COLONIST AND WEEKLY

In PETITIONS.

Hon Helmcken presented a petition from Mr Robt. Homfray, praying that the sum of \$180 be paid to him, being the balance of account due on a contract with the late Governor. It appeared to him (bon Helmcken) that the dificulty had arisen from the slozenly way in which the balance of the sozenly way in which

the direct functions of the Executive.

the direct functions of the Executive. Hon Trutch would oppose the petition as that house was not the place where such a matter could be considered. Hon Robson was sorry to hear such a Hon Robson was sorry to hear such a

real objection.

Hon Trutch-It was quite new to him that the government cannot be sued.

right quarter in coming to that House.

without remedy. He hoped the same measure would be adopted here, as "was

Australia, with advantage.

After some further discussion the House divided, when there was a majority of 9 to 3 in favor of the petition being mencing at Camerontown was a very good received and read. Tuesday next was one, and should be continued down Willow fixed for the petition being called up river; the expense and hardship of packing necessaries for prospecting rendered the diffi-

NOTICE OF MOTION.

Governor praying that \$1000 be added to vicinity. the Estimates, to be applied in aid of Vic- Hon Carrall concurred with the hon member toria Fire Companies. Hon Havelock-To move an address that

this Council is of opinion that the time is ity, but objected to the principle on which now arrived when the Cariboo road tolls that hon gentlemen had asked the relief. may be reduced 50 per cent by the removal

of the gate at Olinton. Hon Walkem-To move for an address to was quite impossible for the Government to

Legislative Council. Thursday, Jan 21, 1869. Present-Hons. Sanders, Crease, Have-lock, Bushby, Ring, Wood, Humphreys, Drake, Hamley, Walkem, Helmcken, Davie, Robson, Trutch, Alaton, O'Reilly, Bail, Carrall Pemberton, Young (preside)

buildings was to be expended chiefly about here. The sum for surveys would be pro-ductive of ten times the amount in the

magined.

of affairs.

was carried-13 to 3.

the business of the government was done. Hon Crease should vote that the peti-tich be not received, as interfering with the direct functions of the Executive.

Hon Robson was sorry to hear such a doctrine advocated there, and that the petition would not be received because it would be an infringement of Executive prerogative. If such was the case they would be placed entirely at the mercy of because it was something very great. If this short piece of road was made, there would be no pacenting for steamers to travel be the presenting of the placed entirely at the mercy of the presenting for steamers to the placed to the the presenting of the placed entirely at the mercy of the presenting of the placed entirely at the mercy of the presenting of the placed entirely at the mercy of the presenting of the placed entirely at the mercy of the placed entirely at the mercy of would be placed entirely at the mercy of the Executive, since persons having claims against government could not pro-ceed at law, hence there was no recourse. Hon Humphreys hoped the petition to the interior, although he did not anticipate would be received, as he did not see any that soy measures would be adapted at

present, it was proper to begin to talk about it. He felt sure it would do more to promote the settlement of the Colony than any other that the government cannot be sued. Hon Drake—Mr Homfray made the arrangement verbally with the late Governor, hence he could not sue; but he (hon Drake) thought he came to the

the quarter in coming to that House. Hon Walkem—Snitors were placed in begin or where it would terminate; that must a painful position when disputing contracts be left to the mature consideration of the with the government; they were in fact proper authorities, but he thought a beginto be made. Hon Carrall could not help regretting that

measure would be adopted here, as "was at this moment in use in England and Canada. Hon Wood—The same measure in use in England had been adopted in Victoria,

present case he would point out the necessity for an appropriation of part of the sum set aside for foads, &c, for the purpose of constructing trails in Cariboo. That com-

culties greater every step that increased the NOTICE OF MOTION. Hen Ring—To move for leave to bring in a bill to amend the law of the Probate Court. Hon Drake—To move for an address to the Hon brake—To move for an address to the Hon Drake—To move for an address to the problem Hon Drake—To move for an address to the Hon Drake—To move for an address to the problem Hon Drake—To move for an address to the Hon Drake—To move for an address to t

for Nanaimo in the necessity for repairs on the roads and bridges of that city and vicin-

Hon Trutch said that under the present Road Act in force in Vancouver Island, it

Works Department. The Saanich foad was ally, as was the case when Hon Helmeken's the main road to the south-east coast. He Reconstruction of Council Bill was brought moved that the han Ohief Commissioner be up for introduction. Instructed to report upon the reads in the Hon Young-There was

Instructed to report upon the reads in the Hon Young-There was a room adjoining the Council Obumber, which he intended to findes on the roads referred to. Hon Wood would move for the formation

Hon Alston-The Road Act in Vancouver of a Law Library. Teland was the most abound Act over passed. The Council was then resolved into a the best of one Road Commissioner who commisses of the Whole on AISIO spent on his own farm all that had been ap-

propriated for one district. He thought Na-naime had received its due share of attention Hon Robson offered a resolution, that in

Propriated for one district. He thought Na-name bad received its due share of attention generally speaking. (Since a state of attention Hon Havelock thought the principle ad-vocated by the hon member for Nanaimo was impracticable. If such were possible, he could point to a great number of roads that merited the immediate care of Govern-ment. There was one very striking instance. He alluded to the settlers on the Okanagan, who had no road at all; and urged vary strongly the construction of a road to Sas vona's ferry. Were such a road made they would be in a position to supply Big Bend and the new mines at Kootenay. As for the would be in a position to supply one one was ere of the inter at a central position and the new mines at Kooteday. As for the Eagle Pass road, he conceived that to be the most impertant at present under consider-advocate a branch road from the present one most imperant at present under consider-ation. He knew of a party at present sur-veying the road with the object of proposing to make it on the condition of being allowed to collect a toll. When the party went out to connect the same with Starp's Saw Hon Crease-The anchorage at Brighton

or Hastings was much too shallow, but op-posite where the road approached the Inlet they only contemplated the tolls on goods to Big Bend, so that with goods passing over the road to Kootenay the amount of traffic from Falls Creek the anchorage was good. Hon Carrall heartily supported the resothat would go that way and the consequent lation of the hon member for New Westimportance of the road may be easily minster, and thought the present road should be utilized if possible as being the shortest to the Inlet. The road would be an advan-Hon Crease was surprised at the language

of the hon senior member for Victoria city in tage to the Colony. Hon Havelock favored the maintenance reference to the desire of Government to throw the trade of the Kootenay mines into of the present road. It was strange that the the hands of Oregon merchants. He was inhabitants of New Westminster, and at the sure that the Government had always shows Inlet also should persist in advocating the present road, if a new road would serve them itself truly anxious for the welfare and prosperity of the people of this colony, and would promptly seize on every occasion for better, as asserted by hon official members. The people, however, he believed knew their the advancement of their interests. He thought the hon. Chief Commissioner bad own interests best.

Hor Ball-Either the present road must been roughly handled by the hon members be made passable by sections or a new road undeservingly. It was well understood that in the present position of the Road Act of the latter as being the best. The vessels alin the present position of the Road Act of Vancouver Island, the Road Commissioners ways lie where the new road would termin~ had the entire control of the roads, hence for ate at the Inlet. The present road leads nothe Chief Commissioner to interfere would where, and there was no good anchorage in draw upon him the decided disapproval of the the vicinity. The new road would be the Commissioners without enabling him to do best for the interests of New Westminster.

anything to ameliorate the present condition Hon Helmcken knew something about the present road. It was the most exectable of affairs. Hon Helmcken in referrize to the Gover-nor's speech at the close of last session ob-served that he (the Governor) all ided to the yoad he had ever passed over. There was some peculiarity about the soil. It does not bind. The drains were of no use.

Eagle Pass, and expressed his desire that a trail should be constructed by the coute, and we were now told that the subject was under consideration. It may remain under Hon Trutch had made a statement as to what was proper in his opinion. The present road would require the expenditure of \$12000 to make it passable for beavily loaded teams. consideration for the next six months, and in It was true that the present road was the Hon Ring attempted to explain the reason of his advocating the appropriation for Na-naimo on the basis of the amount of revenue paid, amidet cries of 'divide!' 'divide!' 'divide!' 'divide!' He insisted that his principle was a good one. The resolution for the amount of revenue a good one. the meantime the inactivity of the Govern- shortest, but the new road would not be ment would be a great injury to the coup ry more than 121/2 miles long and would be

divide !' He insisted that his principle was good one. The resolution for the Eagle Pass Road Hon Robson proposed that the Committee recommend to His Excellency that an early survey be made for a road, to be a continuation of the present Pitt river road, and that Hon Wood-In relation to roads on the the same be constructed by contract for sec-Island, there was no mention of making tions of one mile each, and that three-fourths roads in the Act; it only referred to repairs, of the payment be made in land scrip, the

Cariboo numerously signed both by merchants and miners for the establishment of a branch of the assay office in that district. The Executive was also in possession of a letter from Mr Brew, the Gold Commissioner at that place, in which he stated that if there had been time before the dispatch of the had been time before the dispatch of the patition below, he believed avery miner in Cariboo would have signed it. Mr Brew believed it would pay its way there, notwith standing the expense of satablishing and working at that place. If the establishment at New Westminster was done away with, it would be practically abolishing the assay office as a coldnisi institution. To send minerals to Cariboo for assay would be simply out of the question, and he concurred in the latter respect that they should not look at the matter in a mere debtor and creditor light; the advantage of giving factle ities for the assay of minerals was of incal-culable value to the Colony.

Hon Young-There was a petition from

Hon Drake—Did not see why minerals should be assayed for nothing; if a small oherge was made, of which no one would complain, it might form a source of revenue for the Colony. Hon Walkem—Had voted for the abolition

of the assay office as interfering with private enterprise, but since that time he had changed his opinion in view of the number of silver mines which would no doubt be discovered ere long. Cariboo would be too far out of the way ; and he thought the retention of the office at New Westminster was of great advantage to the Colony. The sum set down in the Estimates for that office.

however, was too large. Hon Robson -- Was glad to observe that that standing bone of contention was likely to cease to be such; at the little Parliament they had held at Yale, the maintainance of the assay office was unanimously supported. Hon Wood—Thought there were other items in the Estimates that merited the support of the Government much more than an assay office, as for instance the item of Education. He could not allow \$7500 to be added to the sum formerly required to support an arsay office, which was fostering a particular class at the expense of all the others. It would be well enough to help miners to discover mines, but those availing themselves of the assay office were precisely those who could afford to pay for such ser-

vices. Hon Helmcken—Opposd the appropriation for an assay office. He had cast his vote last year in favor, because there was a large vices. petition brought in favor of its continuance. He had no objection to an assay office at Cariboo; but he decidedly objected to retaining an establishment like that at New Westminster that did not pay its own expen-Westminster that did not pay its own expen-ses. If this system of furnishing the Colony with a gold assay office ostensibly to pre-vent fraud, they had better provide the Col-osy with stamp doctors and stamp lawyers; he did not believe the assay office at New Wesiminster was one bit of use to the Colony; the amount of gold assayed was infinites-imally small. The institution, over and above its earnings, had been an expense to the Colony of \$3000 during 1866. He felt perfeetly certain that the amount set down in the Estimatus would not cover the expenses, and that a subsequent increase would be necessary 1f they established an office at Oariboo there would be applications from other portions of the Colony for the same privilege. If the gold was assayed at Cara There was not a mile of road made north of remaining one-fourth in cash. He would are was no Westminster. As to mineral assays, there had been just thirty-five during the whole of 1866, and that could be done for \$300. He would not go in the face of the petition from the people of Cariboo; but one of the offices could be done w thout; he was opposed to the retention of both. Hon Walkem-The assay office as a public institution, was necessary to the Colony. The miners were encouraged in exploring for minerals when they knew they could have their specimens assayed gratuitously. During eight years no private assay office had been established because it was not found to be profitable. The Banks made the miners pay through the nose for all the accommodation the miners obtaine ! from them. Hon Drake-Daring 1866 only 20,000 oz were assayed at the office at New West-minster, whilst the Bank of British North America assayed 5 or 6 times as much. The of the colony would be increased were the establishment was not worth one-balf the expense of carrying it on. . If the office at Cariboo was likely to be of service to the miners let it be established by all means, but it was absurd to continue an office at Friday, Jan 22nd, 1769. Present—Hons Hamley, Davie, Crease, Pemberton, Trutch, Robson, Drake, Helmo-ken, Sanders, Wood, Havelock, Carrall, Hampbreys, Ring, O'Reilly, Walkem, Alston, Brabby, Ball, Holbrook, Yonng (presiding.) Hon Helmoken presented a supplementary petition from J O Nicholson to be added to that already before the Home; the case re-ferred to in the first petition had been tried by Chief Justice Needbam, although a pro-test had been filed by the petitioner and the New Westminster which was of no use. ly interested. By removing it to Cariboo it would be too far away to be generally available. The arrangement proposed by the gov-ernment would answer all purposes. The hon senior member for Victoria had been inconsistent in other matters as well as in this. At a previous session he had earnestly declared that it was hopeless to look for immigration by way of the sea; day before yesterday he advocated enbeidizing steamers especially with a view to immigration by way of the sea. Hon Ball-It was proper to give due weight to the petition of the miners who were the support of the whole Colony. He was glad to find that the Government intended to establish a branch of the Assay Office, and hoped that the mines on the castern side of the Colony might turn ont so rich that a similar establishment would be required. The country was rich in mineral and required a central establishment. Hon Helmcken bowed to the petition of Cariboo miners and trusted the office there might turn out all that they seemed to thick. In relation to the office at New Westminster, he knew the difficulty of striking out anything that had once got into the estim mates. As his opposition to the office at New Westminster would be looked at as a piece of the old leaven-New Westminster versus Victoria, he would withdraw his opposition to that establishment. Hon Drake moved that the Governor be recommended to add \$1000 to the estimates,

to be applied in aid of Companies. The companie cient and actually spent out of their own pockets, b out of their own pockets, be time and attention to their if they were not relievad compelled to disband. Hon Helmoken supported dation more particularly bec Corporation had not the po

Hon Crease would suppo

but only for this year, a did not enable them to assi ies. He however advocat that such loans from the tended to Corporations f such as fire. water, etc, sh ly repaid by a special rate. The resolution then pass Hon Carrall offered a re mending to his Excellence tion of a sufficie t sum to ment of a proper Fire Dep kerville. They must reme tion for miners was altoget and cannot be opposed on Hon Young really though ber for Cariboo should not tion seeing that instruction been transmitted to the mag to extend such aid as he m the fire Company at Barke Hon Robson supported the hon member for Cariboo that Barkerville , had a far assistance than Victoria. However, that an engine was power obtained from the town was the bes for the p Hon Helmoken supported particularly in view of which must have impovering

that district. The resolution was carri Hon Helmcken congratu ment on being so econd reduced the item for interest temporary loans now re amounted to only \$160,000 Hon Trutch -In reply t steamer Sir James Douglas \$12,000, that is, earnings passengers, \$8123 27; for \$4000; the expenditure w there was a surplus of a then against that amount depreciation of the ship an The vessel was credited a of all those who travelled

ment account. Hon Heimcken-People plaining of irregularity Douglas, as for instance no proper time, or perhaps no point as arranged. He can abyone; the s'atement h him just before entering th sequence of such delay stated that they were com butter and eggs home age them a long distance to the cattle had been refused o tain passengers being on. every facility should be a of roads of to mond a s

fait as against any govern partment unless the hon pared to say by whom t There was no re ing of irregularity in res as, as her trips had aiw their regularity, and be genileman in charge di could be done to accom Hon members must recol river navigation. There and corrents to contend settlers at Comox they st dace on a scheoner becau dollars. The trips of the had always resulted in a l Hon Carrall—The Dog road to the settlements : vellous regularity of tim always most courteous at but it was wholly out of he please the settlers who Bon Davie could say

the Governor, praying that an ordinance be brought in to provide for the better Adminiss tration of Justice between the Crown and things, it would then become his duty as well

exports from British Columbia during the Cariboo roads, the amount set down in the year 1868.

Hon Carrall suggested that perhaps a better position might be found for the reporter's table, as he (the reporter) had complained for the road from Clinton downwards, and that he did not hear well. Hon Young thought the difficulty arose from hon members moving about and conversing during debates.) He (hon Young) the gateway to the Columbia River valley, was placed in what ought to be the best setting aside any possible mining interplace for hearing and yet from this same ests that might afterwards be discovered, cause he found it quite impossible to heat The Government had anticipated too much what hon members said occasionally. on a former occasion ; and although past ex-

The House was no doubt badly constructed for the conveyance of sound. Hon Alston-To move that a Commission

be appointed on Indian affairs, particularly in road if circumstances pointed to its urgent relation to Indian reserves.

STATE ORDERS OF THE DAY.

Hon Drake moved that the debate on the Supreme Courts be taken with closed doors It was agreed that hon Drake's motion should be taken after the other business of the day had been disposed of.

The House then went into Committee of SUPPLIES.

fares. but with little result.

the subject. Hon Helmoken-To move for a return of land under his charge. In relation to the Estimates was \$29,000, the amount expended last year was \$33,000. Of the sum approoriated this year, \$18,000 would be required the remainder above that point. Regarding Eagle Pass, he would recommend the construction of a trail, because that route was

> perience had rendered the Government somewhat guarded, there would not be an hour's delay in the formation of the Eagle Pass necessity. In respect to Nansimo, the stat-ute labor which had not been called upon for two years, would now be called into re-

quisition, and would be supplemented by the lovernment. Hon Davie said the amount (\$12,000) apropriated in the Estimates for roads in the Island was quite insufficient-\$10,000 would

be required for Cowiehan alone. To to the Hon Bonson said there were two roads in his On the item of 'Conveyance of Mails' hon Helmoken moved that provision be made for conveyance of mails between Victoria and Metobosin. of the Pitt River road to Yale. A survey Hon Robson—That \$200 be applied for conveyance of mails between New West-mineter and Buttard Inlet and the estab-lishment of a post office at the latter place.

sury.

Council.

Hon Humphreys—That mails from Vio-toria be carried direct from Lytton to Lil-locet in place of as at present, from Clinton to Lillocet; all of which resolutions were The road to Brighton had already cost \$23,-

to Lillocet; all of which resolutions were carried. Hon Helmoken—On the subject of mails, would remind the government that the mails to Kootenay might probably be carried with more facility by way of the Columbia River, and in that case, that they should be sent that way. In regard to the mail service be-tween Victoria and San Francisco, the peo-ple were in favor of a large subsidy, as in that case, lower rates of passage would be ple were in favor of a large subsidy, as in that ease, lower rates of passage would be sharged and immigration would thus be encouraged. During the time the Sound boats were running with low fares great numbers of people used to come over to make their purchases here; this passenger traffic had failen of in donsequence of higher

Hon Young-It must be remembered that the value of the road, should prefer throwing the sam set down in the Estimates was only the trade of our mines into the hands of Or-half the amount paid for the transmission of the mails between this place and San Fran-waited until appearances justified them in the mails between this process and bad Frad, walled dath appearances justified them in proceeding with it the whole year would be halt. As to a higher subsidy producing lower fares and consequent immigration, he must remind hon members that that had been Hon Drake seconded the motion of his hon tried without effect. Every facility had colleague, and he must express his surprise been extended to the boats from the Sound at the construction the hon Chief Commissioner put upon the duties of the Lands and

ce was that the cost no doubt be met with the objection that the of carrying wheat to Victoria from that point issue of land scrip would result in the deprewas one cent per pound. Roads were farming instruments and indispensable to farmers. In thought was a recommendation of the plan, the absence of a road from Comox he might as numbers of the present settlers had secured instance the difficulties attending the bring ing down of winesses from that place; they from 60c. to 80c. per acre. There were were compelled to come down in open cances numbers of persons that he knew ready to at great risk. When accidents occur, as for take up sections of the road, and locate farms instance a broken leg, they must wait for on the road, which they would be able to several days in order to send down for a pay for in this way.

doctor by the next trip of the steamer Sir, James Douglas. The steamer might blow up or any other accident occur prevent-ing the continuance of the steamer's trips, or four months of the year communication and the coasequences might be disastrous to between the interior and seaboard was pracsettlers. If the roads were formed the countically closed. Traders, miners and others, try would be opened up to settlement. were in consequence compelled to elose their Hon Drake's resolution was carried.

business and stop work much sooner than Hon Helmcken's resolution for a road be was necessary. Trade and industry was therefore restricted and the aggregate wealth ween Weir and Vine was carried. The Committee then rose and reported

rogtess. restriction removed by the construction of a The Council then took up the hon Mr road. The agricultural resources of the up-Drake's resolution in relation to the Supreme per country were rapidly developing, and Courts, with closed doors. a market for stock would soon be sought for

NOTICE OF MOTION.

Friday, Jan 22nd, 1769.

in the lower country. The resolution only called for initiatory steps to be taken, as

test had been filed by the petitioner and the position to expend money in that way, sum of \$990 had been paid into the Treas Hon Trutch could well understand Hop Trutch could well understand that

the constituencies represented by the hon. members who had supported the motion Hon Humpbreys would move for an ad-dress to his Excellency the Governor asking that the returns of revenue from the Kootenay District for 1868, might be laid before the Gress to his excellency the Governor asking that the returns of revenue from the Kootenay District for 1868, might be laid before the would be required if such an undertaking

Hon Robson-To move for information were attempted. Under these circumstances he did not think it incumbent on the Counfrom the Governor as to whether Her he did not think it incumbent on the Coun-Majesty had assented to the Land Ordinance cil to entertain any scheme for such a purs for 1867. He would also move an address to the Governor suggesting the establishment of an emigration agency in San Francisco. Hon Havelock would move that his Ex. cellency be recommended to add a sum to land.

cellency be recommended to add a sum to the Estimates sufficient for the erection of a The resolution was carried: court house at Yale. Hon Bobson moved that the present aye-

Hen Drake-To move an address to the tem of confining lunatics in common prisons Governor, requesting that the duties on was inhumane and inconsistent with the treatment necessary to the affliction and that the Governor be recommended to provide proper accommodation for such unfortunate persons. After some discussion the r solaspirits be reduced, and to amend the Excise Ordinance. He also suggested the necessity for a complete set of the Ordinances and Journals of the House be bound for the use of the members of the Council. tion was withdrawn.

Hon Havelock suggested that when suf-ficient funds were available, a room should On the subject of the Assay Office, Hon Carrall would vote for the removal be set apart for a Parliamentary Library, the of the Assay Office to Cariboo if hon memabsence of which caused much inconvenience bers thought the present increase in the Esto popular members as when questions intimates for the maintenance of both offices volving constitutional points came up, they were unable to reply to the citations of the Attorney General and official members general bad reduced the price of gold dust.

subject, and he could assu the charges against the fectly untrue. Hon Drake-The charg and he was assured by t mox that it cost them a co

came to Victoria. Hon Robson urged the

duction. Hon Young had heard relation to fares to and fro not the rule for the boat to would be unfair to ma for the special accommodal

ers at Comox. Hon Havelock introduc commending ppropriation at Yale, and stated reaso Tratch concurred, and mo The remaining items were passed during the sit

CROWN SALA Hon Helmcken brough in refe ence to reduction of Hon Crease objected I vention of standing orders the reproduction of a moti Hon Trutch concurred the hon Attorney General hon senior member for V Hon Ring suggested easily be got over by the ing and them reopening i members would then be al subject than onghly. Seven tempted to speak amidst the motion was put-shall to ask a question of the P point of order ?! which war that the Committee rise a was then tried with a lik Hon Helmoken proceed tion ; he did so becaus right, land not with a He brought it forward at it was opportune as b It might be said in rela desired to abolish, the nominally, but then the f shom up whenever he p

SALAG BUGDER AND