

JOURNALS
OF THE
COUNCIL
OF THE COLONY OF
VANCOUVER ISLAND

30 AUGUST 1851 to 27 FEBRUARY 1863

MEMBERS OF THE COUNCIL OF VANCOUVER ISLAND
1851-1863

COUNCILLORS	First Sitting	Last Sitting
Richard Blanshard (Governor).....	30 Aug. 1851	30 Aug. 1851
James Douglas.....	30 Aug. 1851	6 Feb. 1861
(Senior Member).....	30 Aug. 1851	30 Aug. 1851
(Governor).....	28 Apr. 1852	6 Feb. 1861
John Tod.....	30 Aug. 1851	17 Feb. 1857
(Senior Member).....	29 Mar. 1853	17 Feb. 1857
James Cooper.....	30 Aug. 1851	9 June 1856
Roderick Finlayson.....	28 Apr. 1852	27 Feb. 1863
(Senior Member).....	11 Oct. 1858	27 Feb. 1863
John Work.....	7 Apr. 1853	19 Dec. 1861*
Donald Fraser.....	15 Nov. 1858	25 Mar. 1862
David Cameron, C.J.....	6 July 1859	27 Feb. 1863
Alfred John Langley.....	6 Feb. 1861	9 Apr. 1861*
Edward Graham Alston (Registrar General).....	? Dec. 1861*	26 Feb. 1863
Alexander Watson (Treasurer).....	16 May 1862	27 Feb. 1863

* In the absence of minutes from February 1861 to February 1862, precise dates cannot be determined. John Work died on 22 December 1861; by 3 January 1862 the *Colonist* and *Press* were commenting on Alston's appointment. Douglas granted Langley leave of absence from the Council on 9 April 1861 (Certificate of Leave, Add. MSS. 180, Vol. 1/7, PABC).

MINUTES OF THE COUNCIL OF THE COLONY OF VANCOUVER ISLAND

Saturday, the 30th day of August, 1851

BE IT REMEMBERED, that on this 30 day of August, in the year of Our Lord one thousand eight hundred and fifty one, at a council held at Victoria in Vancouvers Island by Richard Blanshard Esquire Governor of the said Island, the following members having been provisionally appointed by an instrument in the name of Her Majesty Queen Victoria, and sealed with the public seal of the colony of Vancouvers Island, and the oath of allegiance having been duly administered to them took their seats in Council.

James Douglas, Senior Member,

John Todd [Tod],

James Cooper.

The said members constituting a quorum, having taken their seats.

The Governor, announced his having resigned the office of governor of the colony, and till the arrival of a fresh commission the senior member of council would fill the place according to the instructions of which a printed copy were laid on the Table.

The said Members of Council have hereupon resolved that they will meet at such times and in such places, as may be hereafter appointed for the consideration of public affairs, this 30th Aug. 1851.

Wednesday, the 28th day of April, 1852

Minutes of a Council held at Fort Victoria in Vancouver's Island, by James Douglas Esqr. Governor of the said Island, this 28th day of April 1852.

The following Members being present, John Tod, James Cooper, Rodk. Finlayson.

The Said Members Constituting a quorum—having taken their seats.

The Governor produced and read a letter, addressed to him by James Cooper proposing to Nominate E. Langford Esqr. to discharge the duties of the Said James Cooper as Councillor by proxy, during his temporary absence from the Colony. The Governor remarked on the subject of that Communication, that his instructions from the Crown gives him no Authority to admit such Nominations. The Appointment of Councillors is vested in the Crown, and the duties of the Office must be discharged by the Member in person. The Governor then proceeded to read over the 4th 5th 6th 7th and 8th paragraphs of Her Majesty's Instructions, prescribing the Manner of Appointment the privileges and duties attached to the Office of Member of Council. And this Minute of that Communication is made in compliance with Her Majesty's royal pleasure as signified in the 8th paragraph of the Governor's Instructions.

2 The Governor, then submitted for instruction the account of Supplies made by the Hudson's Bay Company for Colonial purposes, which were found Correct

and approved, except in the instance of the surveyor's Salary, Amounting to £372.12/. which James Cooper objected to as a Colonial Charge; but approved of its being defrayed out of the proceeds arising from Sales of land.

3. A proposal was next made for revising the law regulating the importation and Sale of Spirits in the Colony, but not Considered expedient as the existing law appears free from any material defect.
- 4th The Governor next proposed that a law should be passed adapted to the Circumstances of the Colony, regulating the relations of employer and Servant and for punishing offences, such as insolent language, neglect of duty, and absence without leave, of the employer by summary infliction of fine or imprisonment. The measure Considered highly important and necessary, deferred for Consideration.

A plan was next submitted by the Governor for the Consideration of Council for raising a permanent Revenue by imposing a duty of five per Cent. on all imports of British and foreign goods. It was objected to that measure that it would prove a bar to the progress of Settlement: impose a heavy burden upon settlers from England importing implements and furniture and that in the present State of the Colony there not being above twenty Settlers on the whole Island, the Sum arising from the duty would not much exceed the expense of the Officers Necessary for its collection. An act to be prepared and taken into consideration hereafter.

The Council was then Adjourned until 2. O'Clock in the Afternoon of Friday the 30th Inst.

Friday, the 30th day of April, 1852

The Council again met this morning, the Governor, and the following Members being present vizt. John Tod, James Cooper, Roderick Finlayson.

It not appearing expedient to the Council, to impose any Customs Duties on Imports, in the present state of the Colony, the measure was postponed for further consideration.

No other business entered upon at this meeting and the Council adjourned.

Tuesday, the 5th day of October, 1852

The Council met this day, at the hour of ten in the morning, for the transaction of business, and the Governor and the following Members were present vizt. James Cooper, Roderick Finlayson.

The Councillors present being insufficient to form a quorum in consequence of the absence of Mr. Tod.

The Council adjourned until 10 O'clock on Wednesday the 6th Inst.

Wednesday, the 6th day of October, 1852

The Council met this morning at the hour of ten, the Governor and the same members, with the addition of Mr. Tod, being present, as yesterday.

The Act regulating the importation and sale of spirituous liquors, on Vancouvers Island, containing some passages, which have given rise to questions as to its real meaning. It was proposed by the Governor, that the first, second and third clauses should be altered and amended, so as to render, the meaning and intent of the Act, plain and clear. Agreed that such alterations shall be made and submitted for the consideration of Council.

Moved by the Governor that only two classes of licences for the sale of Spirituous Liquors shall be granted on Vancouvers Island vizt. Whole sale Licences and Retail Licences.

That a whole sale Licence shall be construed to mean the sale of Spirits by the Cask or Case as imported. And that a retail licence shall authorize the sale of smaller quantities of Spirits for reasonable refreshment, to be consumed on the premises.

That we consider it derogatory to the character of a Member of Council to be a retail dealer in spirituous Liquors, or to follow any calling that may endanger the peace or be injurious to public morals.

The Council then adjourned till Tuesday the 12 Inst.

Tuesday, the 12th day of October, 1852

The meeting of Council appointed for this day was postponed sine die.

At the Council held on the 6th Inst., the following appointment was made by the Governor, with the advice and consent of Council, vizt. James Sangster to be Collector of the "Customs for Vancouvers Island".

Tuesday, the 29th day of March, 1853

The Council met at the hour of ten this morning, the Governor being present and the following members—John Todd, Senior Member, James Cooper did not appear, Roderick Finlayson.

The Governor requested the advice of Council in respect to the expediency of appointing qualified persons to act as Magistrates and Justices of the Peace in the several Districts of the Colony, and proposed that the following gentlemen should be appointed to that office vizt.

Edward E. Langford Esqre.	Esquimalt District.
Thomas J. Skinner	„ Peninsula
Kenneth McKenzie	„ do.
Thomas Blenkhorn	„ Metchosen.
[Blinkhorn]	
No Resident of Soke Dis- trict qualified to act as Magistrate.	Soke.

Resolved, That it is expedient in consequence of the small number of persons possessed of Sufficient property in the Colony to dispense with the qualification as to estate in the appointment of Justices of the Peace, required by the Act of Parliament, made in the 18th year of the reign of his Majesty George the Second, provided only that the said Justices of the Peace be faithful and true men loyal to Her Majesty the Queen of experience in business, and of good repute in the Counties where they reside.

Secondly. As an inducement to exercise the duties of Magistrate that said Justices be permitted to charge at the rate of £1 Sterling per diem, for their services, over and above the customary, costs of Suit, in all Civil Cases, only, which they are hereby authorised to levy on the parties concerned as part costs of Suit.

A Table of Fees to be drawn up without delay.

The Governor next suggested to Council the propriety of taking into consideration the best means of restraining the abuse, and excessive importation of spirituous liquors into this Colony. It not being considered properly within the jurisdiction of the Governor in Council without the consent of the representatives of the people to impose customs duties on imports, he proposed that a duty should be charged on all Licences, granted to Inns, Public or Beer Houses, and it was therefore resolved

That there shall be levied Collected and paid upon the Licences hereby authorised the duties following that is to say, For every wholesale Licence, the annual sum of one hundred pounds. For every retail licence the sum of one hundred and twenty pounds. The said duties to be under the management of the Governor and Council.

It is further resolved that a wholesale Licence shall be construed to mean, the sale of Spirits by the Cask or Case, as imported, and that a retail licence shall authorise the sale of smaller quantities of Spirits for reasonable refreshment; to be consumed on the premises. It is provided however, that it shall be lawful for wholesale dealers, notwithstanding what has been resolved above to sell spirituous liquors to Farmers or other persons, possessed of landed property; residing at a distance from any licensed ale house, in any quantities not under two gallons, provided the same be intended to be consumed, on the premises for the household use of such Farmers, or their Servants, and not for sale.

The subject of public instruction was next brought under the consideration of Council. Applications having been made, from various districts of the Country for Schools, it was resolved

That two schools should be opened without delay one to be placed on the peninsula, near the Puget Sound Companys Establishment, at Maple Point and another at Victoria there being about 30 Children and youths of both sexes, respectively at each of those places.

It was therefore resolved that the sum of £500 be appropriated for the erection of a school house at Victoria, to contain a dwelling for the teacher, 2 School rooms, and several bed rooms, and that provision should be made hereafter, for the erection of a House at Maple Point.

Resolved that the Council do now adjourn till Thursday, the 31st day of March.

Thursday, the 31st day of March, 1853

The Council again met this morning, the Governor, and the following members being present, vizt. John Todd, Roderick Finlayson, James Cooper, did not appear.

Edward E. Langford appeared before Council, and after taking the oath of allegiance, and qualification as to estate, received a provisional appointment as Magistrate and Justice of the Peace for the district of Esquimalt and 20 miles around it.

The Council then resumed the subject of the School, and fixed upon a site near Minies plain, and that the size of the building should be 40 feet long by 40 feet broad.

A Commission of two persons, The Honble. John Todd Senior Member of Council, Robert Barr, Schoolmaster, were then appointed, to carry this measure into effect, and to report from time to time, their proceedings to the Governor and Council.

The Council then adjourned, there not being a sufficient number of Members present to form a Quorum.

Thursday, the 7th day of April, 1853

The Council met this morning in pursuance of a notice to that effect issued on Tuesday the 5th Inst. the Governor being present and the following members vizt. John Tod, Senior Member, James Cooper, Roderick Finlayson.

The Governor informed the Council that he had appointed John Work Esqre., to be a Member of Council, and the oath of allegiance having been administered to him, in presence of the Council he took his seat at the Council Board.

The Council then proceeded to the review, and consideration of the measures proposed on Tuesday the 29th March and Thursday last and it was Resolved,

That the Resolutions made on Tuesday the 29th day of March, and on Thursday the 31st day of March last, be confirmed and ratified, and the same are hereby confirmed and ratified.

That the Council do now adjourn.

It was also resolved before the adjournment of the Council held on the 7th day of April aforesaid that—A Committee of four be appointed to examine the country between Soke and Victoria for the purpose of selecting a line of road to connect those places, and to submit a report on the same, with an estimate of the cost of constructing said road, for the consideration of the Governor and Council, and that the said Committee do consist of the following Members vizt. James Cooper, Member of Council, John Work, Member of Council, Ed. E. Langford J.P., J. D. Pemberton, Surveyor General.

It was also resolved at the same meeting of the Council aforesaid—that

For the better and regular administration of Justice, that a petty session of one or more Justices of the Peace, be held on the first Thursday of every month, and that a general Quarter sessions of the Peace, be held once in every quarter, beginning with the first Thursday of July next ensuing, to hear and determine cases, and to do justice to all who may apply.

Tuesday, the 20th day of September, 1853

The Council having met this morning pursuant to summons the Governor being present and the following Members—vizt. John Tod, senior member, John Work, James Cooper, Roderick Finlayson, proceeded to the consideration of certain matters, connected with the jurisdiction of the Justices Courts—in civil cases.

The Governor laid before the Council copy of the evidence taken in a case Webster versus Muir, lately tried at this place in the Justices Court, involving a large sum of money the damages claimed by Plaintiff being several thousand dollars in amount.

The Governor called the attention of Council to the defective manner in which the record was kept; there being no statement of the case, nor of the cause of complaint, which moreover cannot be ascertained from the record; the Jury nevertheless gave the following verdict, "We the Jury find a Verdict for the Plaintiff—for illegal detention of Cattle, belonging to said Plaintiff 2213 dollars with costs."

The whole case appearing to have been improperly managed owing entirely to the inexperience of the Justices present, the Governor advised that the Jurisdiction of the Justices Court, should be limited in civil cases, to suits not exceeding the sum of £100.

The Council adjourned, without coming to any decision, to Friday the 23rd day of September.

Friday, the 23rd day of September, 1853

The Council met this morning according to adjournment the Governor being present, and the same members as were assembled on Tuesday the 20th Inst. and proceeded to the consideration of the matter then referred to them by the Governor concerning the jurisdiction of the Justices Courts, and it was unanimously resolved

That said Courts, should have no jurisdiction in civil cases wherein the damages claimed exceed the sum of one hundred Pounds Sterling, and that a court be established to be called the Court of Common Pleas with power and jurisdiction in all civil cases, wherein the damages claimed shall not exceed the sum of £2000 Sterling money.

That a Judge shall preside in such Court, and shall cause records to be kept of all his proceedings, and of all sums awarded as damages, and of all costs levied, in said Court.

That an appeal shall lie from said Court to the Governor and Council.

That a salary of one hundred Pounds Sterlg. per annum shall be paid to the Judge, of said Court, for his services.

That David Cameron be appointed Judge of said Court—and be required to draw up, the rules and regulations of said Court, as soon as convenient, and to lay the same before the Governor and Council for their consideration and approval.

The Council next proceeded to establish regulations concerning the cutting and removal of Timber from the public lands and it was resolved that:

1st That the Collector of the Customs be empowered to issue Permits for cutting timber on the public lands, and to levy a Duty of tenpence per load of 50 Cubic feet on all timber cut thereon.

2d That no timber be cut on the public lands, without a Permit under a Penalty of £10 and the forfeiture of the said Timber.

3 That no person not being a subject of Her Majesty the Queen and a resident of Vancouvers Island, shall cut timber on the public lands under a Penalty not exceeding £20.

4 That all persons cutting Timber on the public lands shall make a true and correct return of the same to the Collector of the Customs, who may cause such timber to be remeasured, at the cost, of the persons claiming the same, should he see cause to doubt the correctness of said returns.

That the Collector shall charge a fee of one Pound Sterling, on every Timber licence which shall be issued by him.

The Council then adjourned.

Thursday, the 2nd day of December, 1853

The Council having met this morning pursuant to summons, the Governor being present and the following members vizt. John Tod, senr. member, James Cooper, Rod. Finlayson, John Work.

The Governor, proceeded to lay before the Council, a letter which he had received from Robert Barr, Clerk of the Peace containing a copy of certain resolutions passed by the Justices, at their monthly session held on the 3d day of Novr. last, to the effect that the following scale of Fees be adopted in carrying on proceedings, in the Justices Court, vizt.

	s. d.	court	clerk	constable
One Summons	12.0	1/3	1/3	1/3
Appearance of Plaintiff	3.0	2/3	1/3	
Swearing each Witness	2.0	1/2	1/2	
Examining each Do.	2.0	1/2	1/2	
Sentence	8.0	3/4	1/4	
Warrant of Execution	8.0	1/2	1/2	
Constable executing Do.	4.0			

and requesting the Governor & Council to allow a portion of the Fines levied in the Justice's Court to be applied to the payment of the Magistrates for their services at the monthly Session, and also making application to have the rate of Fees payable to Jurors fixed by enactment.

It was thereupon resolved, that the Justices be authorised to adopt in all their future proceedings the Tariff of Fees, recommended in their said resolutions; and that an act be forthwith prepared, to regulate Fees in Office, and that the Governor be authorized to pay the Magistrates for their services, at the monthly Sessions, out of the fines levied in the Justice's Court.

A letter was then read, which the Governor had received from Mr. Robert Barr Colonial Teacher, proposing, that the Children placed under his superintendence for tuition, should be boarded at the following rates, vizt.

To the Officers and Servants of the Hon. Hudson's Bay Company, 16 Guineas per annum.

To the Colonists not Servants of the Hon. Company, 18 Guineas.

To non-residents on Vancouver's Island, non servants of the Hon. Compy., 20 Guineas.

It was resolved that Mr. Barr be permitted to make the following charges for the board of Pupils, vizt.

For the Children of Colonists residents of Vancouver's Island, and of Servants of the Hudson's Bay Company, 18 Guineas per annum.

For the Children of non residents not being Servants of the Hudson's Bay Company, any sum that may be agreed upon, with the parties.

An Act was then passed in pursuance of the Resolutions of the 23rd day of September last, to establish a Supreme Court of Civil Justice with Jurisdiction over

the whole Colony and its Dependencies in all matters of Law or equity, where the amount in dispute is Fifty pounds Sterling and upwards, and the oaths of allegiance &c. were duly administered to David Cameron Esqre., as Judge of said Court.

It was then resolved that the sum of One hundred Pounds Sterling be appropriated, out of the proceeds, arising from the duties on Licensed Houses and applied to the payment of the salary allowed to the judge of the Supreme Court and that the Governor be, and is hereby authorised to cause the same to be paid by quarterly instalments, as they become due.

It was also resolved that a Committee consisting of three persons, be appointed, to enquire into, and report upon, the state of the Colonial School, and to hold quarterly examinations, to ascertain the progress made by the Pupils, and that the following persons do constitute the said Committee, vizt. John Tod, Senior Member of Council, Roderick Finlayson, Member of Council, Thomas J. Skinner J.P.

That this Council do now adjourn.

[Memo:] Copied and transmitted to England up to this date. J.D.

Wednesday, the 12th day of July, 1854

The Council having met this morning pursuant to Summons, the Governor being present, and the following members vizt. John Tod, Senior Member, James Cooper, Roderick Finlayson, John Work.

The Governor communicated to the Council that the provisional appointment of John Work Esquire to be a member of the Council of Vancouver's Island, had met with Her Majesty's approval, as stated in despatch No. 13 from his Grace the Duke of Newcastle. The Oaths of allegiance and abjuration were then administered to the Said John Work.

The Governor then communicated to the Council that Mr. Sangster's appointment to the office of Collector of Customs for Vancouver's Island, had been confirmed as pr. Despatch No. 2, of 10th February 1853, from His Grace the Duke of Newcastle.

The Governor laid before the Council, an account received from Mr. Robert Barr Master of the Colonial School, amounting to £36.5.11, being the sum expended by him, in completing the School house, papering the bed rooms, enclosing and bringing into cultivation a Small kitchen Garden, and for various other fixtures and improvements, as stated in Said account. That amount ordered to be paid and charged to Vancouver's Island Trust Fund.

The Governor then read a letter from the said Robert Barr, stating that his expenditure on account of the School was in excess of his income, and praying that his case may be taken into consideration by the Governor and Council, and relief granted to him, it was in consequence

Resolved, That the sum of Fifty Pounds Sterling be appropriated for the relief of Mr. Robert Barr and charged to Vancouvers Island Trust Fund.

A petition from James Yates, was then read praying that the form of the retail spirit licence might be so altered as to authorise publicans to sell spirits by the Bottle to be consumed off the Premises. Petition approved.

The following appropriations were then voted for public purposes, vizt.

For erecting a Court house	£500
For making roads and bridges	£500
Towards finishing the Church	£500

The Council then proceeded to consider the state of the country, and the means of defending it against the Queen's enemies, in the case of invasion.

The Governor proposed to call out and arm all the men in the Colony capable of bearing arms, and to levy and arm an auxilliary body of native Indians.

It was urged as an objection to that measure that the small number of whites in the settlement could collectively offer no effectual resistance against a powerful enemy; and it was considered dangerous to arm and drill the natives, who might then become more formidable to the Colony, than a foreign enemy. Several other objections were made to the measure, but the reasons above stated are the most important. It was therefore deemed expedient to leave the defence of the Colony, against the attempts of Russia to the care of Her Majesty's Government, and not to call out the militia of the Colony.

It was however Resolved, as a means of protection to charter the Hudson's Bay Company's Propeller "Otter," armed and manned with a force of 30 hands, including Captain, Officers & Engineers, and to employ her, in watching over the Safety of the Settlements, until Her Majesty's Government take some other measures for our protection; and that arrangements be immediately made to carry that Resolve into effect.

That this Council do now adjourn.

Thursday, the 3rd day of August, 1854

The Council having met this morning pursuant to summons—; the Governor being present, and the following members—vizt. John Tod, Senior Member, John Work.

James Cooper not having appeared at half past eleven o'clock—and Roderick Finlayson the other Member of the Council, having lately left the Colony, by permission, on a short excursion for the benefit of his health—the Governor notwithstanding the absence of a sufficient number of members to constitute a Council—proceeded to lay before the Members present, the Draft of an Act, prohibiting the Gift or Sale of Spirituous Liquors to Indians, which he recommended should immediately receive their sanction and become the Law of the Colony, as many complaints had been made of excesses committed by drunken

Indians, which could not otherwise be checked, without endangering the peace of the Colony. The Act was immediately passed, with the assent of James Cooper who arrived at Government House about 5 o'clock P.M.

After said Act was passed, the Council adjourned.

Thursday, the 21st day of June, 1855

The Council having met this morning pursuant to summons, the Governor being present, and the following members vizt.—John Tod, Senior Member, James Cooper, Roderick Finlayson, John Work.

The Governor proceeded to lay before Council, a correspondence with Samuel McCurdy [McCurdy] Esqre. Commissioner for the United States, relative to certain fugitives from justice, who had fled from Vancouver's Island with a Boat and other property, abstracted from the ship "Marquis of Bute."

The offenders were apprehended and committed to Gaol by Mr. McKurdy, on the strength of the evidence contained in the Warrant issued by the British Magistrate, but were subsequently released from custody in consequence of a communication from Governor Stevens,¹ declaring his opinion that the case, did not come within the provisions of the Treaty between Great Britain and the United States, ratified on the 22nd August 1842.

The Bill of Charges for the apprehension and commitment of those offenders amounting to 202 dollars and 30 cents, was also laid before the Council, who,

Resolved, That the Governor be authorised to pay the sum of 102 dollars and 30 cents, on the said Bill of Charges, the property belonging to the "Marquis of Bute" in possession of the United States Courts being considered equivalent to the Balance of said account.

The Governor also laid before the Council the report of Charles Griffin Esqre. on the outrage committed by certain American citizens who were concerned in forcibly carrying away a number of valuable Sheep the property of British subjects from the Island of San Juan and also the Governor's correspondence on that subject with Governor Stevens.

The expenditure made on account of the Colony amounting for the year ending on the 31st day of Oct. 1854 to the sum of £3512.18.9, was then laid before the Council, and the accounts submitted for audit and examination.

Those being found correct the amount was ordered to be paid.

Defence of the Country.

The Governor having represented to the Council, that much alarm existed among the Colonists, in consequence of the great number of Northern Savages, who had lately arrived, and were now scattered over the settlements, and that he was often called upon to settle differences arising between those savages and the Settlers, and that those differences were often carried to dangerous lengths, and might lead to very serious consequences, involving the loss of life

¹ Governor Isaac Ingalls Stevens of Washington Territory. The reference is to Article X of the Treaty of Washington (Ashburton-Webster).

and property, suggested that a force should immediately be raised, and placed at his disposal, to meet such emergencies.

It was resolved that a Company of Ten to consist of Eight privates 1 Corporal 1 Sergeant, besides a competent officer to act as commander, be immediately raised, and maintained at the public expense until the Northern Savages leave the settlements.

And that the pay to be allowed to persons joining the said Company is not to exceed the following rates:

Privates	30 dollars per month with rations
Corporals	31 dollars per month with rations
Sergeants	33 dollars per month with rations

Their arms and accoutrements to be also provided at the public expense.

The following appropriations were then made for carrying on the public works contemplated for the year, vizt.

For the erection of public Hospital	£1000.
Ditto. „ Court House	£500
Ditto „ Roads & Bridges	£500.

That John Work and Roderick Finlayson Members of this Council, and James Yates Merchant be appointed to act as Commissioners for the purpose of employing labourers and conducting the work, connected with the Road to be opened on the east bank of the Victoria Arm, and that they be authorised to draw upon the Hudson's Bay Company in furtherance of that object for the sum of £250, to be paid out of the appropriation for Roads. And that the said Commissioners are required to account for the expenditure of the said sum.

That this Council do now adjourn.

Wednesday, the 27th day of February, 1856

The Council having met this morning pursuant to summons, the Governor being present and the following members to wit: John Tod, Senr. Member, James Cooper, Roderick Finlayson, John Work.

After a brief review of the proceedings of the Executive, since the last meeting of Council, and of the state of the Colony, the Governor proceeded to lay before the Council certain Regulations, touching the sale and registry of land which it is deemed expedient to establish without delay, and also to authorise the levying of certain Fees, for the purpose of defraying the cost of such registration, it was

Resolved That the said Regulations be passed, and that the Colonial Surveyor be required to cause the same to be observed in all the land Offices of Vancouvers Island.

The Governor then called the attention of the Council to the subject of the Publick schools, and recommended that the Revd. Edward Cridge District Minister of

Victoria should be appointed a Member of the Committee for inquiring into and reporting upon the state of the Public schools. It was then

Resolved That the Revd. Edward Cridge be according to the Governors recommendation appointed a member of the said Committee and be requested to hold quarterly examinations and to report on the progress and conduct of the Pupils, on the system of management and on all other matters connected with the District Schools which may appear deserving of attention.

The Governor then directed the attention of Council to the defence of the country, which is at present entirely destitute of any military force; while the northern Indians are beginning to arrive in the settlements and it is reported on the authority of the Hudson's Bay Company's officers, that a very large body of those savages may be expected this summer. It was therefore

Resolved That a company of Thirty to consist of 1 Lieutt., 1 Sergeant and 2 Corporals and 26 Privates, be immediately raised and maintained at the publick expense until the Northern Indians leave the settlements and that the pay of persons joining the said company is not to exceed the following rates vizt.

Privates	30	dollars	a	month	with	rations
Corporals	31	"	"	"	"	"
Sergeants	33	"	"	"	"	"

Their arms and accoutrements, and one suit of Uniform clothes, to be also provided at the publick expense.

The following appropriations were then made for the service of the year, and for carrying on the publick works in progress vizt.

For the erection of a Court House	£500
For Roads and Bridges	£500

That £200 of the above appropriation for roads and Bridges be considered applicable to the construction of the Road on the east side of the Victoria Arm, and the other £300 for other roads in progress.

Resolved That this Council do now adjourn.

Wednesday, the 4th day of June, 1856

The Council having met this morning pursuant to Summons, the Governor being present, and the following Members—to wit—John Tod, Senr. Member, James Cooper, Roderick Finlayson, John Work.

The Governor proceeded to lay before the Council certain instructions lately received by him from the Secretary for the Colonies instructing him to call general assemblies of the people, for the purpose of carrying Her Majestys instructions fully into effect and for other objects.

The subjects were freely discussed and the Council adjourned at 5 o'Clock P.M. till Monday the 9th of June.

Monday, the 9th day of June, 1856

The Council having met this morning pursuant to adjournment, the Governor being present, and the following members—vizt.—John Tod, Senior Member, James Cooper, John Work.

Resume the consideration of Her Majesty's instructions for calling General Assemblies of the Freeholders of Vancouver's Island. The subjects under consideration on the 4th Inst. were as follows, vizt.:

The property qualification of Members serving in the General assembly.

The property qualification of Voters.

The right of absentee proprietors to be represented in the general assembly.

The Governor laid down as a principle that the custom or practice observed in England, should as far as possible, be adopted in this Colony, in framing the rules for elections, and proposed, that,

The ownership of £300 of freehold property or immovable estate should constitute the qualification of a Member of the assembly.

That absentee Proprietors shall be permitted to vote through their Agents or Attorneys.

That the qualification of Voters, should be the ownership of 20 acres of freehold land or upwards, as required by his instructions from the Crown.

The Council expressed their unanimous concurrence with those suggestions and the proposed regulations are finally settled and approved.

It was then resolved that the settlements should be divided into four electoral Districts, vizt.:

Victoria District. The country east of the Victoria Arm; and of a line from thence running in a northerly direction towards Sanitch so as to include Peers' farm.

Esquimalt District. The Country west of Victoria Arm and east of Pedder Bay, including McKenzie's and the Farms west of Colquot's [Colquitz] River.

Soke District. From Pedder Bay to "Otter" Head; the head land beyond Soke.

Nanaimo District. Colvile Town.

It was then resolved that this Council do now adjourn.

Saturday, the 2nd day of August, 1856

The Council having met this morning pursuant to a summons issued on the 1st of this present month; the Governor being present and the following members vizt. John Tod, Senr. Member, Roderick Finlayson, John Work.

The Governor then laid before the Council for their consideration the draft of an Act having for its object the arrangement of the affairs of the Victoria Church,

to be entitled "An Ordinance establishing regulations for the arrangement of the affairs of the Victoria Colonial Church".

The Council having read and approved the several Clauses of the Act, it was duly passed, and the Council then adjourned.

Saturday, the 14th day of February, 1857

The Council having met this morning pursuant to a summons issued on the 13th of this present month; the Governor being present and the following Members vizt. John Tod, Senior Member, Roderick Finlayson, John Work.

The Governor then proceeded to lay before the Council, An act granting the sum of £130 for defraying the unavoidable expenses of the House of Assembly, which was read for the third time and passed the House on the 18th day of December last.

The Council having read the several clauses of the said act, it was proposed as an amendment that the following words should be omitted in the preamble, that is to say, "attending the conduction of the business," and the following words in the 8th clause vizt. "Licences of July 16th 1856," and that the act be as follows:

[Title] A Bill granting certain sums of money for the use of the House of Assembly of Vancouvers Island.

[Preamble] Whereas it is necessary that certain sums of money be voted for defraying the unavoidable expenses of the House of Assembly of Vancouver's Island, be it therefore enacted.

1st That £50 sterling be placed at the disposal of his Excellency the Governor to defray the expenses of copying statistics and documents for the use of this house.

2nd That £10 Sterling be granted to Mr. Robert Barr for his past services as Clerk of this House.

3rd That £5 Sterling be granted to Mr. Andrew Muir for his past services of Sergeant at Arms.

4th That £25 Sterling be allowed for the salary of the Clerk of the House for the year 1857.

5th That £15 Sterling be allowed for the salary of the Sergeant at Arms and Messenger for the year 1857.

6th That £20 sterling be granted for lighting heating and furnishing the House of Assembly for the year 1857.

7th That £5 Sterling be granted for Stationery for the use of the members of the House of Assembly.

8th That the above items be paid out of the revenue derived from the duty charged on Licenced Houses.

The act as so amended was approved and passed.

The Governor then proceeded to lay before the Council a letter from Chief Justice Cameron, transmitting a copy of the Rules and manner of Proceeding to be

observed in the Supreme Court of Civil Justice of Vancouver's Island, drawn up in virtue of the authority vested in the Court by Her Majesty's Order in Council, dated the 4th day of April 1856, which was submitted for the approval of Council.

This document was before the Council until evening, when an adjournment took place to Monday the 16th of Instant.

Monday, the 16th day of February, 1857

The Council met this morning pursuant to adjournment, the Governor and the same Members being present as on Saturday the 14th of Instant.

Proceeded with the reading and consideration of the Rules and manner of Proceeding of the Supreme Court, for the remainder of the day and then adjourned to Tuesday the 17th of Instant.

Tuesday, the 17th day of February, 1857

The Council met this morning according to adjournment, the Governor and the same members being present, as on Monday the 16th of Instant. Completed the reading and consideration of the Rules and manner of Proceeding of the Supreme Court which were unanimously approved and passed in Council.

The Council then adjourned.

[Memo:] Copy sent home.

Monday, the 11th day of October, 1858

The Council having met this morning pursuant to a summons issued on the 8th of this present month; the Governor being present and the following members: Roderick Finlayson, John Work.

The Governor then informed the Council that he had received a communication from Mr. Tod, resigning his office as Member of the Council.

The Council then adjourned to Wednesday the 13th Instant, there not being a quorum.

Wednesday, the 13th day of October, 1858

The Council having met this morning pursuant to adjournment the Governor being present and only one member, John Work—Mr. Finlayson being unavoidably absent on public business.

The Council adjourned, there not being a quorum.

Monday, the 15th day of November, 1858

The Council met this morning pursuant to a notice issued the preceding day, the Governor being present, and the following members: Roderick Finlayson, John Work.

The Governor informed the Council that he had appointed Donald Fraser Esquire to be a Member of Council; and the Oath of Allegiance having been administered to him, in presence of the Council, he took his seat at the Council Board.

The Council then proceeded to consider the following Bills; viz.

A Bill to amend the Law relating to Inns & Beer Houses.

A Bill of Supply granting Sums of money for the improvement of certain Roads & Streets in the Town & District of Victoria,—& for the use of the House of Assembly;—the said sums to be paid out of the Fund to be received from the duties raised from Licensed Houses for the Sale of Wines, Liquors &c.

An Act to amend the Law relating to the Licensing of Inns Public and Beer Houses.

These Bills after Amendment by the Council were duly passed.

The Council then adjourned.

Wednesday, the 1st day of December, 1858

The Council met this afternoon pursuant to a notice issued in the morning, the Governor being present & the following Members: Roderick Finlayson, John Work, Donald Fraser.

The Governor then introduced an "Act to authorize the Registering or Recording of Conveyances Deeds and other Instruments in writing affecting Real Estate; & to create the Office of Registrar General of the Colony of Vancouver's Island & to define his duties."

After the discussion of certain amendments by the Council, the further Consideration of the Act was postponed to another day.

The Council then adjourned.
