

The Weekly Colonist.

Tuesday, August 30, 1864.

HOUSE OF ASSEMBLY.

THURSDAY, Aug. 26th, 1864.

House met at 2:15 p. m. Members present—Messrs. DeCosmos, Duncan, Carwell, Dennis.

BRANCH OF PRIVILEGES.

Mr. DeCosmos called the attention of the House to a branch of privilege on the part of the Chronicle newspaper, which had reported that Messrs. DeCosmos and Franklin left the House during yesterday's debate.

REPLY TO THE SPEAKER.

The reply as amended was read by the Speaker and adopted unanimously.

THE CONSTITUTIONAL QUESTION.

Legislative Council.

FRIDAY, August 26th.

The Council met at 11:50 a. m. yesterday. Present—The Hon. the President, the Colonial Secretary, the Attorney General, the Treasurer, Donald Fraser, and Hy. Rhodes.

The minutes of the last meeting having been read, the hon. Attorney General asked leave to offer a few remarks in explanation.

He said that a misapprehension had arisen in the minds of some of the hon. members as to what had escaped his lips at the last sitting of the Council.

He said that he had not given it as his opinion that the Commission issued to His Excellency gave him any authority whatever to call the House together within the prescribed time; he could not be so foolish as to suppose that the Commission could override the law.

He had only remarked that the inadvertence had arisen from the fact that the parties framing the Commission evidently wrote it under the conviction that His Excellency had that power vested in him, and His Excellency had no doubt acted under a similar conviction from the terms of that Commission in summoning the Legislature together.

In the absence of the law bearing directly on the case, the hon. gentleman said he most distinctly abstained from expressing any opinion whatever on the legality of the act.

The Council then proceeded to the Government offices, to present their address to His Excellency the Governor.

The Hon. Chief Justice introduced the Hon. Council to His Excellency, and read the following address:

To His Excellency Arthur Edward Kennedy, Esq., Companion of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the colony of Vancouver Island and its Dependencies, &c. &c.

The humble address of the Legislative Council of the said Colony.

MAY IT PLEASE YOUR EXCELLENCY.—We, the Legislative Council, have heard with much pleasure your Excellency's speech on the opening of the present session of Parliament. The Legislative Council desire most respectfully to express to your Excellency their gratification at the recent discovery of the gold-fields referred to in your Excellency's speech, and their hope that this discovery will conduce to the permanent prosperity of the colony.

The Council, on offering their congratulations on this discovery, deem it their duty in justice to your Excellency, to record their conviction that the merit of this discovery is primarily due to your Excellency's earnest and energetic advocacy of the exploration of the Island, and to the continued support and encouragement afforded by your Excellency to the efforts of the explorers who have made the discovery.

And the Council would beg also to mark the appreciation of the promptness with which your Excellency organized a legal system over the gold field to meet the emergency by the immediate passing of rules and regulations, and by the appointment and despatch of a Gold Commissioner to administer the same.

The Council beg respectfully to assure your Excellency that they are desirous to give their earnest and prompt attention to the serious consideration of the several subjects mentioned in your Excellency's speech, provided it is competent to them to exercise their functions, of which a doubt has arisen, from the fact that the Legislature has been assembled on a shorter notice than required by the law of England, and by the practice of the Imperial Parliament, by which the Legislature has hitherto been guided, and the Council earnestly respond to your Excellency's prayer, that their deliberations may conduce to the honor of Her Majesty, and to the prosperity of the country.

THE GOVERNOR'S REPLY.

His Excellency replied as follows: Mr. President and gentlemen, I thank you for your address. It is not within the province of my duty to discuss the question of the legality of the convening of the Legislature within a shorter period than 14 days.

It is gratifying to me, however, to find that you have adopted the practice of the Imperial Parliament as your guide. Such a course carried out in spirit and letter is the proper way to protect the rights of the people and to command respect.

Though I think your acts would have been legal, yet I consider you are right in the course you have followed, and I approve of your setting the matter at rest in the manner you have done. His Excellency concluded by remarking that he deemed it due to himself on this occasion to state that the Legislature had no reason to apprehend any encroachments on their rights and privileges at his hands, as he was anxious to preserve and protect their rights. His Excellency assured the Council that his address should receive his best and earnest consideration.

The Council then withdrew.

THE HOUSE OF ASSEMBLY.

At one o'clock the hon. Speaker of the House of Assembly accompanied by Messrs. DeCosmos, Franklin, and Dennis, waited on His Excellency and presented the following reply, which was read by the Speaker: To His Excellency Arthur Edward Kennedy,

C. B. Governor of Vancouver Island and its Dependencies, and Vice-Admiral of the said A. S. &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY.—We, Her Majesty's faithful and loyal subjects, the members of the Legislative Assembly of Vancouver Island, have much gratification in being informed by your Excellency that a gold field has been discovered within the colony that is prospectively of great value.

We beg to assure your Excellency that we would be disposed to give that consideration to the question of the transfer of the Crown Lands and revenues to the Colony and all other subjects mentioned in your Excellency's address, but we deem ourselves precluded from so doing on account of the House of Assembly having been called together without fourteen days' notice having been given.

The House is of opinion therefore that any action it might take would be open to question, and further that such a precedent might lead to most serious consequences.

We would therefore sincerely hope that your Excellency may take our objections into your serious consideration, and adopt such constitutional measures as to you may appear advisable under the circumstances.

His Excellency replied as follows: Mr. Speaker and Gentlemen of the Legislative Assembly;

I thank you for your address. However much it is to be regretted that doubts have arisen whereby the action of the Legislature has been delayed, I cannot but concur in the expediency of their being set at rest.

The adoption of the privileges and practice of the Imperial Parliament in so far as they are applicable to the local Legislature in spirit as well as in letter must be conducive to the public good and the honor of the Legislative Assembly. The right of the people and the privileges of the Legislative Assembly which I hold equally sacred, and they cannot be too carefully guarded.

Your address, gentlemen, shall receive my best and earliest consideration with a view to the removal of any doubts of the legality of your proceedings.

The members of the House then withdrew.

WHO IS "PRIMARILY" ENTITLED TO THE MERIT OF DISCOVERING OUR GOLD FIELDS.

"The Council, on offering their congratulations on this discovery (the recent gold discovery) deem it their duty in justice to your Excellency, to record their conviction that the merit of this discovery is primarily due to your Excellency's earnest and energetic advocacy of the exploration of the Island, and to the continued support and encouragement afforded by your Excellency to the efforts of the explorers who have made the discovery."

EDITOR BRITISH COLONIST.—SIR, In the above extract the Council say that the merit of the recent gold discovery is "primarily" due to Governor Kennedy.

This, in my humble opinion, is an error—a mistake, I hope, that may be attributable to a laudable desire to please at the same time that an unpleasant constitutional difficulty was officially made known.

If the object of the Council were not to pass off a cheap compliment at the expense of history, it is to be feared that our colonial lords possess but a limited store of facts touching the origin of the explorer's apparatus. Now I have heard of no complimentary him on the success of that ripe project; nor is it at all likely if an inference may be drawn from a message to the Legislature on the subject.

If I remember rightly an attempt was made to question the wisdom of his predecessor, in ordering the dredging apparatus. Now I have heard of no complimentary him on the success of that ripe project; nor is it at all likely if an inference may be drawn from a message to the Legislature on the subject.

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the support and encouragement given to the exploration movement, Governor Kennedy deserves praise; but he is not entitled to the merit "primarily" of the discovery, any more than the successors of Wolfe and Nelson were entitled primarily to the "merit" of the victories at Quebec and Trafalgar.

ITEMS FROM NANAIMO.

The ship Dublin, Captain Goff, arrived today, 16 days from San Francisco direct. The Captain expects to take over 1000 tons coal.

The cricketers are making great preparations for the match to come off on Saturday. Over thirty houses have been built at Nanaimo this summer.

A new road is being made to Harewood which will lead the traffic to that place through this town.

Almost everybody here is busy improving his lots, etc. The only person who seems "hard up" for a job is the magistrate.

COMMERCIAL.

FOR THIS PORT.—The bark D. M. Hall, and brig Franklin Adams, were on the berth at latest dates from San Francisco, for this port. The bark Rival, Capt. Blair, arrived on the 15th, bringing passengers Mrs. A. Reese and child, and Mr. E. Wood.

FOR PORTLAND AND SAN FRANCISCO.—The Sierra Nevada sailed yesterday at noon for San Francisco, via Portland, taking a cargo to the former port, consisting of wool, hides and skins, and pressed vegetables and cases of merchandise.

FOR SOOKE.—The steamer Alexandra left yesterday forenoon for Sooke with about 70 passengers and some freight. She returned at 5 p. m. with half a dozen passengers.

FOR OLYMPIA.—The bark Nahumkeg, Capt. Gov, was advertised to sail August 10th, from San Francisco for Olympia, and ports on Puget Sound.

FOR NEW WESTMINSTER.—The steamer Enterprise left yesterday morning for New Westminster with from 25 to 30 passengers, and a good deal of freight.

RETURNS OF SHIPPING FOR JULY.—The number of vessels of all classes entered at the port of Victoria, V. I., for July, was 123, classified as follows:—Steamers, 24; barks, 6; brigs, 2; schooners, 49; sloops, 28. Total tonnage 100,335 tons, of which 114,116 tons were British and 7819 tons were foreign.

FOR NEW WESTMINSTER.—The steamer Enterprise arrived last evening from New Westminster with a small amount of treasure, about 25 passengers, and Dietz & Nelson's River Express.

FOR NANAIMO.—The schooner Goldstream arrived yesterday with a cargo of coal from Nanaimo.

FOR SOOKE.—The steamer Alexandra left for Sooke yesterday morning with about 40 passengers and some freight.

FOR THE MINES.—The steamer Alexandra returned from Sooke yesterday morning with 6 or 8 passengers, several of whom had claims on Leech river, and intended to return.

FOR SOOKE.—The steamer Enterprise left yesterday morning for Sooke, with freight and about 20 passengers. She returned at 7 p. m., with 22 passengers.

FOR THE SOUND.—The steamer Geo. S. Wright arrived yesterday morning from Puget Sound.

FOR THE SOUND.—The steamer Eliza Anderson returned from Sooke yesterday morning with 6 or 8 passengers, several of whom had claims on Leech river, and intended to return.

FOR LONDON.—The clipper ship Fairlight, William Bush Commander, arrived yesterday morning in Esquimalt having sailed from London April 16th, and made the run from the Lizard in 121 days and from pilot to pilot in 127. The Fairlight brings 1300 tons of valuable merchandise consigned to her agents, the Hudson Bay Company, and after lightening her cargo at Esquimalt, will come round to this port.

FOR PORT RUPERT.—The H. B. Co. steamer Fort arrived from Port Rupert yesterday afternoon at 3 o'clock. She arrived at the Port on the 20th and left again on the 24th. On her way up the Otter spoke the Nanaimo Packet this side of Fort Rupert, who reported that the Labouere was in Milbank Sound.

FOR SAN FRANCISCO.—The brigantine Brewster, Capt. Carleton, arrived yesterday in 20 days from San Francisco, with a cargo of general merchandise. She is consigned to the Hudson Bay Company, at whose wharf she is now discharging.

FOR SOOKE.—The steamer Alexandra yesterday morning took from 15 to 20 passengers and some freight to Sooke and returned in the afternoon with about 10 passengers.

AT NANAIMO.—The bark Frances Palmer has taken on board 298 tons of coal, and is ready to sail for San Francisco.

FROM SOOKE.—The sloop Eagle arrived from Sooke yesterday evening with passengers. The news is confirmatory of that already published.

FOR PORTLAND.—The steamer G. S. Wright did not sail yesterday. She will probably leave to-day before noon.

The sloop Wanderer, Horton, arrived on Saturday from the Sound with several passengers.

FOR THE FRASER.—The steamer Lillooet Capt. Fleming, sailed for New Westminster, Douglas and Yale yesterday afternoon with 30 passengers, 20 of whom were Indians, and 60 tons of freight. Two Concord coaches for Barnard's express line were also sent up.

FOR PORTLAND.—The steamer Geo. S. Wright sailed for Portland yesterday at 12 o'clock. The exports by her were published yesterday morning.

TO AND FROM SOOKE.—The steamer Enterprise sailed for Sooke yesterday morning with 25 passengers. She returned at 4:30 p. m. with 15 or 20 passengers.

THE SHIP FAIRLIGHT has been lightened by the Otter, to the draft of 15 feet, and will be brought up to this harbor to-day.

VICTORIA MARKET.

Sales of Produce for the last week have been on an average sufficient. Imports have been unusually large and the shipments to British Columbia have somewhat increased. Local trade has also been brisk.

The imports for the week from San Francisco, per steamships Pacific and Sierra Nevada, and brig Brewster, consisting of produce and general merchandise, have been to the amount of \$61,260; from Portland, per Pacific, flour, grain, fruit, &c., valued at \$14,250; from Puget Sound, per steamers Eliza Anderson and Alexandra and coasting craft, stock and produce to the amount of \$6,550; and from England, per ship Fairlight, to the Hudson Bay Company a large cargo of general merchandise amounting to about \$250,000; making the total imports for the week reach the sum of \$322,200.

The Exports for the week have been; to San Francisco—coal, \$2113; furs and skins, \$3347; bacon, \$16340; total, \$46,220. To Portland—chiefly per steamer G. S. Wright—brandy, \$62; clothing, \$80; sugar, \$208 30; salt, sheet zinc, etc., \$1810 35; pig iron, \$187 75; green coffee, \$1968 97; English merchandise, \$1280 40; total, \$6561 77. Total exports for the week \$112,84 27. Retail prices of produce may be quoted as follows:—

FLOUR—Extra, \$12 75@13 50; Superfine, \$10 50@11; do do Common, \$9 50@10. WHEAT—No. 1, \$1 50@1 75; No. 2, \$1 25@1 50; No. 3, \$1 00@1 25; No. 4, \$0 75@1 00; No. 5, \$0 50@0 75; No. 6, \$0 25@0 50. CORN MEAL—\$7 50@8 00. BUCKWHEAT—\$8 50@9 00. OATS—\$2 50@3 00. SUGAR—Raw, \$10 00@11 00; Refined, \$12 00@13 00. RICE—\$6 00@7 00. BEANS—\$4 00@5 00. PEAS—\$3 00@4 00. LENTILS—\$2 00@3 00. BUTTER—\$18 00@20 00. EGGS—\$12 00@14 00. HAY—\$10 00@12 00. STRAW—\$5 00@6 00. FEED—\$10 00@12 00. SALT—\$10 00@12 00. SOAP—\$10 00@12 00. Candles—\$10 00@12 00. TALLOW—\$10 00@12 00. LARD—\$10 00@12 00. OLIVE OIL—\$10 00@12 00. SPICES—\$10 00@12 00. TEA—\$10 00@12 00. COFFEE—\$10 00@12 00. SUGAR—\$10 00@12 00. RICE—\$10 00@12 00. BEANS—\$10 00@12 00. PEAS—\$10 00@12 00. LENTILS—\$10 00@12 00. BUTTER—\$10 00@12 00. EGGS—\$10 00@12 00. HAY—\$10 00@12 00. STRAW—\$10 00@12 00. FEED—\$10 00@12 00. SALT—\$10 00@12 00. SOAP—\$10 00@12 00. CANDLES—\$10 00@12 00. TALLOW—\$10 00@12 00. LARD—\$10 00@12 00. 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