

without any benefit to British Columbia; the commerce chiefly benefited thereby being that of San Francisco, California; VANCOUVER ISLAND.

Your memorialists by this Petition desire to draw the attention of Her Majesty's Government to the real character and effect of the British Columbian "Ordinance to amend the Duties of Customs, 1865," conflicting as it does with the previous policy of Her Majesty's Government in relation to these Colonies; to expose its insidious character, its partial, unjust, and oppressive operation on the trade and condition of this Colony; its tendency to ruin British commercial interests on this coast; and to induce Her Majesty's Government to disallow the clauses in that Ordinance which impose differential duties on the trade of Vancouver Island with British Columbia.

And your petitioners will ever pray, &c.

R. W. TORRENS,
Clerk of the House.

No. 4.

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COPY of a DESPATCH from Governor KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 44.)

Government House, Victoria, June 22, 1866.

SIR,

(Received, August 8, 1866.)

(Answered, No. 15, Oct. 31, 1866, p. 46.)

Encl. 1 to 5.

I HAVE the honour to transmit enclosures, numbered from 1 to 5, being communications which have passed between the Legislative Assembly, the Legislative Council, and myself, and to offer the following remarks and explanations.

During the week ended the 16th June 1866 the Legislative Assembly had (according to newspaper statements) sat on several occasions with closed doors—or in secret, a course which of late they have frequently adopted. On Saturday morning the 16th June I read in a newspaper (the proprietor and editor of which have both seats in the Assembly) an epitome of the Resolutions marked No. 1, and some hours afterwards I received the Resolutions themselves.

The Speaker subsequently called upon me (Saturday, 16th June) and pressed me to transmit the Resolutions without an hour's delay. I pointed out to him the Colonial Regulations laid down for my guidance in Section VI. under the head of "Correspondence," and informed him that I could not take any such step without consulting my Executive Council, and further that I apprehended you would at the same time expect me to forward the opinion of the other branch of the Legislature on the important changes in the form of government, &c. which the Legislative Assembly proposed.

I consulted my Executive Council at the earliest moment (Monday the 18th June) when they concurred unanimously in the reply marked No. 2, dated 18th June, which I sent to the Assembly. I at the same time transmitted the Resolutions of the Assembly with the message marked No. 3, for the "consideration and opinion" of the Legislative Council.

On the 20th June I received the Resolutions of the Assembly marked No. 4, and on the 21st June I received the Resolutions marked No. 5, which were passed unanimously by the Legislative Council.

The Despatches which I have had occasion to address to you from time to time leave me little to add in the way of comment upon these Resolutions.

I must, however, draw your attention to the Resolution of the Assembly dated 20th June, as follows:—"Mr. Speaker is ordered to telegraph the foregoing Resolutions *because* the Governor declines telegraphing them unless *approved* by the Honourable Legislative Council, five eighths of whom are officials." This, you will observe by a reference to my messages, is a manifest mis-statement. My reply to the Assembly was as follows:—"I have now submitted these Resolutions to the Legislative Council, and on receiving the *opinion* of that body will lose no time in transmitting them with my report thereon to Her Majesty's Secretary of State for the Colonies."

I gave this matter careful consideration, and my Executive Council unanimously concurred in my opinion that I should not be justified in transmitting the original Resolutions of the Assembly, passed in secret session (and for aught within my knowledge by a narrow majority) without affording the Council and the public an opportunity of knowing their purport and forming their opinion upon them.

I entirely concur in the views expressed in the Resolutions of the Legislative Council; and I may here remark that several of the "officials" composing the Council possess considerable real estate in the Colony, and the three non-official members own more real property and have a larger stake in the Colony than the 15 members of the Assembly in the aggregate.