

JOURNALS  
OF THE  
LEGISLATIVE ASSEMBLY.  
OF THE PROVINCE OF  
BRITISH COLUMBIA.

SESSION 1908.

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Thursday, 16th January, 1908.

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THREE O'CLOCK, P.M.

This being the first day of the second meeting of the Eleventh Parliament or Legislative Assembly of the Province of British Columbia, for the dispatch of business, pursuant to a Proclamation of His Honour the Honourable JAMES DUNSMUIR, Lieutenant-Governor of the Province, dated the 25th day of November, 1907.

His Honour the Honourable JAMES DUNSMUIR, Lieutenant-Governor of the Province, having entered the House, took his seat on the Throne, and was pleased to deliver the following gracious Speech:—

*Mr. Speaker and Gentlemen of the Legislative Assembly :*

In meeting you again at the opening of another Session, it is my privilege to be able to congratulate you on the prosperity which, during the past year, has prevailed in nearly all lines of trade and industry.

The Commission on Irrigation, the appointment of which you authorised last Session, has entered on its duties, and its report and recommendations will be submitted to you. In accordance with those recommendations, legislation will be introduced to secure a more equitable and efficient system of distribution of water for irrigation purposes.

The large increase in immigration, with the consequent demand for land under pre-emptions, warrants my Government in asking you to place a larger sum in the Estimates for an extension of the Provincial surveys.

A measure will be laid before you with a view to the restriction of the immigration of undesirable persons.

With the aim of encouraging and expediting railway construction, it is proposed to exempt from taxation, for a period of ten years from time of completion, certain railways already authorised. To do this you will be asked to pass an Act empowering the Government to grant such exemptions.

In accordance with your recommendation that a representative of the Government should be sent to London to lay before the Imperial Government the fact of the refusal of the Federal

Government to entertain British Columbia's claim for more adequate and equitable treatment in the matter of Provincial subsidies, the Honourable the First Minister was assigned to undertake the duty, and his report of his mission and its results will be laid before you.

In order to secure a more efficient service in the conduct of the public business, it has been thought desirable to regulate the Civil Service, and a measure for effecting that and creating a Superannuation Fund will be submitted for your approval.

With a view to obviate the necessity of our youth going abroad to perfect themselves in the arts and sciences, an Act to establish a Provincial University will be introduced during the Session.

For the more convenient prosecution of public works under appropriations by the Legislature, and with the object of securing uniformity between the Federal and Provincial systems in the method of accounting and the collection of statistics, it is deemed advisable to change the commencement of the financial year from July to April.

I am pleased to be able to inform you that the finances of the Province are in an excellent condition. This has enabled my Government to effect a large reduction in the public debt, while still able to show a substantial surplus over the actual expenditure.

Measures will be submitted to you designed to secure to the Province the full benefits that should accrue to the Treasury from the utilisation of its resources.

The Public Accounts for the past financial year, and the Estimates for the ensuing similar period, will be laid before you. The Estimates have been framed with due regard to economy, while providing for the outlay necessary to meet the requirements of the public service in a Province the scene of important industrial development.

On account of the increase in the demands for public works and buildings, and the development taking place in the northern parts of the Province, it is deemed advisable to create the office of Minister of Public Works, and you will be asked to approve of an amendment to the Constitution Act to effect that.

I now commend these various measures to your attention, believing that their adoption will be to the advantage of the Province and the welfare of the people.

His Honour the Lieutenant-Governor was then pleased to retire.

Prayers by the Lord Bishop of Columbia.

The certificate of the election of *William John Bowser*, Esquire, for Vancouver City Electoral District, was read and *Ordered* placed on the Journals of the House.

“PROVINCIAL SECRETARY'S OFFICE,

“16th January, 1908.

“Whereas a vacancy occurred in the Legislative Assembly by reason of the acceptance of office by the Honourable *William John Bowser*, a Member thereof for the Vancouver City Electoral District; and

“Whereas on the twenty-fourth day of July, one thousand nine hundred and seven, a Writ for the election of a Member to represent such Electoral District was duly issued to *William Moore McKay*, the Returning Officer of the said Electoral District;

“Now I do hereby certify that on the fifteenth day of August, one thousand nine hundred and seven, the said Writ was returned to me by the Returning Officer, with his certificate attached, whereby it appears that the electors of the said District have chosen the Honourable *William John Bowser* to represent the Vancouver City Electoral District in the Legislative Assembly.

“A. CAMPBELL REDDIE,

“Deputy Provincial Secretary.

“To the Clerk of the Legislative Assembly of British Columbia.”

Hon. *W. J. Bowser*, having been duly sworn, was introduced by the Hon. Mr. *McBride* and the Hon. Mr. *Tatlow*, and took his seat.

Mr. Speaker reported that, to prevent mistakes, he had obtained a copy of His Honour's Speech.

*Ordered*, That the Votes and Proceedings of this House be printed, being first perused by Mr. Speaker, and that he do appoint the printing thereof, and that no person but such as he shall appoint do presume to print the same.

*Ordered*, That the Select Standing Committees of this House, for the present Session, be appointed for the following purposes :—

1. On Standing Orders and Private Bills ;
2. On Public Accounts ;
3. On Printing ;
4. On Railways ;
5. On Mining ;
6. On Agriculture ;
7. On Municipal Matters ;

which said Committees shall severally be empowered to examine and enquire into all such matters and things as shall be referred to them by the House, and to report from time to time their observations and opinions thereon, with power to send for papers, persons and records.

*Resolved*, That if it shall appear that any person hath been elected or returned a Member of this House, or endeavoured so to be, by bribery or other corrupt practices, this House will proceed with the utmost severity against all such persons as shall have been wilfully concerned in such bribery or other corrupt practices.

On the motion of the Hon. Mr. *Bowser*, Bill (No. 1) intituled "An Act to amend the 'Supreme Court Act,'" was introduced and read a first time.

To be read a second time at the next sitting of the House.

Mr. *Hawthornthwaite* moved the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

Mr. Speaker *Eberts*, after considering the proposed motion, ruled that the same did not disclose a matter of sufficient definite urgent public importance to justify him in allowing the debate to proceed on the opening day of the Session.

Mr. *Hawthornthwaite* appealed from the ruling of the Chair.

The Chair was sustained on the following division :—

YEAS :

Messieurs

<i>King,</i>	<i>Munro,</i>	<i>Thomson,</i>	<i>Behnsen,</i>
<i>Naden,</i>	<i>Jardine,</i>	<i>Hunter,</i>	<i>Manson,</i>
<i>Hall,</i>	<i>Brewster,</i>	<i>Young,</i>	<i>Garden,</i>
<i>Eagleson,</i>	<i>Tatlow,</i>	<i>Taylor,</i>	<i>Hayward,</i>
<i>Jones,</i>	<i>McBride,</i>	<i>Macgowan,</i>	<i>Mackay,</i>
<i>Yorston,</i>	<i>Fulton,</i>	<i>Gifford,</i>	<i>Parson,</i>
<i>Kergin.</i>	<i>Bowser,</i>	<i>Grant,</i>	<i>Davey,</i>
<i>Macdonald,</i>	<i>McPhillips,</i>	<i>McGuire,</i>	<i>Schofield—33.</i>
<i>Henderson,</i>			

NAYS :

Messieurs

*Oliver,*                      *Hawthornthwaite,*                      *McInnis—3.*

On the motion of the Hon. Mr. *McBride*, seconded by the Hon. Mr. *Bowser*,—

*Resolved*, That the Speech of His Honour the Lieutenant-Governor be taken into consideration on Friday next.

The Hon. the Minister of Finance presented the Public Accounts of the Province for the fiscal year ending 30th June, 1907.

The Hon. Provincial Secretary presented the Report on the subject of the Mission of the Hon. *Richard McBride*, Special Agent and Delegate of the Province of British Columbia to England, with regard to the claim of the Province for special treatment at the hands of the Dominion of Canada.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock on Friday next.

And then the House adjourned at 3:45 o'clock P.M.

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Friday, 17th January, 1908.

TWO O'CLOCK, P. M.

Prayers by the Rev. Canon *Beanlands*.

Pursuant to Order, the House proceeded to take into consideration the Speech of His Honour the Lieutenant-Governor at the opening of the Session.

Mr. *Taylor* moved, seconded by Mr. *Schofield*,—

That a humble Address be presented to His Honour the Lieutenant-Governor, to thank His Honour for his gracious Speech at the opening of the present Session, and further to assure His Honour that:—

1. We are pleased to be congratulated on the prosperity which during the past year has prevailed in nearly all lines of trade and industry in this Province.

2. We shall peruse with great interest the report and recommendations of the Commission on Irrigation, the appointment of which was authorised last Session, and we shall carefully consider any legislation introduced to secure a more equitable and efficient system of distribution of water for irrigation purposes.

3. We think the large increase in immigration, with the consequent demand for land under pre-emptions, warrants His Honour's Government in asking that a larger sum than usual be placed in the Estimates for an extension of our Provincial surveys.

4. We shall carefully consider any measure laid before us with a view to the restriction of the immigration of undesirable persons.

5. The construction of railways would doubtless be encouraged and expedited by a measure exempting from taxation for a period of ten years from time of completion certain railways already authorised.

6. We are pleased to be informed that there will be submitted to us the report of the Honourable the First Minister touching his mission to London as a representative of His Honour's Government, to lay before the Imperial Government the fact of the refusal of the Federal Government to entertain British Columbia's claim for more adequate and equitable treatment in the matter of Provincial subsidies.

7. We consider a more efficient service in the conduct of our public business would be effected by a measure regulating the Civil Service and creating a Superannuation Fund.

8. We agree with His Honour that the necessity of our youth going abroad to perfect themselves in the arts and sciences would be largely obviated by the establishment of a Provincial University.

9. We deem it advisable for the more convenient prosecution of public works under appropriation by the Legislature, and with the object of securing uniformity between the Federal and Provincial systems in the method of accounting and in the collection of statistics, that the commencement of the financial year should be changed from July to April.

10. We are pleased to be informed that the finances of the Province are in excellent condition, and that this has enabled His Honour's Government to effect a large reduction in the public debt, while still being able to show a substantial surplus over the actual expenditure.

11. Measures submitted to us designed to secure to the Province the full benefits that should accrue to the Treasury from the utilisation of the resources of the Province, will have our earnest support.

12. We learn with pleasure that the Public Accounts for the past financial year, and the Estimates for the coming year, will be laid before us, and that the Estimates have been framed with due regard to economy, while providing for the outlay necessary to meet the requirements of the Public Service in a Province the scene of important industrial development.

13. We agree with His Honour in thinking that on account of the increase in the demands for Public Works and Buildings, and the development taking place in the northern parts of the Province, it is advisable to create the office of Minister of Public Works.

14. We join His Honour in hoping that our deliberations will result in promoting the welfare of the people of the Province.

A debate arose, which was adjourned until the next sitting of the House.

Mr. *Garden* presented a petition from *W. H. Armstrong* and others, for a Private Bill to incorporate the Vancouver and Nicola Valley Railway Co. (No. 8.)

The Hon. Dr. *Young* presented a Return under section 2 of section 11 of the Public Inquiries Act.

The Hon. Mr. *Fulton* presented the Report for the year ending 31st December, 1907, of the Provincial Game and Forest Warden.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock on Monday next.

And then the House adjourned at 4 P.M.

Monday, 20th January, 1908.

TWO O'CLOCK, P. M.

Prayers by the Rev. Canon *Beanlands*.

The petition from *W. H. Armstrong* and others, for a Private Bill to incorporate the Vancouver and Nicola Valley Railway Co. (No. 8), was received.

Pursuant to Order, the House resumed the adjourned debate on the Address in reply to the Speech of His Honour the Lieutenant-Governor at the opening of the Session.

Mr. *Macdonald* moved in amendment, seconded by Mr. *Jones*,—

That the Resolution be amended by adding thereto the following:—

“15. We censure His Honour's responsible Ministers for their action in connection with His Honour's non-assent to the Bill of last Session, intituled 'An Act to Regulate Immigration into British Columbia.'”

A debate arose, which was adjourned until the next sitting of the House.

On the motion of the Hon. Mr. *Bowser*, Bill (No. 2) intituled “An Act to Regulate Immigration into British Columbia,” was introduced, read a first time, and *Ordered* to be read a second time to-morrow.

On the motion of Mr. *Oliver*, seconded by Mr. *Yorston*, it was *Resolved*,—

That an Order of the House be granted for a copy of all letters, telegrams or other communications between the Government, or any member thereof, and any other person or persons,

and between the Lieutenant-Governor and the Secretary of State, or any other person or persons, in reference to the withholding of the assent of the Lieutenant-Governor to Bill No. 30, Session of 1907.

Mr. *Hawthornthwaite* asked the Hon. the Minister of Mines the following questions :—

How many Chinese, Hindus and Japanese are employed underground in each of the following collieries, either by the company or by contractors or sub-contractors :—

1. Wellington Colliery Co., Cumberland?
2. Western Fuel Co., Nanaimo?
3. Crow's Nest Pass Coal Co., Crow's Nest?
4. Nicola Valley Coal and Coke Co., Nicola Valley?

The Hon. Mr. *McBride* replied as follows :—

“ According to last official Return, *i. e.*, for the year ending 31st December, 1906,—

“ 1. Union Colliery, 281 Chinese, 22 Hindus, 73 Japanese.

“ 2. None. Three Indians, presumably natives of British Columbia, are employed.

“ 3. None.

“ 4. No returns.”

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 5:30 P.M.

Tuesday, 21st January, 1908.

TWO O'CLOCK, P.M.

Prayers by the Rev. Canon *Beanlands*.

Dr. *McGuire* presented a petition from the Dominion Trust Company, Limited, for a Private Bill giving enlarged corporate powers. (No. 5.)

The Hon. the Premier presented a Return to an Order of the House for a copy of all letters, telegrams or other communications between the Government, or any member thereof, and any other person or persons, and between the Lieutenant-Governor and the Secretary of State, or any other person or persons, in reference to the withholding of the assent of the Lieutenant-Governor to Bill No. 30, Session of 1907.

The Hon. Mr. *Tallow* presented to Mr. Speaker a Message from His Honour the Lieutenant-Governor, which read as follows :—

JAMES DUNSMUIR,  
*Lieutenant-Governor.*

The Lieutenant-Governor transmits herewith a Bill intituled “An Act to amend the ‘Coal Tax Act, 1900,’” and recommends the same to the Legislative Assembly.

*Government House,*  
*20th January, 1908.*

*Ordered*, That the said Message, and the Bill accompanying the same, be forthwith referred to a Committee of the Whole House.

(IN THE COMMITTEE.)

*Resolved*, That the Committee rise and report to the House, recommending the introduction of a Bill (No. 3) intituled “An Act to amend the ‘Coal Tax Act, 1900,’” a draft of which is annexed to this Resolution.

Resolution and Bill reported.  
 Report adopted.  
 Bill introduced and read a first time.  
 Second reading to-morrow.

The Hon. Mr. *Tatlow* presented to Mr. Speaker a Message from His Honour the Lieutenant-Governor, which read as follows :—

JAMES DUNSMUIR,  
*Lieutenant-Governor.*

The Lieutenant-Governor transmits herewith a Bill intituled “An Act to amend the ‘Railway Assessment Act, 1907,’” and recommends the same to the Legislative Assembly.

*Government House,*  
*20th January, 1908.*

*Ordered,* That the said Message, and the Bill accompanying the same, be referred to a Committee of the Whole House forthwith.

(IN THE COMMITTEE.)

*Resolved,* That the Committee rise and report to the House, recommending the introduction of a Bill (No. 4) intituled “An Act to amend the ‘Railway Assessment Act, 1907,’” a draft of which is annexed to this Resolution.

Resolution and Bill reported.  
 Report adopted.  
 Bill introduced and read a first time.  
 Second reading to-morrow.

Pursuant to Order, the House resumed the adjourned debate on the Address in reply to the Speech of His Honour the Lieutenant-Governor at the opening of the Session, and on the amendment thereto moved by Mr. *Macdonald*, as follows :—

“15. We censure His Honour’s responsible Ministers for their action in connection with His Honour’s non-assent to the Bill of last Session, intituled ‘An Act to Regulate Immigration into British Columbia.’”

The debate was again adjourned until to-morrow.

On the motion of the Hon. the Attorney-General, Bill (No. 5) intituled “An Act to amend the ‘Oaths Act,’” was introduced, read a first time and *Ordered* to be read a second time to-morrow.

Mr. *Hawthornthwaite* moved, seconded by Mr. *McInnis*,—

Whereas, during the last Session of this House, a Bill was introduced intituled “An Act to Regulate Immigration into British Columbia,” with the object and intent of preventing a further influx into this Province of “backward races,” notably certain of the subjects of His Imperial Majesty the Mikado of Japan; and

Whereas the said Bill, as amended, successfully passed through the various stages in this Legislature, was supported by the members of the Executive Council at that time present, and was enacted, so far as it lay in the power of the Members of this Legislature; and

Whereas the Honourable *James Dunsmuir*, Lieutenant-Governor of this Province, refused to assent to the passage of said Bill; and

Whereas the Hon. *Richard McBride*, Premier of British Columbia, has publicly stated that the Lieutenant-Governor was not advised by his Government to refuse to give his assent to said Bill; and

Whereas it has transpired during an investigation by the Deputy Minister of Labour, *MacKenzie King*, acting under instructions from the Dominion Government, into the causes and nature of the extraordinary immigration of Japanese labourers into this Province, that the Honourable *James Dunsmuir*, in his private capacity as an operator of coal mines in this

Province, had, on or about the time of the passage of said Bill, entered into a contract with the Canadian Nippon Company, of Vancouver, to procure five hundred Japanese coolies for exploitation in his coal mines; and

Whereas the passage of the aforesaid Bill would have had the effect of delaying or preventing the coming into this Province of the labourers aforesaid; and

Whereas the Lieutenant-Governor has not acted in this matter in accordance with constitutional practice, in refusing his assent to the enactment of said Bill without the advice of his responsible Ministers, and has further laid himself open to grave suspicion as to the reasons that induced him to refuse his assent to said Bill; and

Whereas his action in these matters must inevitably tend to destroy such confidence as the people of this Province have in Constitutional and Responsible Government;

Therefore, be it Resolved, That this House emphatically condemns all such unconstitutional proceedings and hereby appeals to the Governor-General of this Dominion to investigate into all of the aforesaid matters and charges, and should the facts prove to be as stated in this resolution, dismiss forthwith the Honourable *James Dunsmuir* from the office of Lieutenant-Governor of the Province of British Columbia.

A point of Order arose, and the debate was adjourned until to-morrow.

Mr. *Williams* asked the Hon. the Attorney-General the following questions:—

1. Under the provisions of what Statute is the Government authorised to employ Pinkerton detectives?
2. Were said "detectives" residents of British Columbia?
3. Before employing these men, did the Government make any inquiries as to their character?

The Hon. Mr. *Bowser* replied as follows:—

"1. There is no special Statute regarding the employment of such detectives, any more than there is for the employment of many other means of carrying on the administration of justice.

"2. There is nothing in this question to indicate the occasion referred to.

"3. Answered by the reply to question No. 2."

The following Members were appointed on the Standing Committees:—

Committee on Railways—Messrs. *Ross, McGuire, Hayward, Shatford, Ellison, McPhillips, Hunter, Garden, Behnsen, Taylor, Grant, Parson, Manson, Jardine, Henderson, King, Hawthornthwaite, Naden, Brewster, Yorston, Eagleson, Kergin* and *Hall*.

Committee on Mining—Messrs. *Shatford, Taylor, Ross, Grant, Parson, Mackay, Schofield, Hunter, Thomson, McGuire, Behnsen, Macgowan, McInnis, Macdonald, Kergin, Brewster, Jones, Hall, King, Naden, Henderson* and *Eagleson*.

Committee on Agriculture—Messrs. *Ellison, Parson, Grant, Hayward, Munro, Yorston* and *Eagleson*.

Committee on Private Bills and Standing Orders—Messrs. *McPhillips, Ross, Garden, Thomson, Mackay, Williams, Henderson, Jones* and *Jardine*.

Committee on Printing—Messrs. *Macgowan, Manson, Davey, Henderson* and *Jones*.

Committee on Municipal Matters—Messrs. *Hayward, Garden, Macgowan, Mackay, Gifford, Behnsen, Taylor, Davey, Munro, Oliver, Naden, Kergin* and *Hall*.

Committee on Public Accounts—Messrs. *Mackay, McGuire, Schofield, Gifford, Henderson, Oliver* and *Naden*.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 5:20 P.M.



Wednesday, 22nd January, 1908.

TWO O'CLOCK, P.M.

Prayers by the Rev. Canon *Beanlands*.

The following petitions were presented :—

By Mr. *Behnsen*—From *D. B. May* and others, for a Private Bill to incorporate the Hudson Bay Pacific Railway Company. (No. 2.)

By Mr. *Grant*—From the Ladysmith Lumber Company, Limited, for a Private Bill to give the Company power to build a logging railway. (No. 6.)

By Mr. *Ross*—From *Russel G. Belden* and others, for a Private Bill to incorporate the Crow's Nest and Northern Railway Company. (No. 1.)

The petition from the Dominion Trust Company, Limited, for a Private Bill giving enlarged corporate powers (No. 5) was received.

Pursuant to Order, the House resumed the adjourned debate on the Address in reply to the Speech of His Honour the Lieutenant-Governor at the opening of the Session, and on the amendment thereto moved by Mr. *Macdonald*, as follows :—

“ 15. We censure His Honour's responsible Ministers for their action in connection with His Honour's non-assent to the Bill of last Session, intituled ‘ An Act to Regulate Immigration into British Columbia.’ ”

The debate was again adjourned until to-morrow.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 5:45 P.M.

Thursday, 23rd January, 1908.

TWO O'CLOCK, P.M.

Prayers by the Rev. Dr. *Jno. Campbell*, Ph.D.

The following petitions were presented :—

By Mr. *Munro*—From *S. A. Cawley* and others, for leave to introduce a Private Bill to incorporate the “ City of Chilliwack.” (No. 4.)

By Mr. *Gifford*—From the Local Council of Women of New Westminster and Vancouver, asking grant in aid of a building for home for aged poor.

Ruled out of order.

The following petitions were received :—

From *D. B. May* and others, for a Private Bill to incorporate the Hudson Bay Pacific Railway Company. (No. 2.)

From the Ladysmith Lumber Company, Limited, for a Private Bill to give the Company power to build a logging railway. (No. 6.)

From *Russel G. Belden* and others, for a Private Bill to incorporate the Crow's Nest and Northern Railway Company. (No. 1.)

Pursuant to Order, the House resumed the adjourned debate on the Address in reply to the Speech of His Honour the Lieutenant-Governor at the opening of the Session, and on the amendment thereto moved by Mr. *Macdonald*, as follows :—

“ 15. We censure His Honour's responsible Ministers for their action in connection with His Honour's non-assent to the Bill of last Session, intituled ‘ An Act to Regulate Immigration into British Columbia.’ ”

The debate was again adjourned until to-morrow.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 5:50 P.M.

## Friday, 24th January, 1908.

TWO O'CLOCK, P.M.

Prayers by the Rev. Dr. *Jno. Campbell*, Ph.D.

The following petitions were presented :—

By Mr. *Ross*—From *D. C. Corbin* and others, for leave to introduce a Private Bill to incorporate the Eastern British Columbia Railway Company. (No. 3.)

By Mr. *Munro*—From *G. Macdonell* and others, residents of Chilliwack, opposing the imposition of a gun licence.

The following petition was received :—

From *S. A. Cawley* and others, for leave to introduce a Private Bill to incorporate the “ City of Chilliwack.” (No. 4.)

Pursuant to Order, the House resumed the adjourned debate on the Address in reply to the Speech of His Honour the Lieutenant-Governor at the opening of the Session, and on the amendment thereto moved by Mr. *Macdonald*, as follows :—

“ 15. We censure His Honour's responsible Ministers for their action in connection with His Honour's non-assent to the Bill of last Session, intituled ‘ An Act to Regulate Immigration into British Columbia.’ ”

Question proposed—“ Shall the words proposed to be added stand part of the question,” and *Resolved* in the negative on the following division :—

### YEAS :

#### Messieurs

<i>Naden,</i>	<i>Yorston,</i>	<i>Henderson,</i>	<i>Williams,</i>
<i>Hall,</i>	<i>Kergin,</i>	<i>Munro,</i>	<i>Hawthornthwaite,</i>
<i>Eagleson,</i>	<i>Oliver,</i>	<i>Jardine,</i>	<i>McInnis—15.</i>
<i>Jones,</i>	<i>Macdonald,</i>	<i>Brewster,</i>	

### NAYS :

#### Messieurs

<i>Tatlow,</i>	<i>Shatford,</i>	<i>Garden,</i>	<i>Hayward,</i>
<i>McBride,</i>	<i>McPhillips,</i>	<i>Macgowan,</i>	<i>McGuire,</i>
<i>Bowser,</i>	<i>Thomson,</i>	<i>Gifford,</i>	<i>Mackay,</i>
<i>Cotton,</i>	<i>Hunter,</i>	<i>Grant,</i>	<i>Parson,</i>
<i>Ellison,</i>	<i>Fulton,</i>	<i>Behnsen,</i>	<i>Davey,</i>
<i>Ross,</i>	<i>Taylor,</i>	<i>Manson,</i>	<i>Schofield—24.</i>

Debate continued on the main question.

Resolution agreed to.

On the motion of the Honourable the Premier, seconded by the Honourable the Attorney-General, it was *Resolved*,—

That the Resolution to present an Address to His Honour the Lieutenant-Governor, thanking His Honour for His Gracious Speech, be referred to a Select Committee, composed as follows :—

The Honourable the Premier, the Honourable the President of the Council, the Honourable the Attorney-General, and the mover and seconder of the Address.

The Honourable the Premier, from the Select Committee, reported an Address, which read as follows :—

*To the Honourable JAMES DUNSMUIR, Lieutenant-Governor of the Province of British Columbia :*

We are pleased to be congratulated on the prosperity which during the past year has prevailed in nearly all lines of trade and industry in this Province.

We shall peruse with great interest the report and recommendations of the Commission on Irrigation, the appointment of which was authorised last Session, and we shall carefully consider any legislation introduced to secure a more equitable and efficient system of distribution of water for irrigation purposes.

We think the large increase in immigration, with the consequent demand for land under pre-emptions, warrants Your Honour's Government in asking that a larger sum than usual be placed in the Estimates for an extension of our Provincial surveys.

We shall carefully consider any measure laid before us with a view to the restriction of the immigration of undesirable persons.

The construction of railways would doubtless be encouraged and expedited by a measure exempting from taxation for a period of ten years from time of completion certain railways already authorised.

We are pleased to be informed that there will be submitted to us the report of the Honourable the First Minister touching his mission to London as a representative of Your Honour's Government, to lay before the Imperial Government the fact of the refusal of the Federal Government to entertain British Columbia's claim for more adequate and equitable treatment in the matter of Provincial subsidies.

We consider a more efficient service in the conduct of our public business would be effected by a measure regulating the Civil Service and creating a Superannuation Fund.

We agree with Your Honour that the necessity of our youth going abroad to perfect themselves in the arts and sciences would be largely obviated by the establishment of a Provincial University.

We deem it advisable for the more convenient prosecution of public works under appropriation by the Legislature, and with the object of securing uniformity between the Federal and Provincial systems in the method of accounting and in the collection of statistics, that the commencement of the financial year should be changed from July to April.

We are pleased to be informed that the finances of the Province are in excellent condition, and that this has enabled Your Honour's Government to effect a large reduction in the public debt, while still being able to show a substantial surplus over the actual expenditure.

Measures submitted to us designed to secure to the Province the full benefits that should accrue to the Treasury from the utilisation of the resources of the Province, will have our earnest support.

We learn with pleasure that the Public Accounts for the past financial year, and the Estimates for the coming year, will be laid before us, and that the Estimates have been framed with due regard to economy, while providing for the outlay necessary to meet the requirements of the Public Service in a Province the scene of important industrial development.

We agree with Your Honour in thinking that on account of the increase in the demands for Public Works and Buildings, and the development taking place in the northern parts of the Province, it is advisable to create the office of Minister of Public Works.

We join Your Honour in hoping that our deliberations will result in promoting the welfare of the people of the Province.

On the motion of the Honourable the Premier, seconded by the Honourable the Attorney-General, it was *Resolved*.—

That the Address in reply to the Speech of His Honour the Lieutenant-Governor be presented to His Honour by such Members as are of the Executive Council.

Mr. *Ellison* presented a petition from *James Ritchie* and others, for leave to introduce a Private Bill to revive and extend the provisions of the British Columbia Central Railway Company. (No. 9.)

The following Bills were introduced, read a first time and *Ordered* to be read a second time on Monday next :—

By Mr. *McPhillips*—Bill (No. 15) intituled “An Act for the Protection of Persons employed in Factories.”

By the Hon. Mr. *Bowser*—Bill (No. 6) intituled “An Act to Regulate the Purchase, Sale and Transfer of Stocks of Goods in Bulk.”

By the Hon. Mr. *Bowser*—Bill (No. 7) intituled “An Act to amend the ‘Bush Fire Act.’”

By the Hon. Mr. *Bowser*—Bill (No. 8) intituled “An Act to amend the ‘Summary Convictions Act.’”

By the Hon. Mr. *Tatlow*—Bill (No. 9) intituled “An Act to amend the ‘Farmers’ Institutes and Co-operation Act.’”

By the Hon. Mr. *Tatlow*—Bill (No. 11) intituled “An Act to amend the ‘Revenue Act.’”

By Mr. *Hall*—Bill (No. 16) intituled “An Act to amend the ‘Master and Servant Act Amendment Act, 1902.’”

By the Hon. Mr. *Bowser*—Bill (No. 12) intituled “An Act regarding a Certificate issued to the Greenwood City Water-works Company, under the provisions of the ‘Water Clauses Consolidation Act, 1897.’”

On the motion of Mr. *Naden*, seconded by Mr. *King*, it was *Resolved*.—

That an Order of the House be granted for a Return of copies of all correspondence, telegrams, or reports, in any way relating to the construction of a bridge over the Kettle River at or near Rock Creek.

On the motion of Mr. *Henderson*, seconded by Mr. *Jardine*, it was *Resolved*.—

That the Public Accounts be referred to the Select Standing Committee on Public Accounts.

On the motion of Mr. *Brewster*, seconded by Mr. *Henderson*, it was *Resolved*.—

That an Order of the House be granted for a Return of copies of (a) correspondence, (b) documents, shewing the contentions and claims of the Province against the Dominion, or *vice versa*, in regard to—

- (1) Fisheries, whether sea or inland?
- (2) Hatcheries;
- (3) Foreshores.

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. What amount of Crown timber lands are now held under lease from the Government?

2. For how many acres of timber lands were special timber licences issued during the following periods :—

December 12th,	1903	to	December 31st,	1904.
January 1st,	1905		“ 31st,	1905.
“ 1st,	1906		“ 31st,	1906.
“ 1st,	1907		“ 31st,	1907?

3. Are special timber licences transferable from one person to any other person?
4. If so, how many acres have been transferred from the original licensee?

The Hon. Mr. *Fulton* replied as follows:—

“1. 1,020,658 $\frac{3}{10}$  acres.

“2. December 12th, 1903, to December 31st, 1904— 920,320.

January 1st, 1905,           “       31st, 1905—1,390,080.

“       1st, 1906,           “       31st, 1906—2,527,760.

“       1st, 1907,           “       31st, 1907—6,691,840.

“(NOTE.—These figures include renewals of existing licences, and on December 31st, 1907, the acreage under special licence was approximately 6,691,840.)

“3. Yes.

“4. Approximate estimate, 2,500,000.

“(NOTE.—This figure represents total transfers in 1907. The segregation of transfers from original licensees would entail a great deal of labour.)”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions:—

1. Have Crown grants for any portion of reserved Crown lands at Kitamaat been issued since April 1st, 1905?
2. If so, to whom have such Crown grants been issued?
3. For what acreage?
4. Under what authority were such Crown grants issued?
5. Were there any improvements upon the lands Crown-granted?
6. Were any steps taken to protect the interests of persons who had settled upon and improved any of these lands?

The Hon. Mr. *Fulton* replied as follows:—

“1. One.

“2. Theodore N. Magnesen.

“3. 156 acres.

“4. Under authority of the Land Act.

“5. The field-notes and plan of survey show a log cabin 16 x 22 feet, and  $\frac{37}{100}$  acre slashing on the land.

“6. No, as a pre-emption record had been refused on account of the reserve.”

Mr. *Henderson* asked the Hon. the Attorney-General the following questions—

1. Is it the intention to consolidate the Statutes?
2. If so, when?

The Hon. Mr. *Bowser* replied as follows:—

“1. This matter has not yet been considered by the Government.

“2. Answered by reply to question No. 1.”

Mr. *Brewster* asked the Hon. the Chief Commissioner of Lands and Works the following questions:—

1. Did the Government commence construction on the Alberni-Comox Road?
2. If so, in what year?
3. How much money was expended in that year?
4. How much money has been expended each year since?
5. Is it the intention of the Government to carry this road to completion?
6. If so, when?

The Hon. Mr. *Fulton* replied as follows:—

“1. Yes.

“2. 1906.

“3. \$2,038.80. (1906-07.)

" 4. None.

" 5. It has not been decided yet.

" 6. Answered by reply to No. 5."

Mr. *Munro* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Who was caretaker of Chilliwhack dyke from October 1st, 1906, to September 30th, 1907 ?

2. What amount of wages was paid to caretaker for said period ?

The Hon. Mr. *Fulton* replied as follows :—

" 1. *Alex. A. Cruickshank*,

" 2. \$535.00.

Mr. *Williams* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. What was the amount of salary drawn by Mr. *J. Cairns* for each month, respectively, from date of appointment to December 31st, 1907 ?

2. What was the amount of expenses incurred for each month during the same period ?

The Hon. Mr. *Fulton* replied as follows :—

" 1. The vouchers show as follows :—

20th July to 31st August . . . . . \$124 00

1st September to 11th November . . . . . 148 00

" 2. 20th July to 31st August . . . . . 51 55

1st September to 11th November . . . . . 73 20 "

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock on Monday next.

And then the House adjourned at 5:55 o'clock P.M.

## Monday, 27th January, 1908.

TWO O'CLOCK, P.M.

Prayers by the Rev. *G. K. B. Adams*.

Mr. *Davey* presented a petition from *Thos. Paterson*, for leave to introduce a Private Bill to incorporate the Alberni Light and Power Co. (No. 10.)

The following petitions were received :—

From *D. C. Corbin* and others, for leave to introduce a Private Bill to incorporate the Eastern British Columbia Railway Company. (No. 3.)

From *G. MacDonell* and others, residents of Chilliwhack, opposing the imposition of a gun licence.

Mr. *McPhillips* presented the First Report from the Private Bills Committee, as follows :—

LEGISLATIVE COMMITTEE ROOM,

January 27th, 1908.

MR. SPEAKER :

Your Select Standing Committee on Private Bills and Standing Orders beg leave to report as follows :—

That the time limited for the presentation of Petitions for Private Bills be extended until Monday, February 10th, 1908.

All of which is respectfully submitted.

A. E. McPHILLIPS,  
*Chairman.*

The report was received and adopted.

Mr. *McPhillips* presented the Second Report from the Private Bills Committee, as follows :—

LEGISLATIVE COMMITTEE ROOM,  
January 27th, 1908.

MR. SPEAKER :

Your Select Standing Committee on Private Bills and Standing Orders beg leave to report as follows :—

That the Standing Orders in connection with the undermentioned Petitions have been complied with :

Petition No. 6.—An Act to authorise “The Ladysmith Lumber Company, Limited,” to construct and operate a railway for logging and lumbering purposes.

Petition No. 2.—An Act to Incorporate the Hudson Bay Pacific Railway Company.

Petition No. 4.—An Act to Incorporate the City of Chilliwack.

Petition No. 1.—An Act to Incorporate the Crow’s Nest and Northern Railway Company.

All of which is respectfully submitted.

A. E. McPHILLIPS,  
*Chairman.*

The report was received.

The following Bills were introduced, read a first time and *Ordered* to be read a second time to-morrow :—

By the Hon. Dr. *Young*—Bill (No. 14) intituled “An Act to Establish and Incorporate a University for the Province of British Columbia.”

By the Hon. Mr. *McBride*—Bill (No. 17) intituled “An Act to amend the ‘Constitution Act.’”

By the Hon. Mr. *McBride*—Bill (No. 18) intituled “An Act to establish a Department of Lands.”

By the Hon. Mr. *McBride*—Bill (No. 19) intituled “An Act to establish a Department of Public Works.”

The Hon. Dr. *Young* presented to Mr. Speaker a Message from His Honour the Lieutenant-Governor, which read as follows :—

JAMES DUNSMUIR,  
*Lieutenant-Governor.*

The Lieutenant-Governor transmits herewith a Bill intituled “An Act with respect to the Public Service of the Province of British Columbia and to make provision for the Superannuation and Retirement of Persons employed in the Public Service,” and recommends the same to the Legislative Assembly.

*Government House,*  
27th January, 1908.

*Ordered,* That the said Message, and the Bill accompanying the same, be referred to a Committee of the Whole House forthwith.

(IN THE COMMITTEE.)

*Resolved,* That the Committee rise and report to the House, recommending the introduction of a Bill (No. 20) intituled “An Act with respect to the Public Service of the Province of British Columbia and to make provision for the Superannuation and Retirement of Persons employed in the Public Service,” a draft of which is annexed to this Resolution.

Resolution and Bill reported.  
 Report adopted.  
 Bill introduced and read a first time.  
 Second reading to-morrow.

On the motion of the Honourable the Minister of Finance, seconded by the Honourable the Premier, it was *Resolved*,—

That the Speech of His Honour the Lieutenant-Governor at the opening of the present Session be taken into consideration on Monday next.

Mr. *Oliver* moved, seconded by Mr. *Jones*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, as follows :—

“*To the Honourable James Dunsmuir,*  
*Lieutenant-Governor of the Province of British Columbia.*”

“MAY IT PLEASE YOUR HONOUR :

“The Legislature of the Province of British Columbia, in Session assembled, are desirous of obtaining the fullest possible information in respect to the reservation of Bill 30, Session of 1907, for the consideration of His Excellency the Governor-General in Council, and the Legislature prays that Your Honour would be pleased to cause to be placed before them at the earliest possible moment copies of all instructions received by Your Honour from His Excellency the Governor-General, affecting Bill No. 30, Session of 1907; also copies of all correspondence and telegrams received by Your Honour from His Excellency the Governor-General relating to the same matter.”

A debate arose, which was adjourned until to-morrow.

Mr. *Oliver* asked the Hon. the Minister of Mines the following questions :—

1. What collieries are operating in British Columbia?
2. Are any of these operating collieries restricted as to the price they may charge for coal or coke?
3. If so, what collieries are so restricted?
4. What is the extent of such restriction?

The Hon. Mr. *McBride* replied as follows :—

- “1. Cumberland, Extension, Nanaimo, Middleboro, Carbonado, Coal Creek, Michel.
- “2. Yes, as to coal only.
- “3. Carbonado, Coal Creek, Michel.
- “4. \$2 per ton.”

Mr. *Oliver* asked the Hon. the Minister of Finance the following question :—

For how many years has the Government of British Columbia collected taxes on account of property on Barnston Island?

The Hon. Mr. *Tatlow* replied as follows :—

“Seventeen years.”

The Hon. Mr. *Tatlow* presented to Mr. Speaker a Message from His Honour the Lieutenant-Governor, which read as follows :—

JAMES DUNSMUIR,  
*Lieutenant-Governor.*

The Lieutenant-Governor transmits herewith a Bill intituled “An Act to amend the ‘Coal Tax Act, 1900,’” and recommends the same to the Legislative Assembly.

*Government House,*  
*23rd January, 1908.*



*Ordered*, That the said Message, and the Bill accompanying the same, be forthwith referred to a Committee of the Whole House.

(IN THE COMMITTEE.)

*Resolved*, That the Committee rise and report to the House, recommending the introduction of a Bill (No. 13) intituled "An Act to amend the 'Coal Tax Act, 1900,'" a draft of which is annexed to this Resolution.

Resolution and Bill reported.  
Report adopted.  
Bill introduced and read a first time.  
Second reading to-morrow.

The order for the second reading of Bill (No. 3) intituled "An Act to amend the 'Coal Tax Act, 1900,'" was discharged.

Bill (No. 1) intituled "An Act to amend the 'Supreme Court Act,'" was read a second time.

To be committed to-morrow.

On the second reading of Bill (No. 4) intituled "An Act to amend the 'Railway Assessment Act, 1907,'" a debate arose, which was adjourned until to-morrow.

The following Bills were read a second time and *Ordered* to be committed to-morrow :—

Bill (No. 5) intituled "An Act to amend the 'Oaths Act,'"

Bill (No. 6) intituled "An Act to Regulate the Purchase, Sale and Transfer of Stocks of Goods in Bulk,"

Bill (No. 7) intituled "An Act to amend the 'Bush Fire Act,'"

Bill (No. 8) intituled "An Act to amend the 'Summary Convictions Act,'"

Bill (No. 9) intituled "An Act to amend the 'Farmers' Institutes and Co-operation Act,'"

Bill (No. 11) intituled "An Act to amend the 'Revenue Act,'"

Bill (No. 12) intituled "An Act regarding a Certificate issued to the Greenwood City Water-works Company, under the provisions of the 'Water Clauses Consolidation Act, 1897,'"

Bill (No. 16) intituled "An Act to amend the 'Master and Servant Act Amendment Act, 1902.'" "

The following Private Bills were introduced and read a first time :—

By Mr. *Ross*—Bill (No. 50) intituled "An Act to Incorporate the Crow's Nest and Northern Railway Company."

Referred to the Railway Committee.

By Mr. *Behnsen*—Bill (No. 51) intituled "An Act to Incorporate the Hudson Bay Pacific Railway Company."

Referred to the Railway Committee.

By Mr. *Munro*—Bill (No. 53) intituled "An Act to Incorporate the City of Chilliwack."

Referred to the Private Bills Committee.

By Mr. *Grant*—Bill (No. 55) intituled "An Act to authorise the Ladysmith Lumber Company, Limited, to construct and operate a Railway for Logging and Lumbering purposes."

Referred to the Railway Committee.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 4:30 P.M.

Tuesday, 28th January, 1908.

TWO O'CLOCK, P.M.

Prayers by the Rev. *G. K. B. Adams*.

The Hon. Dr. *Young* presented copies of correspondence and telegrams between the Secretary of State and His Honour the Lieutenant-Governor with respect to Bill No. 30 of Session of 1907.

The petition from *Thos. Paterson*, for leave to introduce a Private Bill to incorporate the Alberni Light and Power Co. (No. 10), was received.

The Hon. Mr. *Fulton* presented to Mr. Speaker a Message from His Honour the Lieutenant-Governor, which read as follows:—

JAMES DUNSMUIR,  
*Lieutenant-Governor.*

The Lieutenant-Governor transmits herewith a Bill intituled "An Act granting to the Corporation of the City of New Westminster certain Lands in said City for Park purposes," and recommends the same to the Legislative Assembly.

*Government House,*  
*28th January, 1908.*

*Ordered*, That the said Message and the Bill accompanying the same, be referred to a Committee of the Whole House forthwith.

(IN THE COMMITTEE.)

*Resolved*, That the Committee rise and report to the House, recommending the introduction of a Bill (No. 21) intituled "An Act granting to the Corporation of the City of New Westminster certain Lands in said City for Park purposes," a draft of which is annexed to this Resolution.

Resolution and Bill reported.  
Report adopted.  
Bill introduced and read a first time.  
Second reading to-morrow.

The adjourned debate on the motion moved by Mr. *Oliver* on 27th inst., as follows:—

That an humble Address be presented to His Honour the Lieutenant-Governor, as follows:—

"To the Hon. *James Dunsmuir*,  
" *Lieutenant-Governor of the Province of British Columbia.*

"MAY IT PLEASE YOUR HONOUR:

"The Legislature of the Province of British Columbia, in Session assembled, are desirous of obtaining the fullest possible information in respect to the reservation of Bill 30, Session of 1907, for the consideration of His Excellency the Governor-General in Council, and the Legislature prays that Your Honour would be pleased to cause to be placed before them at the earliest possible moment copies of all instructions received by Your Honour from His Excellency the Governor-General, affecting Bill No. 30, Session of 1907; also copies of all correspondence and telegrams received by Your Honour from His Excellency the Governor-General, relating to the same matter,"

was resumed.

The motion was withdrawn with leave.

Mr. *McInnis* asked the Hon. the Provincial Secretary the following questions—

1. Does any agreement or understanding exist between the Government and the Salvation Army with a view to bringing immigrants into British Columbia during the year 1908?

2. Has the Government any knowledge of any effort being made by the Salvation Army to bring in immigrants during the year 1908?

3. Has the Salvation Army immigration agencies been notified by the Government as to industrial conditions in British Columbia at the present time?

The Hon. Dr. *Young* replied as follows :—

“ 1. Yes.

“ 2. The Salvation Army has arranged to bring in a number of immigrants as domestic servants and farm labourers, for whom places have been found.

“ 3. The Salvation Army Officer in charge of the immigration to British Columbia has full knowledge of the industrial conditions in the Province at the present time.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Have any public works been constructed by the Department at any time on Barnston Island?

2. If so, what works and when constructed?

The Hon. Mr. *Fulton* replied as follows :—

“ 1. No record of any.

“ 2. Answered by reply to question 1.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. What public works have been authorised by the Department during the current year in the constituency of Delta?

2. How much money has been expended, or authorised to be expended, on such works?

The Hon. Mr. *Fulton* replied as follows :—

“ 1. Road near Cloverdale, \$600; filling Canon Brown Road, \$500; Coast Meridian Road, Hall's Prairie, \$500; trail, Barnston Island, \$250.

“ 2. Amounts expended as follows :—Filling Canon Brown Road, \$211.85; Coast Meridian Road, Hall's Prairie, \$149.30.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following question :—

Is it the intention of the Government to make provision in the Estimates for the coming year for the repair of Yale Trunk Road through the Municipalities of Surrey and Langley?

The Hon. Mr. *Fulton* replied as follows :—

“ The matter is receiving consideration.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following question :—

Is it the intention of the Government to make provision in the Estimates for the coming year for the extension of the Westminster-Ladner River Road along the river bank to the town of Ladner?

The Hon. Mr. *Fulton* replied as follows :—

“ The matter is receiving consideration.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Has the Government taken any steps to provide communication, by bridge or ferry, between Westham Island and the Mainland?

2. If so, what steps have been taken?

3. Is it the intention of the Government to make any provision in the Estimates for the coming year for the establishment of either a bridge or a ferry between Westham Island and the Mainland?

The Hon. Mr. *Fulton* replied as follows:—

- “1. Steps have been taken by the Department preliminary to a decision in the question.
- “2. Examination by the Public Works Engineer.
- “3. The matter is receiving consideration.”

On the second reading of Bill (No. 2) intituled “An Act to Regulate Immigration into British Columbia,” a debate arose, which was adjourned until to-morrow.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 5:30 P.M.

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## Wednesday, 29th January, 1908.

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TWO O'CLOCK, P.M.

Prayers by the Rev. *G. K. B. Adams*.

The Hon. Mr. *Bowser* presented a Return of copies of correspondence between the Deputy Minister of Justice and the Hon. Attorney-General, *re* Chapter 21A of 1907, intituled “An Act to Regulate Immigration into British Columbia.”

The following petitions were presented:—

By Mr. *McGuire*—From *T. T. Beatty* and others (*re* opium traffic).

By Mr. *Thomson*—From the Corporation of the City of Victoria, for leave to introduce a Private Bill to amend “The Victoria Water-Works Act and amending Acts.”

Hon. Mr. Speaker *Eberts* gave the following ruling on the point of order raised on the motion moved by Mr. *Hawthornthwaite* on 21st inst.:—

The following resolution was moved by the Honourable Member for Nanaimo:—

“Whereas, during the last Session of this House, a Bill was introduced intituled “An Act to Regulate Immigration into British Columbia,” with the object and intent of preventing a further influx into this Province of “backward races,” notably certain of the subjects of His Imperial Majesty the Mikado of Japan; and

“Whereas the said Bill, as amended, successfully passed through the various stages in this Legislature, was supported by the members of the Executive Council at that time present, and was enacted, so far as it lay in the power of the Members of this Legislature; and

“Whereas the Honourable *James Dunsmuir*, Lieutenant-Governor of this Province, refused to assent to the passage of said Bill; and

“Whereas the Hon. *Richard McBride*, Premier of British Columbia, has publicly stated that the Lieutenant-Governor was not advised by his Government to refuse to give his assent to said Bill; and

“Whereas it has transpired during an investigation by the Deputy Minister of Labour, *MacKenzie King*, acting under instructions from the Dominion Government, into the causes and nature of the extraordinary immigration of Japanese labourers into this Province, that the Honourable *James Dunsmuir*, in his private capacity as an operator of coal mines in this Province, had, on or about the time of the passage of said Bill, entered into a contract with the Canadian Nippon Company, of Vancouver, to procure five hundred Japanese coolies for exploitation in his coal mines; and

“Whereas the passage of the aforesaid Bill would have had the effect of delaying or preventing the coming into this Province of the labourers aforesaid; and

“Whereas the Lieutenant-Governor has not acted in this matter in accordance with constitutional practice, in refusing his assent to the enactment of said Bill without the advice of his responsible Ministers, and has further laid himself open to grave suspicion as to the reasons that induced him to refuse his assent to said Bill; and

“Whereas his action in these matters must inevitably tend to destroy such confidence as the people of this Province have in Constitutional and Responsible Government;

“Therefore, be it Resolved, That this House emphatically condemns all such unconstitutional proceedings and hereby appeals to the Governor-General of this Dominion to investigate into all of the aforesaid matters and charges, and should the facts prove to be as stated in this resolution, dismiss forthwith the Honourable *James Dunsmuir* from the office of Lieutenant-Governor of the Province of British Columbia.”

The Legislature, by well established precedent, cannot pass a resolution of censure upon the Lieutenant-Governor for his conduct, except as a preliminary to an address to the Governor-General.

The above Resolution may be regarded as preliminary to a Message to His Excellency, but exception has been taken to it on two grounds: First, that the Resolution is out of order and should not be put to the House, inasmuch as it alleges that His Honour “has laid himself open to grave suspicion as to the reasons that induced him to refuse his assent to the Bill intitled ‘An Act to Regulate Immigration into British Columbia, 1907,’” and Rule 15 was cited as an authority. The Rule reads as follows:—

“No member shall speak disrespectfully of Her Majesty nor of any of the Royal Family, nor of the Governor or person administering the Government of Canada, nor of the Lieutenant-Governor of Province, nor shall he use offensive words against any member of this House, nor shall he speak beside the question in debate. No Member shall reflect upon any vote of the House passed during the current Session, except for the purpose of moving that such vote be rescinded.”

During the debate on this point it was strongly urged by the introducer of the Resolution that Rule 15 did not, and should not, in this case apply. In this I cannot for a moment agree. The Rule is a most useful and wise one, and obtains in all Parliaments in the British Dominions, and in this Legislative Body has always been enforced. The reference I have quoted to His Honour’s conduct in reserving his assent is, in my opinion, clearly an infringement of the above Rule, as I shall presently show.

The second point of order was that in reserving his assent to the said Bill his action was constitutional. Since the debate on the Resolution now under consideration, another debate on the Address in reply to the King’s Speech arose, and during same it was moved to add the following as clause 15 thereto: “We censure His Honour’s responsible Ministers for their action in connection with His Honour’s non-assent to the Bill of last Session intitled ‘An Act to regulate Immigration into British Columbia’”; and on the 24th inst. the House refused to affirm same, thereby declaring that as between His Honour and his Ministers he had acted constitutionally. Now, when a Bill has passed the House, under and by virtue of section 55 of the “British North America Act,” His Honour has three courses open to him: (1) That he assents to same in the King’s name, (2) that he withholds the King’s assent, (3) that he reserves the Bill for the signification of the King’s pleasure.

I will not deal with the second course open to him, as nothing arises on that. The procedure with reference to the third course open to him has been decided by the House. He was therefore constitutionally entitled to reserve the Bill for the signification of the King’s pleasure. As it appears, he took that course, and whether advised so to do under instructions from His Excellency or acting on his own discretion, if the occasion was one of urgency, he was acting, in my opinion, within his rights and according to the Constitution, and if so, as the Representative of His Majesty in this Province, it must be assumed that he acted in the public and not in his private interests, and it would therefore be highly improper to impute motives.

For these reasons I am of opinion the Resolution is one that should not be put to this House, and so I declare.

D. M. EBERTS,  
*Speaker.*

*29th January, 1908.*

The House resumed the adjourned debate on the second reading of Bill (No. 2) intituled "An Act to Regulate Immigration into British Columbia."

The debate was again adjourned until to-morrow.

Bill (No. 5) intituled "An Act to amend the 'Oaths Act,'" was committed.  
Reported complete with amendments.  
Report to be considered to-morrow.

Bill (No. 6) intituled "An Act to Regulate the Purchase, Sale and Transfer of Stocks of Goods in Bulk," was committed.

Progress reported.  
Committee to sit again to-morrow.

Mr. *McPhillips* presented the Third Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,  
January 29th, 1908.

MR. SPEAKER :

Your Select Standing Committee on Private Bills and Standing Orders beg leave to report as follows:—

That the Standing Orders in connection with the undermentioned Petitions have been complied with :

Petition No. 5.—An Act respecting The Dominion Trust Company, Limited.

Petition No. 3.—An Act to Incorporate the Eastern British Columbia Railway Company.

All of which is respectfully submitted.

A. E. MCPHILLIPS,  
*Chairman.*

The report was received.

The following Private Bills were introduced:—

By Mr. *Ross*—Bill (No. 52) intituled "An Act to Incorporate the Eastern British Columbia Railway Company."

Referred to the Railway Committee.

By Mr. *McGuire*—Bill (No. 54) intituled "An Act respecting The Dominion Trust Company, Limited."

Referred to the Private Bills Committee.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 5:20 P.M.

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Thursday, 30th January, 1908.

TWO O'CLOCK, P.M.

Prayers by the Rev. *G. K. B. Adams*.

The following petitions were received:—

From *T. T. Beatty* and others (*re* opium traffic).

From the Corporation of the City of Victoria, for leave to introduce a Private Bill to amend "The Victoria Water-Works Act and amending Acts." (No. 11.)

The following Bills were introduced, read a first time and *Ordered* to be read a second time to-morrow :—

By the Hon. Mr. *Bowser*—Bill (No. 22) intituled “An Act to consolidate and amend the Law relating to Electors and Elections in Municipalities.”

By Mr. *McInnis*—Bill (No. 23) intituled “An Act to prevent Discrimination against Members of Trade Unions.”

Upon the Order of the Day being called for the House to resume the adjourned debate on the motion moved by Mr. *Hawthornthwaite* on the 21st inst., Mr. *Hawthornthwaite* appealed from the ruling of the Chair given on the 29th inst., deciding the said motion to be out of order.

On division the Chair was sustained, and the names being called were taken down as follows :—

## YEAS :

## Messieurs

<i>Tatlow,</i>	<i>McPhillips,</i>	<i>Garden,</i>	<i>Hayward,</i>
<i>McBride,</i>	<i>Thomson,</i>	<i>Macgowan,</i>	<i>McGuire,</i>
<i>Bowser,</i>	<i>Hunter,</i>	<i>Gifford,</i>	<i>Mackay,</i>
<i>Cotton,</i>	<i>Fulton,</i>	<i>Grant,</i>	<i>Parson,</i>
<i>Ellison,</i>	<i>Young,</i>	<i>Behnsen,</i>	<i>Davey,</i>
<i>Ross,</i>	<i>Taylor,</i>	<i>Manson,</i>	<i>Schofield—25.</i>
<i>Shatford,</i>			

## NAYS :

## Messieurs

<i>King,</i>	<i>Yorston,</i>	<i>Munro,</i>	<i>Williams,</i>
<i>Naden,</i>	<i>Oliver,</i>	<i>Jardine,</i>	<i>Hawthornthwaite,</i>
<i>Eagleson,</i>	<i>Macdonald,</i>	<i>Brewster,</i>	<i>McInnis—13.</i>
<i>Jones,</i>			

On the motion of Mr. *Oliver*, seconded by Mr. *Jones*, it was *Resolved*,—

That an Order of the House be granted for a Return of copies of all correspondence in respect to the acquisition by the Victoria Terminal Railway Company of additional rights of way through the lands of *John Weaver* at Mud Bay.

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. How many acres of public lands were sold during the periods from January 1st, 1906, to December 31st, 1906, and from January 1st, 1907, to December 31st, 1907?

2. How many acres of public lands were pre-empted during the same period?

The Hon. Mr. *Fulton* replied as follows :—

“The approximate area of unsurveyed land sold during the year 1906 is 162,183 acres, and during 1907, 309,015.

“2. 1,048 pre-emption records were issued during the year 1906, and 938 during 1907. The area of these pre-emptions ranges from forty acres to one hundred and sixty acres.”

(NOTE.—To arrive at the exact acreage of land sold and pre-empted during the periods named would entail a great amount of clerical work.)

Mr. *Oliver* asked the Hon. the Premier the following questions :—

1. Did the Premier advise His Honour the Lieutenant-Governor to assent to Bill No. 30, Session 1907?

2. Did the Premier enter any objection with His Honour the Lieutenant-Governor against the proposal of His Honour to withhold his assent to Bill No. 30, Session of 1907?

The Hon. Mr. *McBride* replied as follows :—

“1. No.

“2. Communications between the Lieutenant-Governor and Members of the Executive Council are confidential, and under the oath of office taken by Ministers are not to be divulged.”

Mr. *Brewster* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Has any reserve been placed on the water in the neighbourhood of the intended Municipality of Alberni?

2. If not, is it the intention to do so?

The Hon. Mr. *Fulton* replied as follows :—

“ 1. No.

“ 2. The matter is under consideration.”

Mr. *Oliver* asked the Hon. the Minister of Finance the following question :—

After the letter of His Honour the Lieutenant-Governor, dated April 23rd, 1907, notifying the Acting Premier that His Honour did not propose to assent to Bill No. 30 was received, did the Hon. Acting Premier make any protest against the course proposed to be pursued by His Honour, or tender him any advice to the effect that the Bill in question was a proper Bill to receive his assent?

The Hon. Mr. *Tallow* replied as follows :—

“ The oath of office taken by Members of the Executive Council precludes them, or any of them, from divulging what may transpire between the Lieutenant-Governor and them, or any of them.”

Mr. *Garden* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. What is the estimated area of the coal fields of British Columbia?

2. What area has been alienated?

The Hon. Mr. *Fulton* replied as follows :—

“ 1. So much of the Province is as yet unexplored that it is impossible to form an approximation of the area.”

“ 2. 529,551 acres.”

Mr. *Hall* asked the Hon. the Chief Commissioner of Lands and Works the following question :—

Is it the intention of the Government during this year to take off the reserve on the land known as the Reclamation Farm at Kootenay Landing?

The Hon. Mr. *Fulton* replied as follows :—

“ The question is now under consideration.”

Bill (No. 16) intituled “ An Act to amend the ‘ Master and Servant Act Amendment Act, 1902,’ ” was committed.

Reported complete without amendment.

Third reading to-morrow.

The adjourned debate on the second reading of Bill (No. 2) intituled “ An Act to Regulate Immigration into British Columbia,” was resumed.

Bill read a second time.

To be committed to-morrow.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 5:25 P.M.

PAIRS FOR THE DAY.

Messieurs :

*Young,*

*Kergin.*



Friday, 31st January, 1908.

TWO O'CLOCK, P. M.

Prayers by the Rev. *W. L. Clay*.

The following Bills were introduced and read a first time :—

By Mr. *Hall*—Bill (No. 25) intituled “An Act to amend the ‘Municipal Clauses Act.’”  
Referred to the Municipal Committee.

By the Hon. Mr. *Bowser*—Bill (No. 24) intituled “An Act to amend the ‘Municipalities Incorporation Act.’”  
To be read a second time to-morrow.

On the motion of Mr. *Jardine*, seconded by Mr. *Brewster*, it was *Resolved*,—

That an Order of the House be granted for a Return forthwith of copies of any agreement entered into between the Government and the E. & N. Ry. Co. in respect to exemption from taxation of the extension of the railway to Alberni; also, for copies of all correspondence between the Government, or any member thereof, in respect to the same matter.

Mr. *Oliver* asked the Hon. the Attorney-General the following question :—

After the passage of Bill No. 30, Session of 1907, did the Hon. Attorney-General make a report to His Honour the Lieutenant-Governor, specifying whether any legal objection existed to his assenting to said Bill No. 30, or whether his duty and obligations as representative of the Crown would necessitate that he should withhold his assent from such Bill?

The Hon. Mr. *Fulton*, the then Attorney-General, replied as follows :—

“No report was made.”

Mr. *Jardine* asked the Hon. the Attorney-General the following questions :—

1. If he is aware that the Hindus are continually cremating their dead on Fraser Street, in Esquimalt District?

2. If so, under what authority is it done?

The Hon. Mr. *Bowser* replied as follows :—

“1. I have not been informed that the Hindus are continually cremating their dead on Fraser Street, in Esquimalt District.

“There is nothing in any law in force in this Province, that I am aware of, which forbids, or prevents, or requires any special authority for, the cremation of the dead.

“If a Hindu dies under circumstances that render an inquest necessary, the cremation of the body must not take place until after an inquest has been held.

“2. Answered by the reply to question No. 1.”

Mr. *Oliver* asked the Hon. the Minister of Finance the following question :—

What amounts of tax or royalty were paid during the last fiscal year by each of the following collieries: Cumberland, Extension, Nanaimo, Middleboro, Carbonado, Coal Creek, Michel?

The Hon. Mr. *Tallow* replied as follows :—

	Tax.	Royalty.
“Cumberland and Extension Collieries (Wellington Colliery Co.) .....	\$33,451 08	.....
“Nanaimo Colliery (Western Fuel Co.) .....	18,856 90	.....
“Middleboro Colliery .....		<i>Nil.</i>
“Carbonado, Coal Creek and Michel Collieries (Crow's Nest Pass Coal Co.) .....	33,908 81	\$21,093 70
“Totals .....	\$86,216 79	\$21,093 70.”

Mr. *King* asked the Hon. the Chief Commissioner of Lands and Works the following question :—

Is it the intention of the Government to make provision in the Estimates of the coming year for the construction of a bridge, or ferry, across the Kootenay River at Wardner?

The Hon. Mr. *Fulton* replied as follows :—

“The matter has not yet been decided.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Is it the intention of the Government to make any provision in the Estimates to repair the Town Line Road between Fort Langley and the Yale Trunk Road?

2. If not, why not?

The Hon. Mr. *Fulton* replied as follows :—

“1. The question has not yet been decided.

“2. Answered by reply to question one.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following question :—

Is it the intention of the Government to make provision in the Estimates for the construction of a new piece of road south of the Fraser River Bridge, according to the plans prepared by Mr. *Hill*, C. E.?

The Hon. Mr. *Fulton* replied as follows :—

“The matter will be considered.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Why has the \$250 authorised to be expended on Barnston not been expended?

2. Does the Government intend to expend the amount authorised before the end of the present financial year?

The Hon. Mr. *Fulton* replied as follows :—

“1. The Road Superintendent reported in September last that it had not been possible to get men to do the work.

“2. Yes.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Why has the full amount authorised not been expended on the Coast-Meridian Road, Hall's Prairie?

2. Is it the intention to expend the balance of this appropriation during the present financial year?

3. What work has been done, and what work is it proposed to do, with the balance of the appropriation?

The Hon. Mr. *Fulton* replied as follows :—

“1. The Road Superintendent reported in September last that it had not been possible to get men to do the work.

“2. Yes.

“3. No report has yet been received as to what work was done, but it consists mainly of ditching.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Why has the full amount authorised not been expended upon the filling of the canyon on the Brown Road?

2. Is it the intention to expend the balance of the appropriation during the present fiscal year?

The Hon. Mr. *Fulton* replied as follows :—

“ 1. The Road Superintendent reported in September last that it had not been possible to get men to do the work.

“ 2. Yes.”

Bill (No. 1) intituled “ An Act to amend the ‘ Supreme Court Act,’ ” was committed.

Reported complete with amendments.

Report to be considered on Monday next.

The Hon. Mr. *Tatlow* presented a Statement of Revenue and Expenditure for six months ending 31st December, 1907.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock on Monday next.

And then the House adjourned at 5:10 P.M.

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PAIRS FOR THE DAY :

Messieurs :

*Macgowan,*  
*McGuire,*

*Kergin,*  
*Yorston.*

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Monday, 3rd February, 1908.

TWO O'CLOCK, P. M.

Prayers by the Rev. *T. W. Gladstone*.

The following petitions were presented and reserved :—

By Mr. *Manson*—From the South-East Kootenay Railway Company, opposing Private Bill to Incorporate the Crow's Nest and Northern Railway Company. (No. 1A.)

By Mr. *Manson*—From the South-East Kootenay Railway Company, opposing Private Bill to Incorporate the Eastern British Columbia Railway Company. (No. 3A.)

On the motion of the Hon. the Attorney-General, Bill (No. 26) intituled “ An Act to amend the ‘ Municipal Clauses Act,’ ” was introduced, read a first time and *Ordered* to be read a second time to-morrow.

On the motion of the Honourable the Minister of Finance, seconded by the Honourable the Premier, it was *Resolved*,—

That a Supply be granted to His Majesty, and that this House do resolve itself into a Committee of the Whole on Monday next to consider the Resolution.

On the motion of Mr. *Oliver*, seconded by Mr. *Kergin*, it was *Resolved*,—

That an Order of the House be granted for a Return of copies of all correspondence or telegrams between the Government, or any member thereof, and any other person or persons, in respect to the acquisition of Indian Reserve lands in the vicinity of Port Rupert by the G. T. P. Ry. Co.

Mr. *Brewster* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Has the Government refused to issue licences to cut timber on Crown lands to hand-loggers?
2. If so, what are the reasons which induced the Government to refuse licences to hand-loggers?
3. If not, can hand loggers still obtain licences to cut timber on Crown lands?

The Hon. Mr. *Fulton* replied as follows :—

“ 1. Yes.

“ 2. A reserve having been placed on timber, it was not deemed advisable to issue any more hand loggers' licences until some policy could be carefully considered and decided upon.

“ 3. Not at present.”

Mr. *Ross* presented the First Report from the Railway Committee, as follows :—

LEGISLATIVE COMMITTEE ROOM,  
3rd February, 1908.

MR. SPEAKER :

Your Select Standing Committee on Railways beg leave to report as follows :—

The preamble proved of—

Bill (No. 51) intituled “ An Act to Incorporate the Hudson Bay Pacific Railway Company.”

Bill (No. 55) intituled “ An Act to authorise the Ladysmith Lumber Company, Limited, to construct and operate a Railway for Logging and Lumber purposes.”

All of which is respectfully submitted.

WM. R. ROSS,  
*Chairman.*

The report was received.

The Report on Bill (No. 5) intituled “ An Act to amend the ‘ Oaths Act,’ ” was adopted. Bill read a third time and passed.

Bill (No. 6) intituled “ An Act to Regulate the Purchase, Sale and Transfer of Stocks of Goods in Bulk,” was again committed.

Reported complete with amendments.

Report to be considered to-morrow.

Bill (No. 7) intituled “ An Act to amend the ‘ Bush Fire Act,’ ” was committed.

Progress reported.

Committee to sit again to-morrow.

Bill (No. 8) intituled “ An Act to amend the ‘ Summary Convictions Act,’ ” was committed.

Reported complete without amendment.

Report adopted.

Third reading to-morrow.

Bill (No. 9) intituled “ An Act to amend the ‘ Farmers’ Institutes and Co-operation Act,’ ” was committed.

Reported complete without amendment.

Report to be considered to-morrow.

Bill (No. 11) intituled “ An Act to amend the ‘ Revenue Act,’ ” was committed.

Reported complete with amendments.

Report to be considered to-morrow.

Bill (No. 12) intituled "An Act regarding a Certificate issued to the Greenwood City Water-works Company, under the provisions of the 'Water Clauses Consolidation Act, 1897,'" was committed.

Reported complete without amendment.

Report adopted.

Third reading to-morrow.

Bill (No. 13) intituled "An Act to amend the 'Coal Tax Act, 1900,'" was read a second time.

To be committed to-morrow.

On the second reading of Bill (No. 14) intituled "An Act to Establish and Incorporate a University for the Province of British Columbia," a debate arose, which was adjourned until to-morrow.

Mr. *Jardine* presented a petition from the Esquimalt Water-Works Company, opposing Private Bill to amend the Victoria Water-Works Act and amending Acts. (No. 11A.)

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 4:45 P.M.

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PAIRS FOR THE DAY.

Messieurs

*Schofield*,

*Naden*,

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Tuesday, 4th February, 1908.

TWO O'CLOCK, P.M.

Prayers by the Rev. *T. W. Gladstone*.

Mr. *Grant* presented a petition from *W. J. Miller* and others, *re* Squatters' rights on E. & N. Ry. grant.

Received.

The petition from the Esquimalt Water-Works Company, opposing Private Bill to amend the Victoria Water-Works Act and amending Acts (No. 11A) was received.

Mr. *Ross* presented the Third Report from the Railway Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,  
3rd February, 1908.

MR. SPEAKER:

Your Select Standing Committee on Railways beg leave to report as follows:

The preamble proved of—

Bill (No. 50) "An Act to Incorporate the Crow's Nest and Northern Railway Company."

All of which is respectfully submitted.

W. R. ROSS,  
*Chairman.*

The report was received.

Mr. *McPhillips* presented the Fourth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,  
February 4th, 1908.

MR. SPEAKER :

Your Select Standing Committee on Private Bills and Standing Orders beg leave to report as follows:—

That the preamble of Bill (No. 53) "An Act to Incorporate the City of Chilliwack," has been proved and the Bill ordered to be reported with amendments.

All of which is respectfully submitted.

A. E. McPHILLIPS,  
*Chairman.*

The report was received.

Mr. *McPhillips* presented the Fifth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,  
February 4th, 1908.

MR. SPEAKER :

Your Select Standing Committee on Private Bills and Standing Orders beg leave to report as follows:—

That the Standing Orders have not been complied with as to publication of notice and presentation of petitions in connection with the undermentioned Petitions:—

Petition No. 8—"An Act to Incorporate the Vancouver and Nicola Valley Railway Company."

Petition No. 11.—"An Act to amend the Corporation of Victoria Water-W rks Act, 1873," and the "Victoria Water-Works Amendment Act," Chapter 64 of Statutes of 1892, and to give additional powers.

Your Committee recommend that Rules 57 and 59 be suspended with reference to the above-mentioned Petitions.

All of which is respectfully submitted.

A. E. McPHILLIPS,  
*Chairman.*

The report was received.

The Standing Rules and Orders were suspended and the report adopted.

Mr. *McPhillips* presented the Sixth Report from the Private Bills Committee, as follows:

LEGISLATIVE COMMITTEE ROOM,  
4th February, 1908.

MR. SPEAKER :

Your Select Standing Committee on Private Bills and Standing Orders beg leave to report as follows:—

That the time limited for the receiving of Petitions and for the presentation of Private Bills to the House be extended until Thursday, February 13th, 1908.

All of which is respectfully submitted.

A. E. McPHILLIPS,  
*Chairman.*

The report was received.

The Standing Rules and Orders were suspended and the Report adopted.

The Hon. Mr. *Fulton* presented a Return of copies of all correspondence in respect to the acquisition by the Victoria Terminal Railway Company of additional rights of way through the lands of *John Weaver* at Mud Bay.

The Hon. Mr. *Fulton* presented to Mr. Speaker a Message from His Honour the Lieutenant-Governor, which read as follows:—

JAMES DUNSMUIR,  
*Lieutenant-Governor.*

The Lieutenant-Governor transmits herewith a Bill intituled “An Act to authorise the grant of certain Lands to the Corporation of the City of Victoria,” and recommends the same to the Legislative Assembly.

*Government House,*  
*4th February, 1908.*

*Ordered,* That the said Message, and the Bill accompanying the same, be referred to a Committee of the Whole House forthwith.

(IN THE COMMITTEE.)

*Resolved,* That the Committee rise and report to the House, recommending the introduction of a Bill (No. 27) intituled “An Act to authorise the grant of certain Lands to the Corporation of the City of Victoria,” a draft of which is annexed to this Resolution.

Resolution and Bill reported.  
Report adopted.  
Bill introduced and read a first time.  
Second reading to-morrow.

Mr. *Oliver* moved, seconded by Mr. *Eagleson*,—

Whereas at the last Session of this House Bill No. 30, entitled “An Act to Regulate Immigration into British Columbia,” unanimously passed the third reading, but the King’s assent thereto was withheld by His Honour the Lieutenant-Governor and the said Bill was reserved for the signification of the pleasure of His Excellency the Governor-General of Canada:

And whereas it appears that His Honour reserved the said Bill without instructions from His Excellency the Governor-General to do so, and at a time when it appears that the Wellington Colliery Company, of which His Honour was and still is President, was under contract to give employment to a large number of Asiatics to be brought into this Province by an immigration company, contrary to the spirit, if not to the letter, of our laws, and contrary to the almost unanimous sentiment of the people of British Columbia against Oriental immigration into the Province:

And whereas, by reason of the above, the confidence of the people of this Province in His Honour the Lieutenant-Governor is greatly impaired, if not wholly destroyed:

Therefore, be it Resolved, That an humble Address be presented to His Excellency the Governor-General of Canada, praying for the removal of the Honourable *James Dunsmuir* from the office of Lieutenant-Governor of the Province of British Columbia.

Mr. Speaker *Eberts* ruled the motion out of order, as infringing on Rule 15.

Mr. *Oliver* appealed from the ruling of the Chair.

The Chair was sustained on the following division:—

YEAS:

Messieurs

<i>Tatlow,</i>	<i>Shatford,</i>	<i>Taylor,</i>	<i>Hayward,</i>
<i>McBride,</i>	<i>McPhillips,</i>	<i>Garden,</i>	<i>McGuire,</i>
<i>Bowser,</i>	<i>Thomson,</i>	<i>Gifford,</i>	<i>Machay,</i>
<i>Cotton,</i>	<i>Hunter,</i>	<i>Grant,</i>	<i>Parson,</i>
<i>Ellison,</i>	<i>Fulton,</i>	<i>Behnsen,</i>	<i>Davey—23.</i>
<i>Ross,</i>	<i>Young,</i>	<i>Manson,</i>	

NAYS:

Messieurs

<i>King,</i>	<i>Yorston,</i>	<i>Munro,</i>	<i>Williams,</i>
<i>Naden,</i>	<i>Kergin,</i>	<i>Jardine,</i>	<i>Hawthornthwaite,</i>
<i>Hall,</i>	<i>Oliver,</i>	<i>Brewster,</i>	<i>McInnis—14.</i>
<i>Eagleson,</i>	<i>Macdonald,</i>		

Mr. *Hawthornthwaite* moved, seconded by Mr. *McInnis*,—

Whereas, during the last Session of this House, a Bill was introduced intituled "An Act to Regulate Immigration into British Columbia," with the object and intent of preventing a further influx into this Province of 'backward races,' notably certain of the subjects of His Imperial Majesty the Mikado of Japan; and

Whereas the said Bill, as amended, successfully passed through the various stages in this Legislature, was supported by the members of the Executive Council at that time present, and was enacted, so far as it lay in the power of the members of this Legislature; and

Whereas the Honourable *James Dunsmuir*, Lieutenant-Governor of this Province, refused to assent to the passage of said Bill; and

Whereas the Hon. *Richard McBride*, Premier of British Columbia, has publicly stated that the Lieutenant-Governor was not advised by his Government to refuse to give his assent to said Bill; and

Whereas it has transpired, during an investigation by the Deputy Minister of Labour, *MacKenzie King*, acting under instructions from the Dominion Government, into the causes and nature of the extraordinary immigration of Japanese labourers into this Province, that the Honourable *James Dunsmuir*, in his private capacity as an operator of coal mines in this Province, had, on or about the time of the passage of said Bill, entered into a contract with the Canadian Nippon Company, of Vancouver, to procure five hundred Japanese coolies for exploitation in his coal mines; and

Whereas the passage of the aforesaid Bill would have had the effect of delaying or preventing the coming into this Province of the labourers aforesaid;

Therefore, be it Resolved, That this House appeal to the Governor-General of this Dominion to investigate into all these matters, and should it be ascertained that the Honourable *James Dunsmuir* has acted unconstitutionally, that he be dismissed forthwith from office.

Mr. Speaker *Eberts* ruled the motion out of order, citing Rule 15 and his previous ruling of to-day and of 29th January.

Mr. *Hawthornthwaite* appealed from the ruling of the Chair.

The Chair was sustained on the following division:—

YEAS :

Messieurs

<i>Tatlow,</i>	<i>McPhillips,</i>	<i>Garden,</i>	<i>Hayward,</i>
<i>McBride,</i>	<i>Thomson,</i>	<i>Gifford,</i>	<i>McGuire,</i>
<i>Bowser,</i>	<i>Hunter,</i>	<i>Grant,</i>	<i>Mackay,</i>
<i>Cotton,</i>	<i>Fulton,</i>	<i>Behnson,</i>	<i>Parson,</i>
<i>Ellison,</i>	<i>Young,</i>	<i>Manson,</i>	<i>Davey.—22.</i>
<i>Shatford,</i>	<i>Taylor,</i>		

NAYS :

Messieurs

<i>King,</i>	<i>Kergin,</i>	<i>Munro.</i>	<i>Williams,</i>
<i>Hall,</i>	<i>Oliver,</i>	<i>Jardine,</i>	<i>Hawthornthwaite,</i>
<i>Eagleson,</i>	<i>Macdonald,</i>	<i>Brewster,</i>	<i>McInnis—13.</i>
<i>Yorston,</i>			

Mr. *Oliver* asked the Hon. the Premier the following questions:—

1. Has the Government dismissed Mr. *Smith*, late Government Agent at Alberni?
2. If so, has there been any request for a thorough investigation of the matter which led to Mr. *Smith's* dismissal?
3. If so, is it the intention of the Government to authorise an investigation as requested?

The Hon. Mr. *McBride* replied as follows:—

"1. Yes.

"2. At the request of Rev. *George Smith*, of Alberni, the matter was again considered by the Executive Council, with the result that the Government could not see its way to change the decision already arrived at.

"3. Answered by 2."



The following Bills were read a third time and passed :—

Bill (No. 8) intituled “ An Act to amend the ‘ Summary Convictions Act.’ ”

Bill (No. 12) intituled “ An Act regarding a Certificate issued to the Greenwood City Water-works Company, under the provisions of the ‘ Water Clauses Consolidation, Act, 1897.’ ”

The Report on Bill (No. 2) intituled “ An Act to Regulate Immigration into British Columbia,” was adopted.

Third reading to-morrow.

The Report on Bill (No. 6) intituled “ An Act to Regulate the Purchase, Sale and Transfer of Stocks of Goods in Bulk,” was adopted.

Third reading to-morrow.

The Report on Bill (No. 9) intituled “ An Act to amend the ‘ Farmers’ Institutes and Co-operation Act,’ ” was adopted.

Third reading to-morrow.

The Report on Bill (No. 11) intituled “ An Act to amend the ‘ Revenue Act,’ ” was adopted.

Third reading to-morrow.

Bill (No. 13) intituled “ An Act to amend the ‘ Coal Tax Act, 1900,’ ” was committed.

Reported complete with amendments.

Report to be considered to-morrow.

The House resumed the adjourned debate on the second reading of Bill (No. 4) intituled “ An Act to amend the ‘ Railway Assessment Act, 1907.’ ”

Bill read a second time.

To be committed to-morrow.

*Resolved*, That the House, at its rising, do stand adjourned until two o’clock to-morrow.

And then the House adjourned at 5:20 P.M.

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PAIRS FOR THE DAY.

Messieurs

*Macgowan,*  
*Schofield,*

*Jones,*  
*Henderson.*

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Wednesday, 5th February, 1908.

TWO O’CLOCK, P.M.

Prayers by the Rev. T. W. Gladstone.

Mr. Davey presented a petition from Mrs. A. G. Miller and others, residents of Victoria. The petition was read.

Mr. *Brewster* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Has there been any water record granted to any person, persons or company for water from the Somas River?
2. If so, when and for what quantity?
3. To whom have such records been granted and for what purpose?
4. Are there any applications now pending?
5. If so, by whom were such applications made, when, and for what quantity and what purpose?

The Hon. Mr. *Fulton* replied as follows :—

- “ 1. Yes.
- “ 2. 29th April, 1892. 14,000 inches.
- “ 3. The British Columbia Paper Manufacturing Company. For the purpose of manufacturing paper and for driving machinery.
- “ 4. No.
- “ 5. Answered by reply to question 4.”

Mr. *Brewster* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Have any water records been granted to any person, persons or company for water from Stamp River, Alberni District?
2. If so, to whom and for what quantity?
3. Have any applications for water from Stamp River been made?
4. If so, by whom and for what quantity?

The Hon. Mr. *Fulton* replied as follows :—

- “ 1. No.
- “ 2. Answered by reply to question 1.
- “ 3. Yes.
- “ 4. *Arthur Rochester*. 2,000 inches.”

The following Bills were read a second time and *Ordered* to be committed to-morrow :—

Bill (No. 51) intituled “An Act to Incorporate the Hudson Bay Pacific Railway Company.”

Bill (No. 55) intituled “An Act to authorise the Ladysmith Lumber Company, Limited, to construct and operate a Railway for Logging and Lumbering purposes.”

Bill (No. 53) intituled “An Act to Incorporate the City of Chilliwack.”

The following Bills were read a third time and passed :—

Bill (No. 6) intituled “An Act to Regulate the Purchase, Sale and Transfer of Stocks of Goods in Bulk.”

Bill (No. 9) intituled “An Act to amend the ‘Farmers’ Institutes and Co-operation Act.’”

Bill (No. 11) intituled “An Act to amend the ‘Revenue Act.’”

On the third reading of Bill (No. 2) intituled “An Act to Regulate Immigration into British Columbia,” Mr. *Macdonald* moved in amendment, seconded by Mr. *Henderson*, That the Bill be referred back to a Committee of the Whole House to add the following to the enacting clause of said Bill, viz.:—“so far as this Legislative Assembly has power to enact the same.”

The amendment was negatived on the following division :—

YEAS :

Messieurs

*King,*  
*Naden,*  
*Hall,*

*Eagleson,*  
*Jones,*  
*Yorston,*

*Kergin,*  
*Macdonald,*  
*Henderson,*

*Munro,*  
*Jardine,*  
*Brewster—12.*

## NAYS :

## Messieurs

<i>Williams,</i>	<i>Ellison,</i>	<i>Young,</i>	<i>Manson,</i>
<i>Hawthornthwaite,</i>	<i>Ross,</i>	<i>Taylor,</i>	<i>Hayward,</i>
<i>McInnis,</i>	<i>Shatford,</i>	<i>Garden,</i>	<i>McGuire,</i>
<i>Tatlow,</i>	<i>McPhillips,</i>	<i>Macgowan,</i>	<i>Parson,</i>
<i>McBride,</i>	<i>Thomson,</i>	<i>Gifford,</i>	<i>Davey,</i>
<i>Bowser,</i>	<i>Hunter,</i>	<i>Grant,</i>	<i>Schofield—27.</i>
<i>Cotton,</i>	<i>Fulton,</i>	<i>Behnsen</i>	

## PAIRS :

## Messieurs

*Mackay,**Oliver.*

Bill read a third time on the following division :—

## YEAS :

## Messieurs

<i>King,</i>	<i>Jardine,</i>	<i>Ross,</i>	<i>Gifford,</i>
<i>Naden,</i>	<i>Brewster,</i>	<i>Shatford,</i>	<i>Grant,</i>
<i>Hall,</i>	<i>Williams,</i>	<i>McPhillips,</i>	<i>Behnsen,</i>
<i>Eagleson,</i>	<i>Hawthornthwaite,</i>	<i>Thomson,</i>	<i>Manson,</i>
<i>Jones,</i>	<i>McInnis,</i>	<i>Hunter,</i>	<i>Hayward,</i>
<i>Yorston,</i>	<i>Tatlow,</i>	<i>Fulton,</i>	<i>McGuire,</i>
<i>Kergin.</i>	<i>McBride,</i>	<i>Young,</i>	<i>Parson,</i>
<i>Macdonald,</i>	<i>Bowser,</i>	<i>Taylor,</i>	<i>Davey,</i>
<i>Henderson,</i>	<i>Cotton,</i>	<i>Garden,</i>	<i>Schofield—39.</i>
<i>Munro,</i>	<i>Ellison,</i>	<i>Macgowan,</i>	

NAYS—0.

## PAIRS :

## Messieurs

*Mackay,**Oliver,*

The Report on Bill (No. 13) intituled “An Act to amend the ‘Coal Tax Act, 1900,’” was adopted.

Third reading to-morrow.

Bill (No. 4) intituled “An Act to amend the ‘Railway Assessment Act, 1907,’” was committed.

Progress reported.

Committee to sit again to-morrow.

*Resolved,* That the House, at its rising, do stand adjourned until two o'clock to-morrow.

And then the House adjourned at 5:15 o'clock P.M.

## PAIRS FOR THE DAY.

## Messieurs

*Mackay,**Oliver.*