the Governor on Saturday to present to His Excellency the Address voted by the House on Friday the 11th Inst. and that His Excellency had been pleased to reply graciously thereto.

Dr. Trimble moved that the Governor's Reply be recorded in the minutes of the House.

Mr. Street seconded.

Agreed to.

Mr. Speaker then read His Excellency's Reply.

Mr. Speaker and Gentlemen of the Legislative Assembly.

I thank you for this gratifying mark of your confidence and regard; I also thank you for the Zeal and diligence with which you have on all occasions applied yourselves to the discharge of your public duties, and for your cordial and active co-operation with me in every useful measure connected with the prosperity and well being of the Country—a circumstance to which the Colony is mainly indebted for its present prosperity.

Discord had been the bane of many Countries; you have wisely kept down the evil spirit in this Colony, and I trust it may never mar the mutual harmony and good feeling now existing between the Executive and the Legislature.

It is through wise Councils that countries flourish, and thrive. This Colony has been prosperous; and may justly be proud of the ability and public spirit of its Legislative Assembly.

I do feel, as you have justly observed, a deep interest in the welfare of the Colony; and I sincerely trust that the Blessing of God may ever rest upon your efforts to promote its moral and material interests.

[James Douglas]

Col. Foster, from the Committee on Standing Orders reported that the Standing Orders had been complied with in the matter of "A Bill Entitled An Act to enable John Coe and Thomas Martin to introduce water into the City of Victoria."

Read a first time, Above Bill.

Dr. Trimble moved that, out of respect for His Excellency Sir James Douglas, the House adjourn.

Seconded by Mr. Street and agreed to.

The House then adjourned.

J. S. Helmcken  
Speaker

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## Wednesday, the 16th day of March, 1864

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

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

The last Minutes having been read and confirmed.

Mr. Speaker read a Communication from His Excellency the Governor, assenting to certain Bills, as follows.

Vancouver Island  
Victoria 12th March, 1864

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

I have the honor to inform you that the following Bills received my Assent on the days mentioned in the Margin [shown here in parentheses], viz.:

The Provisional Act for the Election of Mayor and Councillors: (30th Oct. 1863).

The Governor's Indemnity Bill, 1864 (11th March, 1864);

The Chief Justice's Pension Bill, 1864 (11th March, 1864);

A Bill To apply the Sum of Two hundred and fifty seven thousand, two hundred and seventy nine Dollars &  $\frac{50}{100}$  to the service of the Year, 1864 (11th March, 1864);

And A Bill Entitled the First Telegraph Act, 1864 (12th March, 1864);

And The Victoria Pilot Bill 1864 (12 March, 1864).

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

Dr. Trimble pursuant to notice moved 1st reading of "A Bill Entitled An Act to repeal the 'Victoria Incorporation Act 1862', and to incorporate the City of Victoria."

Seconded by Mr. Dennes.

The Bill was then Read a First time and Ordered to go to a 2nd Reading.  
Ordered to be printed.

Dr. Trimble gave notice of Motion (M. B. fol. 65).<sup>70</sup>

Order of the Day.

The House then went into "Committee of Supply"—Supplemental Estimate.

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" having taken into consideration the "Supplemental Estimate" had voted a Sum of Twenty Six Thousand dollars therein for Works proposed to be undertaken during the Year, 1864.

<sup>70</sup> Motion Book, p. 65: "I will move tomorrow that an humble address be presented to His Excellency the Governor for any correspondence that may have taken place relative to the sending home a person to lecture upon the resources of the Colony."

Notice of Motion for tomorrow (M. B. fol. 65) Mr. Franklin.<sup>71</sup>

Ordered for Friday next.

2nd Reading "A Bill For the regulation of Electric Telegraphs, &c."  
The House then adjourned till tomorrow.

J. S. Helmcken

### Thursday, the 17th day of March, 1864

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

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

The last minutes having been read and confirmed.

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

Supplemental Estimate For works proposed to be undertaken during the Year 1864.

For Roads		\$14,000
To be applied as follows.		
Saanich Road.	\$5000.	
Sooke Road	2000.	
Metchosin Road	3000.	
From Metchosin to Albert Head	500.	
To open Waggon Road to Gold Stream	1000.	
McKenzie's to Naval Hospital	1000.	
McKenzies to join Burnside crossing Colquitz River near its mouth	500.	
Mount Tolmie Cross Road.	600.	
Casual	400.	
	<u>Total</u>	<u>14,000</u>
Education		5000
Royal Hospital		2500
Fire Department		2000
Mail Communication along the Coast		2000
Miscellaneous Services Refund of Taxes overpaid, &c.		500
		<u>\$26,000.</u>

Agreed to.

Dr. Trimble, pursuant to notice moved that "An humble address be presented to His Excellency the Governor for any correspondence that may have taken place relative to the sending home a person to lecture upon the resources of the Colony."

Mr. Franklin seconded.

Agreed to.

<sup>71</sup> Motion Book, p. 65: "I give notice that I shall move tomorrow that an address be voted by this House to be presented to His Excy. Governor Kennedy C. B. upon the occasion of his assuming the Governorship of this Colony."

Mr. Franklin pursuant to notice moved that a Committee be appointed to draft an Address to His Excellency Governor Kennedy C. B. upon the occasion of his assuming the Governorship of this Colony.

Seconded by Mr. Dennes.

Agreed to.

Mr. Speaker appointed Messrs. Franklin, De Cosmos, and Dr. Trimble a Committee to draft said address.

Ordered for tomorrow.

Resolution To Consider the means for paying the expenses of the Light houses.

Petition of Licensed Victuallers' Association.

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

J. S. Helmcken  
Speaker.

### Friday, the 18th day of March, 1864

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

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

The last minutes having been read and confirmed.

Mr. Young moved the Second reading of "A Bill Entitled 'An Act for the Regulation of Electric Telegraphs within the Colony of Vancouver Island and to secure secrecy and fidelity in the transmission of Telegraphic Messages.'"

Seconded by Mr. Franklin and agreed to.

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

The House then went into Committee of the whole, on 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, having had under consideration.

First A Supplemental Estimate For Works proposed to be undertaken during the Year 1864.

Second A Petition from the Licensed Victuallers' Association of Victoria praying for the modification and amendment of the Liquor License Act 1861.

Third A Resolution that the House go into Committee of the whole to take into consideration Means for paying the expenses of the Lighthouses.

Begged to report in regard of the

First, Supplemental Estimate, "A Bill To grant the Sum of Twenty Six Thousand Dollars out of the General Revenue to provide for a Supplemental Estimate for works to be undertaken during the Year 1864."

Second, in regard of the Petition of the Licensed Victuallers Association "A Bill To modify and amend the Liquor Licence Act, 1861."

Third, in regard of the Resolution concerning The Expenses of the Lighthouses to report the Resolution back to the House.

Ordered That Report be agreed to.

Read a first time "A Bill To grant the Sum of Twenty Six Thousand Dollars out of the General Revenue to provide for a Supplemental Estimate for works to be undertaken during the Year, 1864."

Ordered for Monday next In Committee.

A Bill Entitled An Act for the Regulation of Electric Telegraphs within the Colony of Vancouver Island and to secure secrecy and fidelity in the transmission of Telegraphic Messages.

[Ordered] for Tuesday next.

2nd Reading of "A Bill Entitled An Act to repeal the 'Victoria Incorporation Act 1862' and to incorporate the City of Victoria."

The House then adjourned till Monday.

J. S. Helmcken  
Speaker

### Monday, the 21st day of March, 1864

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

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

The last Minutes having been read and confirmed.

Order of the Day.

Bill read a 2nd time and committed "A Bill To grant the Sum of Twenty Six Thousand dollars out of the General Revenue to provide for a Supplemental Estimate for works to be undertaken during the Year 1864."

In Committee of the whole.

A Bill Entitled An Act for the Regulation of Electric Telegraphs within the Colony of Vancouver Island, and to secure secrecy and fidelity in the transmission of Telegraphic Messages.

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 agreed to the same, as amended.

Ordered That report be received.

The House then adjourned till tomorrow.

J. S. Helmcken  
Speaker

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**Tuesday, the 22nd day of March, 1864**

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

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

The last Minutes having been read and confirmed.

Dr. Trimble moved that the 2nd Reading of "A Bill Entitled an act to repeal the 'Victoria Incorporation Act, 1862' and to incorporate the city of Victoria" be postponed till tomorrow.

Seconded by Mr. Street.

Mr. De Cosmos moved An Amendment "That the 2nd Reading of above Bill be postponed for Six Months."

Seconded by Mr. Young.

The House then divided.

For Mr. De Cosmos's Amendment

*Ayes:* 3.

Messrs. De Cosmos  
Young  
Bayley

Against the amendment

*Noes:* 5.

Messrs. Trimble  
Tolmie  
Street  
Franklin  
Dennes

The Amendment was therefore lost.

Dr. Trimble's motion was then put and carried.

The House then went into Committee on Ways and Means.

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.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill had agreed to the same without amendment.

Ordered That Report be adopted.

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

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**Wednesday, the 24th [23rd] day of March, 1864**

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

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

The last minutes having been read and confirmed.

Order of the Day.

Read a third time and passed "A Bill Entitled An Act for the Regulation of Electric Telegraphs within the Colony of Vancouver Island, and to secure secrecy and fidelity in the transmission of Telegraphic Messages."

Also, "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."

Dr. Trimble asked leave to withdraw "A Bill Entitled An Act to repeal the 'Victoria Incorporation Act 1862' and to incorporate the city of Victoria."

Leave granted.

The House then went into Committee of the whole upon "A Bill To regulate An Act Intituled the 'Victoria Incorporation Act, 1862.'"

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 Bill, begged to report progress therein, and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken  
Speaker

### Thursday, the 25th [24th] day of March, 1864

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

Present: Mr. Speaker in the Chair, Messrs. Young, De Cosmos, Franklin, Bayley, Drs. Trimble, Powell, 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 "To regulate An Act Intituled the 'Victoria Incorporation Act, 1862.'"

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 therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till Wednesday next /30th.

J. S. Helmcken  
Speaker

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### Wednesday, the 30th day of March, 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, Jackson, Duncan, Dennes, Bayley, De Cosmos, Franklin, and Drs. Trimble, Powell.

The last Minutes having been read and confirmed.

Mr. Franklin from the Select Committee appointed to draft An Address to His Excellency Governor Kennedy, upon the occasion of his assuming The Government of this Colony reported the following Address.

*To His Excellency Arthur Edward Kennedy Companion of the Most Honorable Order of the Bath Governor and Commander-in-Chief of The Colony of Vancouver's Island and its Dependencies*

We Her Majesty's loyal and faithful subjects, the Members of the Legislative Assembly of the Colony of Vancouver's Island and its Dependencies, beg to offer to Your Excellency our respectful congratulations upon the occasion of your assuming the functions of Governor of this Colony.

As it is our duty, so will it be on all occasions our anxious desire to aid you in the administration of the affairs of the Colony, and to co-operate in such legislative measures as may be deemed most conducive to the welfare and progress of our young and rising Colony.

In thus tendering you our Welcome we pray that it may please Almighty God to vouchsafe to you health and happiness, and that under your fostering influence and guidance the Colony may continue to prosper and flourish.

Ordered That Address be adopted.

Order of the Day.

The House then went into Committee of the whole upon A Bill "To regulate An Act entitled 'The Victoria Incorporation Act, 1862.'"

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 Bill begged to report progress therein 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 1st day of April, 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, Street, Duncan, Carswell, Bayley, Dennes, De Cosmos, Jackson, Drs. Trimble, Tolmie, Powell, 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 To regulate an Act Entitled the 'Victoria Incorporation Act, 1862.'"

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 the same complete, with amendments.

Ordered That Report be received.

Ordered That above Bill be printed, as amended.

The House then adjourned till 3 p.m. on Monday (3rd) [4th].

J. S. Helmcken  
Speaker

### Monday, the 4th day of April, 1864

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

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

The last Minutes having been read and confirmed.

The House took under consideration the report of the Committee (1st April) viz.: "A Bill To regulate An Act Entitled The Victoria Incorporation Act 1862" complete with Amendments.

Mr. Young moved that above Bill be recommitted.

Dr. Powell seconded.

Agreed to.

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

No. 1

Victoria, Vancouver Island  
2nd April, 1864

To The Honorable The Speaker and Gentlemen of the Legislative Assembly  
Gentlemen

I have the honor to transmit for your information the Copy of a Despatch from the Secretary of State for the Colonies, dated 21st January 1864 acknowledging the receipt of an address from Your Honorable House on the occasion of the Prince of Wales' Marriage.

I have the honor to be,  
Mr. Speaker and Gentlemen,  
Your obedient Servant,  
(signed) A. E. Kennedy  
Governor

(Copy)

Vancouver Island

Downing Street  
21st January, 1864

Sir,

I have the honor to acquaint you that the addresses of the Legislative Council of Vancouver Island and of the House of Assembly to the Prince of Wales upon the occasion of his marriage (which were forwarded by your Predecessor in his Despatch No. 43 of the 20th of October last) have been duly laid before His Royal Highness, and that His Royal Highness derived much satisfaction from the loyal and affectionate sentiments which they express.

I have the honor to be,  
Sir,  
Your obedient Servant

(sd.) Newcastle.

Governor Kennedy  
True Copy  
(signed) A. E. Kennedy

No. 2

Victoria, Vancouver Island  
2nd April, 1864

To The Honorable The Speaker and Gentlemen of the Legislative Assembly  
Gentlemen

My Predecessor has transmitted to me Your Message recommending the selection and appointment of a Council composed of a certain limited number of Members from the Legislative Council and from the Legislative Assembly for the purpose of forming an acknowledged link of communication between the Executive and Legislative branches of the Government, and thereby facilitating the transaction of public business.

With reference thereto I beg to convey my Assurances to the Assembly that the matter shall receive my best consideration; but I consider it would be inexpedient to enter upon so important a question with the limited experience of the Colony which I, at present possess.

I have the honor to be,  
Mr. Speaker and Gentlemen  
Your obedient Servant,  
(sd.) A. E. Kennedy  
Governor.

No. 3

Victoria, Vancouver Island  
2nd April, 1864

To The Honorable The Speaker and Gentlemen of the Legislative Assembly  
Gentlemen

I have the honor to take this early opportunity of bringing to the notice of the Legislative Assembly the absence in this Colony of any Residence for its Governor.

I was aware of this fact before my departure from England, and in reply to a communication which I addressed to the Secretary of State upon the subject I received a Despatch dated the 16th September, 1863, which I have now the honor to submit for the information of the House of Assembly.

In submitting this subject to the House I would observe that it is one wholly distinct from that of the Civil List, and it will be for the consideration of the House, whether it should not be so treated.

In the event of the House of Assembly being disposed to entertain the question of a temporary Residence for the Governor of the Colony—or the erection of a permanent one—or both—I will be prepared to submit a definite proposal on either or both subjects.

I have the honor to be,  
Mr. Speaker and Gentlemen,  
Your obedient Servant  
(sd.) A. E. Kennedy  
Governor

(Copy.)

Downing Street  
16th Sept. 1863

Sir

I am directed by the Duke of Newcastle to acknowledge your letter of the 27th Ult. on the subject of a Government House at Vancouver Island and to acquaint you that as no Residence for the Governor has hitherto been provided by the Colony it becomes a matter of necessity that you should cause a representation to be addressed to the House of Assembly moving them to supply the requisite funds for building one, and also for furnishing the public Apartments.

The duty of providing the Governor with adequate house accommodation devolves upon all Colonial communities and I entertain no doubt that the House of Assembly of Vancouver Island will cheerfully respond to your application on the subject.

Pending the erection of the House the Duke of Newcastle authorises you to engage a suitable Residence, the rent for which will have to be defrayed by the Colony.

His Grace approves your suggestion of having a plan of a house prepared by a competent Architect in this Country, and as soon as it is completed he will be happy to inspect it.

You will, however, necessarily incur a personal liability for the Architects charges, in case the Assembly should decline to adopt the plan and to provide for the expense of obtaining it.

I am, Sir,  
Your obedient Servant  
(signed) Frederic Rogers

To Captain Kennedy, C. B. &c. &c. &c.  
True Copy A. E. K.

(Copy)

No. 4

Victoria, Vancouver Island  
2nd April, 1864

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

I find upon examination of the Sums voted for Services during the current Year that no provision has been made by way of Salary for the Private Secretary to the Governor of the Colony.

I forward, herewith, the Copy of a Despatch, dated 11th September 1863, conveying to me the views, upon this subject of Her Majesty's Principal Secretary of State for the Colonies.

Acting upon that Despatch I have selected and appointed a Private Secretary and I feel sure that it is not necessary that I should urge upon the Assembly the propriety of placing me in a position to award a Salary to a functionary so requisite to the Representative of the Crown to enable him to discharge his duties in a fitting and becoming manner.

I take this opportunity of also forwarding to the Assembly the Copy of a Despatch dated the 6th January, 1864—from the Secretary of State pointing out that

as this Colony possesses a Representative Assembly the passage money of my private Secretary cannot be defrayed from Imperial Funds.

I further enclose an Extract from the Colonial Regulations showing the limit within which the expense of the passages to Colonies of officers appointed from home is defrayed from Public Funds, and in reference thereto I would submit to the Assembly the propriety of appropriating the Sum of Five Hundred Dollars to reimburse the outlay already incurred for the passage from England to this Colony of my Private Secretary.

I have the honor to be,  
Mr. Speaker and Gentlemen  
Your obedient Servant  
(sd.) A. E. Kennedy  
Governor.

(Copy)

Downing Street  
11th September, 1863.

Sir,

I am directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 27th Ulto. on the subject of a Private Secretary.

His Grace desires me to say the he is clearly of opinion that you ought to have a Private Secretary for whom Two hundred and fifty Pounds would be a very proper provision.

No such provision, however, has been made by the Local Legislature or proposed to them as part of the arrangement by which they are to obtain possession of the Land Fund.

His Grace is therefore unable to guarantee the Salary of a Private Secretary. But in handing over to the Legislature the Crown Revenue of the Island you will be at liberty to urge upon them the propriety of making this provision on the Civil List, and in case it shall be made, or on the chance of their making it to select for yourself a Private Secretary.

More than this the Duke of Newcastle regrets that he is unable to do under present circumstances.

I am, Sir,  
&c. &c. &c.  
(signed) Frederic Rogers

Captn. Kennedy, C. B. &c. &c. &c.  
True Copy A. E. K.

(Copy)

(Enclosed with Despatch No. 4)

Downing Street.  
6th January, 1864

Sir,

With reference to your letter of the 23rd Ulto. I am directed by the Duke of Newcastle to acquaint you that Passage allowances or Passages at the public expense are not granted to officers appointed to Colonies possessing Representative Assemblies with the exception of Governors and sometimes Clergymen.

His Grace regrets therefore that he is unable to offer a Passage allowance to your Private Secretary.

Your obedient Servant  
I am, Sir,  
(sd.) Frederic Rogers

Captain A. A. Kennedy  
True Copy. A. E. K.

Extract from the Rules and Regulations for Her Majesty's Colonial Service Chap. 4, Sec. 3, Clause 132.

Whenever any other person in this Country shall be appointed to any office in a Colony not possessing a Representative Assembly the emoluments of which do not exceed Five hundred Pounds per annum the Colonial Agent General will defray the expense of his Passage to the Colony but the person so appointed will be required to execute an Agreement in the Form inserted in the Appendix.

True Copy (signed) A. E. Kennedy

No. 5

Vancouver's Island  
Victoria, 4th April, 1864

To The Honorable The Speaker and Gentlemen of the Legislative Assembly  
Gentlemen

I have the honor to forward to you, herewith, Copy of a Despatch from Her Majesty's Principal Secretary of State for the Colonies announcing the pleasing intelligence that on the Evening of the 8th January last the Princess of Wales was delivered of a Prince.

I have the honor to be,  
Mr. Speaker and Gentlemen  
Your obedient Servant  
(signed) A. E. Kennedy  
Govr.

(Copy) (initialled) A. E. K.

Vancouver Island

Downing Street  
15th January, 1864

Sir,

It is my pleasing duty to announce to you that on the evening of the 8th Inst. at two Minutes before Nine o'clock, Her Royal Highness The Princess of Wales was happily delivered of a Prince to the great joy of the Nation and of all The Royal Family. Her Royal Highness and the Infant Prince have, through Divine Mercy, continued to do well up to the present time.

I have the honor to be,  
Sir,  
Your most obedient humble Servant  
(sd.) Newcastle

Governor  
Sir James Douglas K. C. B.

Ordered for Thursday next In Committee of the whole—The Consideration of The Governors Despatch (No. 3) concerning a Residence for the Governor.

Also The Governors Despatch (No. 4) concerning Private Secretary's Salary and allowance of Five hundred Dollars passage money.

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### Wednesday, the 6th day of April, 1864

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

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

The last Minutes having been read and confirmed.

Col. Foster from Committee on Private Bills in the matter of the Petition of Messrs. Coe and Martin and A Bill "To enable John Coe and Thomas Martin to introduce water into the City of Victoria" reported as follows.

To The Honorable The Speaker of the Legislative Assembly

The Private Bill Committee to which Your Honorable House has referred the Bill of Messrs. Coe and Martin to enable them to introduce water into the City of Victoria from Spring Ridge and elsewhere beg leave to report as follows.

That the preamble of the Bill has not been proven; and Your Committee is further of opinion that it is unadvisable to grant the privilege prayed for by Messrs. Coe and Martin, in as much as it has not been proven to the satisfaction of Your Committee that a sufficient Supply of Water can be obtained from Spring Ridge to supply the City; and in as much as Messrs. Coe and Martin have not satisfied your Committee that they will be able to supply the said City with Water from elsewhere.

(signed) George F. Foster, Chairman

Order of the Day.

The House then went in Committee of the whole upon A Bill Entitled An Act to regulate and amend "The Victoria Incorporation Act, 1862" (recommitted see R. 4th Inst.).

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 Bill begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

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

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

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

The last Minutes having been read and confirmed.

Order of the Day.

In Committee of the Whole.

The House took under consideration certain Communications received from His Excellency the Governor

No. 3 with enclosure Concerning A Residence for the Governor

No. 4 with enclosures Concerning Salary, For the Governor's Private Secretary, of Two Hundred and Fifty Pounds per annum, and an allowance of Five Hundred Dollars, as passage Money of that functionary from England.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Communications from his Excellency The Governor had adopted therein the following Resolutions.

1st As to A Residence for the Governor.

That this House most respectfully declines making any appropriation from the General Revenue of the Colony for the purpose of providing either a permanent or temporary Government House, until the result of an address lately transmitted to Her Majesty's Principal Secretary of State for the Colonies be known. The House is further of opinion that the Crown Revenues are applicable for such purposes, at the same time the House will not hold itself responsible for any debts incurred in that behalf.

2nd Resolution In regard of a Salary and Passage money for the Governor's private Secretary.

That this House is of opinion that the question cannot be entertained until such time as the question of the transfer of Crown Lands shall come before the Legislature in answer to Resolutions already forwarded to Her Majesty's Principal Secretary of State for Foreign [Colonial] Affairs.

Ordered That Report be received.

Mr. Franklin gave notice of Motion (M. B. fol. 67).<sup>72</sup>

Mr. Speaker gave notice that there would be an Evening Session of the House, tomorrow.

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

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

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

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

The last Minutes having been read and confirmed.

Mr. Duncan brought up the Report from the Select Committee On Education.

Ordered To lie on the Table.

Ordered For Monday next The consideration of above Report.

<sup>72</sup> Motion Book, p. 67: "To establish and provide for the maintenance and supervision of public Schools within the limits of the City—said Schools to be conducted upon strictly non sectarian principles."

Mr. Speaker then read a Petition from certain Inhabitants of Vancouver Island to the Legislative Assembly praying that "A deviation be made in the Saanich Road &c."

Ordered That Petition be forwarded to the Executive.

The House then took up the Report of the Committee (yesterday) in regard to certain Communications received from His Excellency The Governor.

1st As to A Residence for the Governor.

2nd In regard to A Salary of Two Hundred and fifty Pounds per Annum; and an allowance of Five Hundred Dollars as passage money, for the Governors Private Secretary.

The House divided.

Question "That Report be adopted."

*Ayes:* 5.

Messrs. De Cosmos  
Tolmie  
Duncan  
Carswell  
Dennes

*Noes:* 5.

Messrs. Young  
Franklin  
Street  
Drs. Trimble  
Powell

Mr. Speaker gave his casting vote in favor of the Resolutions.

The Report of the Committee was therefore adopted.

Mr. Speaker then read a communication from the Honble. The Council.

Vancouver's Island  
Council Chamber  
April 7th 1864

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

I have the honor to return to Your Honourable House the following Bills which have been read a third time and passed the Legislative Council as amended—viz.: "A Bill Entitled An Act to prevent the Unauthorised Issue of Bank Notes" Amendments attached and "A Bill Entitled An Act respecting Barristers and Attorneys-at-Law" Amendments attached.

I have the honor to be,  
Gentlemen,  
Your obedient Servant,  
Edwin James Nesbitt,  
Acting Clerk of the  
Legislative Council.

Legislative Council Amendments to the Bank Note Bill.

Preamble Line 6. After the word "Notes" insert the words "within the Colony of Vancouver's Island."

Line 10. After the word "of" strike out the word "this" and in lieu thereof insert the word "said."

Clause II Line 44. After the word "amount" insert the words "of such Notes."

Line 45. Strike out the words "of the promissory Notes payable to bearer on demand."

Line 48. Strike out the words "or available Assets."

Line 50. After the word "Notes" strike out the words "and such Bank shall &c. &c." to the end of the Clause.

Clause III Line 56. Before the word "It" insert "that."

Line 87. After the word "recovered" strike out the remainder of the clause and introduce the words "as hereinafter provided."

Clause IV, Line 93. Before the word "every" insert "that."

Line 96. Strike out the word "of" and insert "after."

Line 100. Strike out the words "this Colony" and introduce the words "Vancouver Island".

Line 102. Strike out the words "or available assets."

Line 104. After the word "represent" add the words "and every Manager, Managing Director, Chief Cashier, or Clerk as aforesaid neglecting or refusing to make such declaration shall for every such offence forfeit to Her Majesty her heirs and Successors a Penal Sum of Five hundred dollars to be recovered as hereinafter provided."

Clause V, Line 105. Before the word "any" insert "that."

Line 122. After the word "recovered" strike out the remainder of the Clause and introduce the words "as hereinafter provided."

Introduce the following clause (after the second clause of the Bill).

That on and after the passage of this Act, Notes of a lower denomination than Five Dollars or of a denomination other than a multiple of Five dollars shall not be issued by any Bank authorized to issue Bank Notes under this Act.

Add also the following Clause.

All penalties under this Act shall be recovered in the Supreme Court of Vancouver Island in the name of the Attorney General or other officer duly authorised in that behalf.

(signed) Edwin James Nesbitt  
Clerk of the Legtve. Council  
7th April, 1864

Above Amendments Read a first time.

Legislative Council Amendments to The Barristers' and Attorneys' Bill.

Page 3 line 5. Strike out the words "where the common law of England is in the common-law of the Land."

Page 4 line 14. Strike out the word "of" and insert the word "to."

Page 5 line 5. After the word "Dominions" strike out the words "where the common-law of England is the common law of the Land."

Page 11 Line 13. After the word "accordingly" add the words "Provided always that nothing herein contained shall extend to take away alter or prejudice the rights of any person acquired prior to the passing of this Act but such proceedings may thereupon be had and taken and any such right dealt with in all respects by the said Court or the Judge thereof as if this Act had not been passed."

(signed) Edwin James Nesbitt  
Clerk to the Council  
7th April 1864

Above Amendments read a first time.

Order of the Day.

The House then went into Committee of the whole upon "A Bill To regulate An Act entitled 'The Victoria Incorporation Act, 1862.'"

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 Bill had made progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned (At 10.30 p. m.) till Monday.

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### Monday, the 11th day of April, 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, Street, De Cosmos, Jackson, Bayley, Drs. Tolmie, Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The Consideration of the Amendments of The Honble. the Council to "The Barristers and Attorneys Bill" and to "The Bank Note Bill" was postponed till tomorrow.

The House then took up the report of The Committee on Education.

Mr. De Cosmos moved that Report be adopted.

Mr. Franklin seconded.

Agreed to.

Ordered That the Committee bring in "a Bill" based on the Report.

"A Bill To enable John Coe and Thomas Martin to introduce Water into the City of Victoria" came up for a 2nd Reading.

Ordered for Thursday next, 2nd Reading of above Bill.

The House then adjourned till tomorrow.<sup>73</sup>

J. S. Helmcken  
Speaker

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### Wednesday, the 13th day of April, 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, Street, Bayley, Dennes, De Cosmos, Franklin, and Drs. Tolmie, Powell.

The last Minutes having been read and confirmed.

Mr. Franklin, pursuant to Notice (M. B. fol. 67) moved "An Address of Congratulation to Her Most Gracious Majesty The Queen and also to Their Royal Highnesses The Prince and Princess of Wales upon the auspicious event of the Birth of a Prince."

Ordered That Messrs. Franklin, Bayley, and Dr. Powell be the Committee to draft above addresses.

Mr. De Cosmos gave notice of Motion (M. B. fol 67) for tomorrow (Thursday).<sup>74</sup>

Order of the Day.

The Amendments of the Honble. the Council to "The Barristers' and Attorneys' Bill" were agreed to.

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<sup>73</sup> The House did not meet Tuesday for lack of a quorum. *Colonist*, 13 April 1864.

<sup>74</sup> Motion Book, p. 67: "On Thursday next I will move a Resolution to be recorded on the Journals of this House repudiating the charge of disloyalty, made lately at a public meeting respecting the Speaker of this House."

The Amendments of the Honble. the Council to "The Bank Bill 1864" were Ordered for Friday next.

The House then went into Committee of the whole upon "A Bill To Regulate An Act entitled the Victoria Incorporation Act, 1862."

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 Bill begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Ordered for tomorrow.

2nd Reading of a Bill "To enable John Coe and Thomas Martin to introduce Water into the City of Victoria."

The House then adjourned till tomorrow.

J. S. Helmcken  
Speaker

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

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

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

The last Minutes having been read and confirmed.

Dr. Trimble presented a Petition from certain Property-holders at Point Ellis and on the north side of Victoria praying "not to be included with the limits of the City" in the Incorporation Bill now under consideration of the Legislative Assembly.

Mr. De Cosmos, pursuant to notice, moved the following Resolution.

That this House repudiates the charge of disloyalty against the Speaker of this House that has lately been put in circulation, and declares that such charge is unfounded; and, that this House places implicit confidence in the loyalty and attachment of the Speaker of this House to the Crown.

Dr. Trimble seconded.

Agreed to unanimously.

Order of the Day.

"A Bill To enable John Coe and Thomas Martin to introduce water into the City of Victoria" came up for a 2nd Reading.

Rejected unanimously.

The House then went into Committee of the whole upon "A Bill To regulate An Act entituled the 'Victoria Incorporation Act 1862.'"

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 Bill, had made progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Notice of Motion—for Tuesday next—Dr. Powell (M. B. fol. 69).<sup>75</sup>

The House then adjourned till Monday next.

J. S. Helmcken  
Speaker

### Monday, the 18th day of April, 1864

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

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Jackson, and Drs. Tolmie, Powell.

The last Minutes having been read and confirmed.

Mr. Speaker rose to correct certain mis-statements which had been made by the Reporters of the Public Journals in their reports of the Debate which took place in the Legislative Assembly on the 15th Inst.

Order of the Day.

The House then went into Committee of the whole upon "A Bill To Regulate An Act entituled 'The Victoria Incorporation Act, 1862.'"

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill, begged to report the Bill complete with Amendments.

Ordered That Report be adopted.

Notice of Motion for Friday next. Dr. Powell (M. B. fol. 69).<sup>76</sup>

The House then adjourned till tomorrow.

J. S. Helmcken

<sup>75</sup> Motion Book, p. 69: "On Tuesday next I will move an humble address to His Excellency the Governor praying a delay in the expenditure of \$5000.00 appropriated for the erection of a School House in Victoria District pending the enactment of a Common-School Bill; and to provide a sufficient sum for the temporary provision of a public Common School in this City."

<sup>76</sup> Motion Book, p. 69: "That I will on Tuesday next present a petition to introduce a Bill to incorporate the 'Emanuel of Victoria Vancouver Island.'"

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

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

Present: Mr. Speaker in the Chair, Messrs. Young, Dennes, Carswell, De Cosmos, and Dr. Tolmie.

The last Minutes having been read and confirmed.

Read a 3rd time and passed.

A Bill To regulate An Act entituled "The Victoria Incorporation Act, 1862."

The House then adjourned till Monday next (the 25th Inst.).

J. S. Helmcken  
Speaker

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

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

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

The last Minutes having been read and confirmed.

Dr. Powell presented a Petition from certain Members of the Jewish Persuasion, with "A Bill to incorporate the Israelite Congregation, named 'The Emanuel of Victoria Vancouver Island.'"

Ordered To be referred to Committee on Private Bills.

The Amendments of the Honble. the Council to "The Bank Note Act, 1864" were agreed to.

The House then adjourned till Wednesday.<sup>77</sup>

J. S. Helmcken.  
Speaker.

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## Friday, the 29th day of April, 1864

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

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

The last Minutes having been read and confirmed.

There being no business The House adjourned till Tuesday next (May 3rd).

J. S. Helmcken  
Speaker

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<sup>77</sup> The House did not meet on Wednesday, presumably because of the arrival of the mail steamer. It did not meet on Thursday for lack of a quorum. *Colonist*, 29 April 1864.