

Friday, 17th April, 1903.

TWO O'CLOCK, P.M.

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

The following petitions were presented and received:—

By Mr. *Fulton*—From the Nicola, Kamloops and Similkameen Coal and Railway Company, for a Private Bill to amend their Corporate Act.

By Mr. *Stables*—From the British American Dredging Company, Limited, for a Private Bill authorising the diversion and use of the waters of Pine Creek, Atlin.

Mr. *Helmcken* presented the Eighth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 17th, 1903.

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 under-mentioned Petition have not been complied with:—

No. 5—Petition of Flathead Valley Railway Company, inasmuch as while publication in the British Columbia Gazette and Nelson Tribune was complete, there was no publication in a newspaper published in the district affected, nor were the requirements of Rule 57 wholly complied with, inasmuch as the notices published were not deposited within the time therein limited. Your Committee are of the opinion that as the proposed Bill is presumably in the public interest the Standing Rules and Orders should be suspended so as to admit of the introduction of the Bill, and beg to recommend the same accordingly.

All of which is respectfully submitted.

H. DALLAS HELMCKEN,
Chairman.

The Report was received.

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

Mr. *Helmcken* presented the Ninth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 17th, 1903.

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 under-mentioned petition have not been complied with:—

No. 14—Petition of the Diocese of Kootenay, inasmuch as a printed copy of the Bill, a copy of the Petition and the notices published were not deposited eight days before the opening of the Session, as required by Rule 57. Publication was complete. Your Committee are of the opinion that as the proposed Bill is urgently required, and is not prejudicial to public interests, the Standing Rules and Orders should be suspended so as to admit of the introduction of the proposed Bill, and beg to recommend the same accordingly.

All of which is respectfully submitted.

H. DALLAS HELMCKEN,
Chairman.

The Report was received.

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

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

By Mr. *Houston*—Bill (No. 33) intituled "An Act to Incorporate the Flathead Valley Railroad Company."

Referred to the Railway Committee.

By Mr. *Houston*—Bill (No. 34) intituled “An Act to Incorporate the Anglican Synod of the Diocese of Kootenay.”

Referred to the Private Bills Company.

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

By the Hon. Mr. *Eberts*—Bill (No. 31) intituled “An Act to amend the ‘Wellington Receivership Act, 1901.’”

By the Hon. Mr. *Prior*—Bill (No. 32) intituled “An Act to amend the ‘Department of Mines Act, 1899.’”

On the motion of Mr. *Curtis*, seconded by Mr. *Hawthornthwaite*, it was *Resolved*,—

That an Order of this House be made for a Return, with dates of every reserve (of not less than 25,000 acres) of Provincial lands now in force, stating the purpose for which each reserve is made and the approximate area and location of each reserve.

On the motion of Mr. *Curtis*, seconded by Mr. *Hawthornthwaite*, it was *Resolved*,—

That a Return be made to this House, showing the name of each salaried employee of the Government in each Department at Victoria and at New Westminster, with salary of each on the 2nd day of January, 1898, on the 2nd day of January, 1900, and on the 2nd day of January, 1903, respectively.

On the motion of Mr. *Hawthornthwaite*, seconded by Mr. *Curtis*, it was *Resolved*,—

That an Order of the House be granted for a Return of a copy of the evidence given at the Coroner's inquest into the disaster at the Fernie Mines in May, 1902, and a Return of a copy of the evidence given before the Special Commission to inquire into the causes of explosions in coal mines.

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

1. How many Crown grants have been issued or applied for under the provisions of the “South African War Land Grant Act, 1900?”

2. How many of these were issued to or applied for by persons who had personally served in South Africa, and how many were issued to or applied for by persons to whom the original claimants had transferred their rights?

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

“1. 58 Crown grants have been issued; 16 applications are now pending.

“2. 30 Crown grants have been issued to volunteers (or their heirs or executors) who personally served in South Africa; 2 applications are pending.

“3. 28 Crown grants have been issued to substitutes; 14 applications are pending.”

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

Committee to sit again on Monday next.

On the motion of Mr. *Helmcken*, Private Bill (No. 42) intituled “An Act to incorporate the Quatsino Railway Company,” was introduced and read a first time.

Referred to the Railway Committee.

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

Mr. *Martin* presented a petition from *Robert Kersey*, *Wm. Braid* and *C. A. Godson* for a Private Bill to incorporate The Independent Telephones. (No. 11.)

Received.

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

Monday, 20th April, 1903.

TWO O'CLOCK, P.M.

Prayers by the Rev. *R. B. Blyth*.

On the motion of Mr. *Stables*, Private Bill (No. 37) intituled "An Act to incorporate the British Columbia Northern and Mackenzie Valley Railway Company," was introduced, read a first time and referred to the Railway Committee.

Mr. *Helmcken* presented the Tenth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 20th, 1903.

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 under-mentioned Petition have been complied with:—

No. 2—Petition of Kootenay Development and Tramways Company.

All of which is respectfully submitted.

H. DALLAS HELMCKEN,
Chairman.

The Report was received.

Mr. *Helmcken* presented the Eleventh Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 20th, 1903.

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 under-mentioned Petition have not been complied with:—

No. 15—Petition of Nicola, Kamloops and Similkameen Coal and Railway Company, inasmuch as publication was duly completed, a printed copy of the Bill, a copy of the Petition, together with the notices published, were not deposited with the Clerk of the House eight days before the opening of the Session, as required by Rule 57. Your Committee are of the opinion that as the proposed Bill is presumably in the public interests the Standing Rules and Orders should be suspended so as to admit of the introduction of the Bill.

All of which is respectfully submitted.

H. DALLAS HELMCKEN,
Chairman.

The Report was received.

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

On the motion of the Hon Mr. *Prentice*, Bill (No. 35) intituled "An Act to amend the 'Mutual Fire Insurance Companies Act, 1902,'" was introduced, read a first time and *Ordered* to be read a second time to-morrow.

On the motion of Mr. *Munro*, seconded by Mr. *Curtis*, it was *Resolved*,—

That an Order of this House be granted for a Return of all correspondence between *Joseph Collinson* and all Members of the Government; also, all correspondence between the Chief Boiler Inspector and all Members of the Government, relating to the prosecution of *Joseph Collinson* for violation of Steam Boiler Inspection Act.

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

1. Has your engineer reported on the cost of the construction of a bridge at Savona?
2. If so, how much does he report as the necessary cost of the work?

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

- “1. Yes.”
- “2. \$25,000. This is for a substantial wooden bridge 681 feet long, comprising three Howe truss spans, 164 feet each, centre to centre of piers, and three spans, 63 feet each, centre to centre of piers, the latter consisting of double framed timber bents resting on pile foundations, protected by timber cribs filled with stone and surrounded with brush mattresses to prevent scour.”

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

1. Did you see Sir *Thomas Shaughnessy*, President of the Columbia and Western Railway, in regard to the Crown grants of lands in South-East Kootenay to the Columbia and Western Railway Company?
2. Did you at any time promise to deliver the Crown grants to him?
3. Did you propose any condition before delivering the Crown grants?
4. If so, what were the conditions?
5. Was anyone present besides Sir *Thomas Shaughnessy* and yourself when you proposed such conditions?
6. If you did propose conditions, were the conditions authorised by the Executive?
7. If authorised, how, and by what means?
8. Were those conditions specified by any Order in Council?

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

“These are questions which the Government declines to answer.”

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

1. What is the estimated total cost of the bridge across the Fraser River at New Westminster?
2. How much has been paid on account to date?

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

- “1. \$936,314.
“2. \$404,821.68.”

Mr. *Curtis* asked the Government the following questions:—

1. Whether it has taken, or is now taking, any steps to enforce, at Kamloops and other railway stations in that locality, the provisions of sections 22 to 26, inclusive, of the “Cattle Act”?
2. If so, who is the Government Agent or Constable at Kamloops charged with seeing that said provisions are observed?
3. Has the Government had this year any complaints of horse or cattle stealing in the locality named?
4. What steps, if any, has it in consequence taken to prevent or punish such offences?

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

- “1. No.
“2. Answered by answer to No. 1.
“3. No.
“4. A mounted Constable has been stationed at Nicola for the purpose of patrolling the cattle ranges of that section of the Province, and an Agent has been appointed at Kamloops to advise the Provincial Constable at Kamloops of all shipments of cattle by rail at that point, in time to enable him to inspect them.”

Bill (No. 16) intituled "An Act to ratify an Order in Council approved on the Eighteenth day of March, 1902, rescinding certain provisions of an Order in Council approved on the Fourth day of September, 1901, respecting the Land Grant of the Columbia and Western Railway Company," was read a second time on the following division:—

YEAS :

Messieurs

| | | | |
|-------------------------|--------------------|----------------------|-------------------|
| <i>Gilmour,</i> | <i>Fulton,</i> | <i>Taylor,</i> | <i>Paterson,</i> |
| <i>Stables,</i> | <i>Curtis,</i> | <i>Helmcken,</i> | <i>Wells,</i> |
| <i>Smith, E. C.,</i> | <i>Munro,</i> | <i>Prentice,</i> | <i>McInnes,</i> |
| <i>Oliver,</i> | <i>Tatlow,</i> | <i>Prior,</i> | <i>Dunsmuir,</i> |
| <i>Hawthornthwaite,</i> | <i>Green,</i> | <i>Smith, A. W.,</i> | <i>Hall,</i> |
| <i>Neill,</i> | <i>McBride,</i> | <i>Clifford,</i> | <i>Hunter,</i> |
| <i>Hayward,</i> | <i>Semlin,</i> | <i>Kidd,</i> | <i>Dickie,</i> |
| <i>Garden,</i> | <i>McPhillips,</i> | <i>Houston,</i> | <i>Mounce—32.</i> |

NAYS—None.

To be committed to-morrow.

Mr. *Helmcken* presented the Twelfth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 20th, 1903.

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 under-mentioned Petition have not been complied with:—

No. 6—Petition of British American Dredging Company, Limited, inasmuch as while publication in the British Columbia Gazette and in the Daily Colonist newspaper, published in the City of Victoria, was not quite complete, there was no publication in the District of Atlin, the district affected. Your Committee are of the opinion that no leave should be given for the introduction of the Bill, and beg to recommend the same accordingly.

All of which is respectfully submitted.

H. DALLAS HELMCKEN,
Chairman.

The Report was received.

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

1. How much money has been expended on the Reformatory to date, giving the amounts under the various heads, such as clearing, foundation, building, etc.?

2. What is the amount of the contract entered into by Messrs. *Fox & Dissette* for the building, and the date fixed for completion?

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

| | |
|---|-------------|
| " 1. Clearing | \$10,311 49 |
| Excavating foundations | 690 00 |
| Foundation and basement walls | 4,524 80 |
| Architect's fees | 858 49 |
| Clerk of Works | 152 00 |
| Surveying | 108 00 |
| Road | 3,990 00 |
| | <hr/> |
| | \$20,634 78 |

" 2. \$17,167; November 1st, 1903."

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

1. How much money has been expended by the Government in connection with surveying the Ladner-Westminster River Road to date?

2. What is the total amount expended to date in connection with the above road?

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

- “1. \$1,258.92.
“2. \$8,808.92.”

On the motion of Mr. *Fulton*, Private Bill (No. 38) intituled “An Act to amend the ‘Nicola, Kamloops and Similkameen Coal and Railway Company Act, 1891,’” was introduced, read a first time and 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 5:55 o’clock, P.M.

Tuesday, 21st April, 1903.

TWO O’CLOCK, P.M.

Prayers by the Rev. *R. B. Blyth*.

Mr. *Munro* presented a petition from *Jos. H. Collinson* and others, asking for amendments to the “Steam Boilers Inspection Act.”

Laid on the table.

Mr. *Helmcken* presented the Thirteenth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 21st, 1903.

MR. SPEAKER:

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

The preamble proved of Bill (No. 24) intituled “An Act to amend the ‘Vernon and Nelson Telephone Company Act, 1891,’” and beg to herewith submit same with amendments.

All of which is respectfully submitted.

H. DALLAS HELMCKEN,
Chairman.

The Report was received.

On the motion of the Hon. Mr. *Prior*, seconded by Mr. *McBride*, it was *Resolved*,—

That the Members of the Legislative Assembly have learned with deep regret of the death of Sir *Oliver Mowat*, K. C. M. G., late Lieutenant-Governor of the Province of Ontario, former Minister of Justice of Canada, many years Premier of Ontario, and a distinguished Canadian and jurist.

And it is hereby further *Resolved*, That the Members of this Legislature express their high appreciation of the notable and lasting services rendered to Canada by the deceased, and their sincere desire to tender to the members of his family their deepest sympathy in the bereavement thus fallen upon them.

Bill (No. 16) intituled “An Act to ratify an Order in Council approved on the eighteenth day of March, 1902, rescinding certain provisions of an Order in Council approved on the fourth day of September, 1901, respecting the Land Grant of the Columbia and Western Railway Company,” was committed.

Bill reported complete with amendments.

On the motion to adopt the Report—

Mr. *Gilmour* moved in amendment, seconded by Mr. *Oliver*, to insert as section 4 the following:—

“4. The lands herein referred to, save and except as to the timber thereon, shall not be sold, leased or otherwise alienated, except by an Act of the Legislature of British Columbia.”

Mr. *Neill* asked if it was in order for a private Member to move to insert a clause interfering with the administration of Crown lands and restricting the powers of the Government in dealing with the same.

Mr. Speaker *Pooley* ruled the amendment out of order, following a decision of Mr. Speaker *Booth* given on 23rd August, 1900.

Report adopted.

Bill read a third time and passed.

Mr. *Hunter* presented the First, Second and Third Reports from the Railway Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
21st April, 1903.

MR. SPEAKER :

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

The preamble proved of Bill (No. 27) intituled “An Act to incorporate the Adams River Railway Company,” and submit the same herewith with amendments.

All of which is respectfully submitted.

JOSEPH HUNTER,
Chairman.

LEGISLATIVE COMMITTEE ROOM,
21st April, 1903.

MR. SPEAKER :

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

The preamble proved of Bill (No. 26) intituled “An Act to incorporate the Kootenay, Cariboo and Pacific Railway Company,” and submit the same herewith with amendments.

All of which is respectfully submitted.

JOSEPH HUNTER,
Chairman.

LEGISLATIVE COMMITTEE ROOM,
21st April, 1903.

MR. SPEAKER :

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

The preamble proved of Bill (No. 29) intituled “An Act to amend the ‘Pacific Northern and Omineca Railway Act, 1900,’” and submit the same herewith without amendment.

All of which is respectfully submitted.

JOSEPH HUNTER,
Chairman.

The reports were received.

On the motion of Mr. *Green*, Private Bill (No. 39) intituled “An Act to incorporate the Kootenay Development and Tramways Company,” was introduced, read a first time and referred to the Private Bills Committee.

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

Progress reported.

Committee to sit again to-morrow.

Bill (No. 21) intituled “An Act to prevent the obstruction of Lakes and Water-courses,” was read a second time.

To be committed to-morrow.

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

HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to secure to certain Pioneer Settlers within the Esquimalt and Nanaimo Railway Land Belt their undersurface rights," and recommends the same to the Legislative Assembly.

Government House,
21st April, 1903.

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 a Bill (No. 17) intituled "An Act to secure to certain Pioneer Settlers within the Esquimalt and Nanaimo Railway Land Belt their undersurface rights," and recommend the introduction of the same.

Mr. *Hunter*, Chairman of the Committee, reported the Resolution and the Bill.
Report adopted.
Bill introduced and read a first time.
Second reading to-morrow.

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

Bill (No. 18) intituled 'An Act to amend the 'Benevolent Societies Act.'"

Bill (No. 31) intituled "An Act to amend the 'Wellington Receivership Act, 1901.'"

Bill (No. 32) intituled "An Act to amend the 'Department of Mines Act, 1899,'" was read a second time and committed.

Reported complete without amendment.
Report to be considered to-morrow.

Bill (No. 14) intituled "An Act to amend the 'Medical Act, 1898'" 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 5:40 o'clock, P. M.

Wednesday, 22nd April, 1903.

Prayers by the Rev. *R. B. Blyth*.

TWO O'CLOCK, P. M.

The petition from *Jos. H. Collinson* and others, asking for amendments to the "Steam Boilers Inspection Act," was received.

Mr. *Helmcken* presented the Fourteenth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 22nd, 1903.

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 under-mentioned Petition have not been complied with:—

No. 11.—Petition of Independent Telephone Company, inasmuch as publication was insufficient. Your Committee are of the opinion that leave should not be given for the introduction of the Bill, and beg leave to recommend the same accordingly.

All of which is respectfully submitted.

H. DALLAS HELMCKEN,
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. Attorney-General—Bill (No. 36) intituled “An Act to amend the ‘Bills of Sale Act.’”

By Mr. *Curtis*—Bill (No. 41) intituled “An Act respecting Railway and Steamship Transportation in certain Cases.”

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

That an Order of the House be granted for a Return of copies of all correspondence between the Government and any other person or persons in respect to the completion of the Ladner-Westminster River Road from the north-east end of *Coulthard & Pike's* contract to South Westminster, since July 1st, 1902.

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

That an Order of the House be granted for a Return showing the names, residences and occupations of all applicants for coal and oil prospecting licences in Block 4,593 and Block 4,594, South-East Kootenay, respectively, with the date of the applications, the number of acres, and the locality of the land applied for.

On the motion of Mr. *McBride*, seconded by Mr. *Semlin*, it was *Resolved*,—

That an Order of the House be granted for a Return of all letters passing between the Gold Commissioner, Atlin, and the Government, or any members thereof, relating to the engagement of the said Gold Commissioner in mercantile and mining operations in that district, and including, also, any Order or Orders in Council relating to the same subject-matter.

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

1. Has the report on the expenditures on each department of the Civil Service, referred to in the address to the electors of West Yale, been completed yet?
2. Will it be submitted to the House this Session?

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

- “1. The report is not yet complete.
- “2. This is a matter for consideration of the Government.”

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

1. Have the blocks of land purported to be Crown-granted in aid of the British Columbia Southern Railway ever been surveyed?
2. If not, why were they not surveyed before grant thereof was made?
3. When a pre-emptor or purchaser near or upon the line between one of these Crown-granted blocks and the adjacent Crown lands has the land he applies for surveyed, how is the Government going to decide whether the land, or any of it, is within the Crown-granted block or not?

4. If further surveys are needed to decide the boundary line of the Crown-granted block, is the expense to be put upon the applicant, or will it be borne by the Government?

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

“1. Blocks 4,588, 4,592 and 4,595 have been completely surveyed, and Blocks 4,589, 4,590, 4,591 and 4,596 have been partially surveyed, but sufficiently to enable Crown grants to be issued.

“2. Sufficient surveys were made to enable Crown grants to be issued.

“3. By the information contained in the plan and field notes of the surveys.

“4. The cost of surveying the boundary lines of the blocks has to be borne by the Railway Company.”

Mr. *Curtis* asked the Hon. the Minister of Finance the following questions:—

1. Are the lands granted to and in aid of the British Columbia Southern Railway Company assessed and taxed by the Province?

2. If not, why not?

3. How many acres are thus escaping taxation?

4. At what prices are the railway company holding such lands for sale?

5. Does the Government consider such prices reasonable?

6. Has it agreed to such prices?

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

“1. No.”

“2. The lands are exempt from taxation under the ‘Railway Aid Act, 1890,’ chap. 40, section 11.

“3. No lands escaping taxation.

“4. By Order in Council of 29th November, 1899, it was provided that the Company should offer these lands for sale on Government terms, and unsold lands are now being offered at Government prices and terms.”

“5. Yes.”

“6. Yes.”

Mr. *Gilmour* asked the Hon. the Provincial Secretary the following questions:—

1. What Members of the Government were present at the Executive meeting held on August 10th, 1901, when the recommendation to the Lieutenant-Governor was passed authorising the granting to the Columbia and Western Railway Company blocks 4,593 and 4,594 in South-East Kootenay District?

2. What Members of the Government were present at the Executive meeting on 18th day of March, 1902, rescinding certain provisions of an Order in Council passed on August 10th, 1901, and approved by the Lieutenant-Governor on 4th September, 1901?

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

“There is no record showing what Members of the Government were present at the said Executive meetings.”

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

1. Has the Government, under the provisions of the “Victoria and Yellowhead Railway Aid Act, 1902,” entered into any agreements with the railway companies therein mentioned, and, if so, when and with what companies?

2. Do these agreements contain any additional provisions to those required by the said Act, and, if so, what are these additional provisions?

3. Have these companies, or either of them, begun the construction of the railway lines mentioned in the said Act?

4. If not, has the Government any assurance or reason to believe that construction will be begun on or before the first day of September next?

5. Is it the intention of the Government to give either of these companies any additional aid, and, if so, in what way and when?

6. Have either of these companies, or agents on their behalf, asked the Government since last year to give additional aid, and, if so, in what form and to what extent?

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

“1 to 6. No.”

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

1. How many Japs are employed in the coal mines at Cumberland at present?
2. How many Chinese are employed in the coal mines at Cumberland at present?

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

“Returns of such matters are annual, and for calendar year. There are no records showing number of Japs or Chinese at present employed.

“If ‘in’ means ‘in and about,’ there were *above ground* in 1902 44 Japs, 165 Chinese.

“On April 9th the number *under ground* was given.”

Mr. *McBride* asked the Government the following question:—

1. What action is intended to be taken toward the establishment of powder magazines and the furnishing of cheap powder for settlers throughout the rural sections of the Province?

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

“This matter is still under consideration.”

Mr. *McBride* asked the Government the following question:—

What action is intended to be taken in regard to the Municipality of Dewdney and the adjustment of its present financial difficulties?

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

“This matter is still under consideration.”

The Hon. the Minister of Finance presented a Return showing the name of each salaried employee of the Government in each Department at Victoria and at New Westminster, with salary of each on the 2nd day of January, 1898, on the 2nd day of January, 1900, and on the 2nd day of January, 1903, respectively.

Bill (No. 24) intituled “An Act to amend the ‘Vernon and Nelson Telephone Company Act, 1891,’” was read a second time and committed.

Reported complete with amendments.

Report adopted.

Third reading to-morrow.

Bill (No. 29) intituled “An Act to amend the ‘Pacific Northern and Omineca Railway Act, 1900,’” was read a second time and committed.

Reported complete with amendments.

Report adopted.

Third reading to-morrow.

The Hon. the Chief Commissioner of Lands and Works presented a Return of copies of all correspondence between the Government and any other person or persons in respect to the completion of the Ladner-Westminster River Road from the north-east end of *Coulthard & Pike’s* contract to South Westminster, since July 1st, 1902.

Bill (No. 26) intituled “An Act to incorporate the Kootenay, Cariboo and Pacific Railway Company,” was read a second time and committed.

Reported complete without amendment.

Report adopted.

Third reading to-morrow.

Bill (No. 27) intituled “An Act to incorporate the Adams River Railway Company,” was read a second time and committed.

Reported complete without amendments.

Report adopted.

Third reading to-morrow.

The report on Bill (No. 32) intituled “An Act to amend the ‘Department of Mines Act, 1899,’” was adopted.

Third reading to-morrow.

Bill (No. 21) intituled "An Act to prevent the obstruction of Lakes and Water-courses," was committed.

Reported complete without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 18) intituled "An Act to amend the 'Benevolent Societies Act,'" was committed.

Reported complete with amendments.

Report adopted.

Third reading to-morrow.

Bill (No. 31) intituled "An Act to amend the 'Wellington Receivership Act, 1901,'" was committed.

Reported complete without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 17) intituled "An Act to secure to certain Pioneer Settlers within the Esquimalt and Nanaimo Railway Land Belt their undersurface rights," was 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 5:35 o'clock, P.M.

Thursday, 23rd April, 1903.

TWO O'CLOCK, P.M.

Prayers by the Rev. R. B. Blyth.

Mr. Hunter presented the Fourth, Fifth and Sixth Reports from the Railway Committee as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 22nd, 1903.

MR. SPEAKER:

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

The preamble proved of Bill (No. 28) intituled "An Act to incorporate the Morrissey, Fernie and Michel Railway Company," and submit the same herewith with amendments.

All of which is respectfully submitted.

JOSEPH HUNTER,
Chairman.

LEGISLATIVE COMMITTEE ROOM,
April 23rd, 1903.

MR. SPEAKER:

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

The preamble proved of Bill (No. 30) intituled "An Act to incorporate the Pacific Northern and Eastern Railway Company," and submit the same herewith with amendments.

All of which is respectfully submitted.

JOSEPH HUNTER,
Chairman.

LEGISLATIVE COMMITTEE ROOM,
April 23rd, 1903.

MR. SPEAKER :

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

The preamble proved of Bill (No. 37) intituled "An Act to incorporate the British Columbia Northern and Mackenzie Valley Railway Company," and submit the same herewith with amendments.

All of which is respectfully submitted.

JOSEPH HUNTER,
Chairman.

The reports were received.

Moved by Mr. *Houston*, seconded by Mr. *Green*,—

Whereas at the last Session of this Assembly a Resolution, asking the Dominion Government to increase the duties on lead, and the products thereof, entering Canada, was adopted unanimously; and

Whereas Resolutions having the same object in view have since been passed by Provincial Boards of Trade, Mining Associations, Trades and Labour Councils and other representative and non-partizan bodies, and delegates from these bodies have visited Ottawa and have laid the depressed condition of the lead-mining industry before the Government, together with the unanimous opinion of the Province that the only remedy is the imposition of increased duties on lead, and the products thereof, entering Canada; and

Whereas the Members of Parliament and Senators representing British Columbia have, without exception, endorsed this remedy;

Therefore, be it Resolved, That this Assembly deplores the fact that no action has been taken by the Dominion Government to aid the industry in some substantial manner; records the fact that the need of the lead-mining industry is now greater and more pressing than at any previous time, and earnestly urges upon the Dominion Government a reconsideration of its attitude upon this question as the best means by which prosperity can be restored and extended in an important Canadian industry, and this too without a departure from the fiscal policy of the Government, for what is asked has long been accorded every other industry in Canada;

Resolved, That copies of this Resolution be forwarded to Sir *Wilfrid Laurier*, Hon. *W. S. Fielding*, and other Members of the Government, and to the Senators and Members of Parliament from British Columbia.

Carried *unanimously*.

On the motion of Mr. *Hawthornthwaite*, Bill (No. 43) intituled "An Act to further amend the Law relating to Trade Unions," was introduced and read a first time.

Second reading to-morrow.

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

1. Has Mr. *D. Harris* completed the Island Railway survey undertaken by him last summer?
2. If he has made a report or interim report on the matter, will the Government lay the report before the House?
3. If no report or interim report has been received, when will such be made?

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

- "1. Yes.
"2. Yes."

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

1. Has any person, firm or company been incorporated under section 3 of the "Coast-Kootenay Railway Aid Act, 1902," into a railway company?
2. If so, upon what date?
3. Who is the person, firm or company so incorporated, and what is the corporate name of the new company?
4. Has the Government entered into any contract under section 4 of the said Act, and, if so, with whom and when?

5. Does the agreement with such company contain any additional provisions other than those required under said section 4, and, if so, what are the additional provisions?
6. Has the said company begun the construction of said railway?
7. Has it put up the security mentioned in sub-section (c) of sub-section (4)?
8. Has the Government any reason to believe that construction will be begun on or before 1st September, 1903?

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

- “1. Yes.
- “2. Order in Council approved July 16th, 1902.
- “3. Messrs. *L., H. and N. McLean*, Vancouver and Coast-Kootenay Railway Company.
- “4. Yes. The Vancouver and Coast-Kootenay Railway Company; July 23rd, 1902.
- “5. Yes. Section 20 of the agreement provides that no Chinese or Japanese shall be employed.
- “6. No.
- “7. No.
- “8. No.”

Mr. *Hawthornthwaite* asked the Government the following questions:—

1. What is the total sum paid the Hon. Mr. Justice *Walkem*, as Royal Commissioner, for investigating the *Curtis* charges?
2. Has he been paid in full?
3. If not, how much does he still claim?
4. What sum has been paid Mr. *Cassidy*, K. C., Counsel for the Government, in the same matter?
5. Has he been paid in full?
6. If not, what further sum is owing?
7. Has the Stenographer been paid in full?
8. If not, what is still claimed by him?
9. How much has been paid him?

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

- “1. \$750.
- “2. No.
- “3. Final claim not made.
- “4. \$512.
- “5. Yes.
- “6. Answered by 5.
- “7. Yes.
- “8. Answered by 7.
- “9. \$336.90.”

Bill (No. 14) intituled “An Act to amend the ‘Medical Act, 1898,’” was again committed.

Reported complete with amendments.

Report to be considered to-morrow.

Bill (No. 22) intituled “An Act to amend the ‘Children’s Protection Act of British Columbia,’” was committed.

Reported without amendment.

Report adopted.

Third reading to-morrow.

Bill (No. 23) intituled “An Act respecting the support of Illegitimate Children,” was committed.

Reported complete with amendments.

Report to be considered to-morrow.

The adjourned debate on the second reading of Bill (No. 11) intituled “An Act to amend the ‘Coal Mines Regulation Act,’” was resumed.

The debate was adjourned until to-morrow.

Bill (No. 19) intituled "An Act to amend Chapter 71, cited as the 'Special Surveys Act, 1899,'" was read a second time and committed.

Reported complete with amendments.

Report to be considered to-morrow.

On the second reading of Bill (No. 41) intituled "An Act respecting Railway and Steamship Transportation in certain cases," a debate arose, which was adjourned until to-morrow.

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

Bill (No. 32) intituled "An Act to amend the 'Department of Mines Act, 1899.'"

Bill (No. 18) intituled "An Act to amend the 'Benevolent Societies Act.'"

Bill (No. 4) intituled "An Act to amend the 'Assessment Act,'" was again committed.

Reported complete with amendments.

Report to be considered to-morrow

Bill (No. 17) intituled "An Act to secure to certain Pioneer Settlers within the Esquimalt and Nanaimo Railway Land Belt their undersurface rights," 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 5:50 o'clock, P.M.

Friday, 24th April, 1903.

TWO O'CLOCK, P.M.

Prayers by the Rev. R. B. Blyth.

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

By Mr. *Houston*—Bill (No. 45) intituled "An Act to amend the 'Coal Mines Act.'"

By Mr. *Houston*—Bill (No. 44) intituled "An Act to authorise the Location of Petroleum and Mineral Oil Claims under the 'Mineral Act and amending Acts.'"

By Mr. *Curtis*—Bill (No. 46) intituled "An Act to amend the 'Supreme Court Act.'"

On the motion of Mr. *McBride*, seconded by Mr. *Tallow*, it was *Resolved*,—

That an Order of the House be granted for a Return of all correspondence in the Department of Lands and Works relating to the employment of *George Steen* on the Fraser River bridge and the rate of wages paid him by the contractors.

The Hon. Mr. *Wells* presented a Return of all correspondence in the Department of Lands and Works relating to the employment of *George Steen* on the Fraser River bridge and the rate of wages paid him by the contractors.

Mr. *Houston* asked the Hon. the Provincial Secretary the following questions:—

1. Did the Lieutenant-Governor sign the Order in Council dated September 4th, 1901, ordering that Crown grants be prepared for Lot No. 4,593 and Lot No. 4,594, Kootenay District?

2. Did the Lieutenant-Governor sign the Order in Council dated March 18th, 1902, ordering the cancellation of aforesaid Crown grants?

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

- “1. Yes.
“2. Yes.”

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

1. Has any report been made to the Government on the matter of a sanitarium site?
2. Is it the intention of the Government to take any steps this year towards the establishment of a sanitarium in the Province?

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

- “1. Yes.
“2. The matter is under consideration.”

The report on Bill (No. 4) intituled “An Act to amend the ‘Assessment Act,’” was considered.

Question proposed—“That the report be adopted.”

Mr. *Curtis* moved in amendment,—

To strike out all the words after the word “be,” and substitute therefor the following words:—“postponed because the present basis of taxation by the Province of the income of railway trainmen is very inequitable and unfair, and because the net personal property of farmers and artisans is not exempted from taxation up to \$1,000 instead of only to \$300.”

Question proposed—“Shall the words proposed to be struck out stand part of the question,” and *Resolved* in the affirmative on the following division.—

YEAS :

Messieurs

| | | | |
|----------------------|----------------------|------------------|-------------------|
| <i>Stables,</i> | <i>Helmcken,</i> | <i>Ellison,</i> | <i>Hall,</i> |
| <i>Smith, E. C.,</i> | <i>Prentice,</i> | <i>Clifford,</i> | <i>Rogers,</i> |
| <i>Neill,</i> | <i>Prior,</i> | <i>Houston,</i> | <i>Hunter,</i> |
| <i>Gifford,</i> | <i>Eberts,</i> | <i>Wells,</i> | <i>Dickie,</i> |
| <i>Hayward,</i> | <i>Smith, A. W.,</i> | <i>McInnes,</i> | <i>Mounce—20.</i> |

NAYS :

Messieurs

| | | | |
|-------------------------|----------------|-----------------|----------------|
| <i>Olixer,</i> | <i>Garden,</i> | <i>McBride,</i> | <i>Kidd—7.</i> |
| <i>Hawthornthwaite,</i> | <i>Curtis,</i> | <i>Semlin,</i> | |

So the amendment was lost.

Report adopted.

Third reading to-morrow.

Bill (No. 17) intituled “An Act to secure to certain Pioneer Settlers within the Esquimalt and Nanaimo Railway Land Belt their undersurface rights,” was again committed.

Reported complete with amendments.

Report to be considered on Monday next.

Resolved, That the House, at its rising, do stand adjourned until two o'clock on Monday, 27th April.

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

Monday, 27th April, 1903.

TWO O'CLOCK, P. M.

Prayers by the Rev. D. W. Scott.

Mr. *Oliver* presented a petition from *Henry Harper, J. A. Blair, A. N. Halgren* and others, property owners in Surrey District, Delta Riding and Westminster District, *re* cattle guards on line of New Westminster Southern Railway.

Laid on the table.

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

By Mr. *McPhillips*—Bill (No. 48) intituled “An Act to amend the ‘Animals Act.’”

By Mr. *McPhillips*—Bill (No. 49) intituled “An Act to amend the ‘Companies Winding-Up Act, 1898.’”

By Mr. *McPhillips*—Bill (No. 51) intituled “An Act to amend the ‘Water Clauses Consolidation Act, 1897.’”

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

That an Order of the House be granted for a Return of copy of lease drafted by the Government and signed by Mr. *Theo. Ludgate*.

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

1. Has a petition been received from engineers and steam users of the City of Vancouver, asking that certain amendments be made to the Boiler Inspection Act?
2. Is it the intention of the Government to amend the Act this Session?

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

“1. Yes.

“2. No; not the Act, but probably the rules now in force under the Act.

Bill (No. 36) intituled “An Act to amend the ‘Bills of Sale Act,’” was read a second time.

To be committed to-morrow.

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

Bill (No. 24) intituled “An Act to amend the ‘Vernon and Nelson Telephone Company Act, 1891.’”

Bill (No. 29) intituled “An Act to amend the ‘Pacific Northern and Omineca Railway Act, 1900.’”

Bill (No. 27) intituled “An Act to incorporate the Adams River Railway Company.”

Bill (No. 28) intituled “An Act to incorporate the Morrissey, Fernie and Michel Railway Company,” was read a second time and committed.

Reported complete with amendments.

Report to be considered to-morrow.

The order for the third reading of Bill (No. 26) intituled “An Act to incorporate the Kootenay, Cariboo and Pacific Railway Company,” was discharged and the Bill recommitted, for the purpose of considering section 11.

Reported complete with amendments.

Report adopted.

Bill read a third time and passed.

Mr. *Hunter* presented the Seventh Report from the Railway Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 27th, 1903.

MR. SPEAKER :

Your Select Standing Committee on Railways beg leave to report as follows:—
The preamble proved of Bill (No. 33) intituled "An Act to incorporate the Flathead Valley Railroad Company," and submit the same herewith with amendments.
All of which is respectfully submitted.

JOSEPH HUNTER,
Chairman.

The Report was received.

Mr. *Hunter* presented the Eighth Report from the Railway Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 27th, 1903.

MR. SPEAKER :

Your Select Standing Committee on Railways, beg leave to report as follows:—
The preamble not passed of Bill (No. 25) intituled "An Act to amend the Kootenay Central Railway Company Act, 1901," but recommend that the Government introduce a new Bill to re-incorporate the said Company.
All of which is respectfully submitted.

JOSEPH HUNTER,
Chairman.

On the motion to receive the Report, a point of order arose, the decision on which was adjourned until to-morrow.

Bill (No. 30) intituled "An Act to incorporate the Pacific Northern and Eastern Railway Company," was read a second time and committed.
Reported complete with amendments.
Report to be considered to-morrow.

Bill (No. 37) intituled "An Act to incorporate the British Columbia Northern and Mackenzie Valley Railway Company," was read a second time and committed.
Reported complete without amendment.
Report adopted.
Third reading to-morrow.

Bill (No. 22) intituled "An Act to amend the 'Children's Protection Act of British Columbia,'" was read a third time and passed.

The report on Bill (No. 14) intituled "An Act to amend the 'Medical Act, 1898,'" was adopted.
Bill read a third time and passed.

The report on Bill (No. 23) intituled "An Act respecting the support of Illegitimate Children," was adopted.
Bill read a third time and passed.

The order for the second reading of Bill (No. 15) intituled "An Act to further amend the 'Coal Mines Regulation Act,'" was discharged.

On the second reading of Bill (No. 44) intituled "An Act to authorise the Location of Petroleum and other Mineral Oil Claims under the Mineral Act and amending Acts," 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 the House adjourned at 5:59 o'clock, P.M.

Tuesday, 28th April, 1903.

TWO O'CLOCK, P.M.

Prayers by the Rev. *D. W. Scott*.

The petition from *Henry Harper, J. A. Blair, A. N. Halgren* and others, property owners in Surrey District, Delta Riding and Westminster District, *re* cattle guards on line of New Westminster Southern Railway, was received and referred to the Railway Committee.

Mr. *Green* presented a petition from *F. J. Bourne* and others, residents of Trout Lake, Lardeau and Revelstoke Mining Divisions, opposing any further extension of time to the Arrowhead and Kootenay Railway.

Laid on the table.

On the motion of the Hon. Mr. *Eberts*, Bill (No. 50) intituled "An Act to amend the 'Police and Prisons Regulation Act,'" was introduced and read a first time.

Second reading to-morrow.

The Eighth Report from the Railway Committee was received.

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

1. How many acres of land earned by the Columbia and Western Railway Company under its Subsidy Act (1896) have not yet been granted it?
2. When were the sections for which these lands have been earned completed?
3. Is the Government aware that taxation of these lands only begins ten years after their acquisition by the Company?
4. If so, has the delay been to enable the Company to escape taxation for these years of delay? If not, what is the real reason for the delay?
5. How many acres of land have to date been Crown-granted to such Company?
6. Were such lands, prior to grant, defined, designated or surveyed, as required by the Subsidy Act?
7. If not, what legislative or other authority had the Government for Crown-granting the same?
8. Have the above-mentioned but ungranted lands hereinbefore referred to been designated and surveyed in accordance with the Act, within the seven years expiring 17th April, 1903?
9. If not, has not the right of the Company to such lands lapsed?
10. If the right has lapsed, does the Government intend to recognise it in any way? If it does, then why?

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

"1. 808,872 acres earned in respect of sections 1 and 3 have not yet been Crown-granted, and in addition 900,000 acres in respect of section 4, claimed by the Company, have not been Crown-granted.

"2. Section 1 was completed in 1897.

" " 3 " 1899.

" " 4 " 1900.

"3. Yes.

"4. No. There has not been any unreasonable delay in issuing Crown grants since completion of construction.

"5. 794,440 acres.

"6. The lands were sufficiently designated and surveyed to enable Crown grants to be issued.

"7. Answered by No. 6.

"8. No.

"9. This is a matter for legal opinion.

"10. The matter has not been considered."

Bill (No. 36) intituled "An Act to amend the 'Bills of Sale Act,'" was committed.
 Progress reported.
 Committee to sit again to-morrow.

The order for the third reading of Bill (No. 4) intituled "An Act to amend the 'Assessment Act,'" was discharged and the Bill recommitted.
 Progress reported.
 Committee to sit again to-morrow.

The report on Bill (No. 17) intituled "An Act to secure to certain Pioneer Settlers within the Esquimalt and Nanaimo Railway Land Belt their undersurface rights," was considered.

Mr. *McPhillips* moved to strike out sub-section (b) and insert the following in lieu thereof:—

"(b.) 'Settler' shall mean a person within the meaning of the 'Land Act' in force at the time of the passing of chap. 14, 46 Vict., being 'An Act relating to the Island Railway, Graving Dock and Railway Lands in the Province,' and had applied for lands within the said railway land belt."

After debate, the motion was withdrawn.

Mr. *Hawthornthwaite* moved to amend sub-section (b) of section 2 by adding thereto the following words: "and 'settler,' for the purposes of this Act, shall further include all persons who became squatters upon the land with the bonâ fide intention of living thereon."

To amend the title of the Bill by inserting immediately after the word "their," in line 3, the words "surface and."

Mr. Speaker *Pooley* ruled the amendment out of order, on the ground that it introduced a new class of people to receive the benefits given by the Bill.

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

The Chair was sustained on the following division:—

YEAS:

Messieurs

| | | | |
|-----------------|------------------|----------------------|-------------------|
| <i>Gilmour,</i> | <i>Tatlow,</i> | <i>Smith, A. W.,</i> | <i>Wells,</i> |
| <i>Stables,</i> | <i>Green,</i> | <i>Ellison,</i> | <i>McInnes,</i> |
| <i>Gifford,</i> | <i>Helmcken,</i> | <i>Clifford,</i> | <i>Hall,</i> |
| <i>Hayward,</i> | <i>Prentice,</i> | <i>Kidd,</i> | <i>Hunter,</i> |
| <i>Garden,</i> | <i>Prior,</i> | <i>Houston,</i> | <i>Dickie,</i> |
| <i>Munro,</i> | <i>Eberts,</i> | <i>Paterson,</i> | <i>Mounce—24.</i> |

NAYS:

Messieurs

| | | | |
|----------------------|-------------------------|---------------|------------------|
| <i>Smith, E. C.,</i> | <i>Hawthornthwaite,</i> | <i>Neill,</i> | <i>Curtis—5.</i> |
| <i>Oliver,</i> | | | |

Mr. *Hawthornthwaite* moved to strike out section 3 and substitute the following section in lieu thereof:—

"3. It shall be lawful for the Lieutenant-Governor in Council to grant to any settler, or his legal representative, free of charge, a Crown grant in fee simple in possession of lands within the railway land belt taken up, or settled upon, by such settler, or of all interest therein not already Crown-granted to him (save and except as to gold and silver in either case)."

Ruled out of order, as being an interference with the prerogative of the Crown in dealing with and in the management of Crown lands.

Mr. *Hawthornthwaite* moved in amendment to strike out all the words after the word "be," and insert the following:—

"postponed because the introducer of the Bill, the Hon. Mr. *McInnes*, Provincial Secretary, rightly admits that the Bill as framed will at most be available by settlers who had a legal status or right to the surface or to undersurface rights of their lands under the Land Acts prior to the passage of Chapter 14, 46 Victoria, but will not apply to settlers or

bonâ fide squatters whose claims to land were brought under section 23 of said Chapter 14, although Mr. *Rothwell*, Dominion Commissioner, in 1897, after full investigation of their claims, reported, among other things, as follows:—

* * * “I have the honour to report to you the result of my investigation into the claims referred to in that Commission” * * * “The claims in question consist of the claims of certain settlers upon the tract of lands which was conveyed to the Government of the Dominion of Canada by the Province of British Columbia” * * *
 “The settlers mentioned are those who are referred to as bonâ fide squatters in section 23 of of the Provincial Act” * * * “I think I can show that, not only from the evidence, but from the Acts which have been passed and the notices that have been issued by the Province with regard to this matter, that these settlers did not receive the protection when such Acts and notices were framed which they were justly entitled to” * * *
 “When I have completed this task I feel satisfied that I will have established the conclusion I have arrived at, that, although these settlers, generally speaking, have now no legal right to the coal and other minerals under their lands, they, or those claiming from them, have a just claim for redress at the hands of the Province in which they live, a claim which that Province cannot honourably refuse to recognise and settle.” * * * “In view of all the circumstances which I have thought necessary to mention or refer to in this report, I consider it the duty of the Government of British Columbia, notwithstanding the position the settlers who are affected by section 23 of chapter 14, and sub-section (2) of section 7 of chapter 6 unquestionably placed themselves in by accepting pre-emption records subject to such provisions, to take prompt action which will satisfactorily remove the injustice which has resulted from these provisions.”

Question proposed—“Shall the words proposed to be struck out stand part of the question?” and *Resolved* in the affirmative on the following division:—

YEAS :

Messieurs

| | | | |
|------------------|----------------------|------------------|-------------------|
| <i>Gilmour,</i> | <i>Prior,</i> | <i>Clifford,</i> | <i>Hall,</i> |
| <i>Stables,</i> | <i>Eberts,</i> | <i>Houston,</i> | <i>Rogers,</i> |
| <i>Hayward,</i> | <i>Smith, A. W.,</i> | <i>Wells,</i> | <i>Dickie,</i> |
| <i>Helmcken,</i> | <i>Ellison,</i> | <i>McInnes,</i> | <i>Mounce—17.</i> |
| <i>Prentice,</i> | | | |

NAYS :

Messieurs

| | | | |
|-------------------------|-----------------|-----------------|---------------------|
| <i>Smith, E. C.,</i> | <i>Gifford,</i> | <i>Munro,</i> | <i>Semlin,</i> |
| <i>Oliver,</i> | <i>Garden,</i> | <i>Tallow,</i> | <i>Taylor,</i> |
| <i>Hawthornthwaite,</i> | <i>Fulton,</i> | <i>Green,</i> | <i>Paterson—15.</i> |
| <i>Neill,</i> | <i>Curtis,</i> | <i>McBride.</i> | |

Report adopted on the following division:—

YEAS :

Messieurs

| | | | |
|----------------------|----------------------|------------------|-------------------|
| <i>Gilmour,</i> | <i>Helmcken,</i> | <i>Ellison,</i> | <i>Hall,</i> |
| <i>Stables,</i> | <i>Prentice,</i> | <i>Clifford,</i> | <i>Rogers,</i> |
| <i>Smith, E. C.,</i> | <i>Prior,</i> | <i>Houston,</i> | <i>Dickie,</i> |
| <i>Neill,</i> | <i>Eberts,</i> | <i>Wells,</i> | <i>Mounce—19.</i> |
| <i>Hayward,</i> | <i>Smith, A. W.,</i> | <i>McInnes,</i> | |

NAYS :

Messieurs

| | | | |
|-------------------------|----------------|--------------------|---------------------|
| <i>Oliver,</i> | <i>Curtis,</i> | <i>McBride,</i> | <i>Taylor,</i> |
| <i>Hawthornthwaite,</i> | <i>Munro,</i> | <i>Semlin,</i> | <i>Kidd,</i> |
| <i>Gifford,</i> | <i>Tallow,</i> | <i>McPhillips,</i> | <i>Paterson—15.</i> |
| <i>Garden,</i> | <i>Green,</i> | <i>Fulton,</i> | |

Third reading to-morrow.

Bill (No. 1) intituled "An Act to amend the 'Liquor Licence Act, 1900,'" was committed.

Progress reported.

Committee to sit again to-morrow.

Bill (No. 37) intituled "An Act to incorporate the British Columbia Northern and Mackenzie Valley Railway Company," was read a third time and passed.

The report on Bill (No. 28) intituled "An Act to incorporate the Morrissey, Fernie and Michel Railway Company," was adopted.

Bill read a third time and passed.

Bill (No. 33) intituled "An Act to Incorporate the Flathead Valley Railroad Company," was read a second time and committed.

Reported complete without amendment.

Report adopted.

Third reading to-morrow.

The Hon. the Premier presented the Report of the Delegates to Ottawa, 1903.

On the second reading of Bill (No. 43) intituled "An Act to further amend the Law relating to Trades Unions," a debate arose.

Mr. Speaker left the Chair at 6 P.M., to resume it again at 8:30 P.M.

HALF-PAST EIGHT O'CLOCK, P.M.

Debate on the second reading on Bill (No. 43) intituled "An Act to further amend the Law relating to Trade Unions," was resumed.

The second reading was negatived on the following division:—

YEAS :

Messieurs

Hawthornthwaite, Neill, Curtis, Houston—4.

NAYS :

Messieurs

| | | | |
|----------------------|------------------|----------------------|-------------------|
| <i>Gilmour,</i> | <i>Tatlow,</i> | <i>Prior,</i> | <i>Wells,</i> |
| <i>Stables,</i> | <i>Green,</i> | <i>Eberts,</i> | <i>McInnes,</i> |
| <i>Smith, E. C.,</i> | <i>McBride,</i> | <i>Smith, A. W.,</i> | <i>Dunsmuir,</i> |
| <i>Oliver,</i> | <i>Semlin,</i> | <i>Ellison,</i> | <i>Hall,</i> |
| <i>Gifford,</i> | <i>Taylor,</i> | <i>Clifford,</i> | <i>Rogers,</i> |
| <i>Hayward,</i> | <i>Helmcken,</i> | <i>Kidd,</i> | <i>Dickie,</i> |
| <i>Garden,</i> | <i>Prentice,</i> | <i>Paterson,</i> | <i>Mounce—29.</i> |
| <i>Munro,</i> | | | |

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

And then the House adjourned at 9:10 o'clock, P.M.

Wednesday, 29th April, 1903.

TWO O'OLCCK, P.M.

Mr. *Munro* presented a petition from citizens resident throughout the Province, *re* Lord's Day observance.
Laid on the table.

The petition from *F. J. Bourne* and others, residents of Trout Lake, Lardeau and Revelstoke Mining Divisions, opposing any further extension of time to the Arrowhead and Kootenay Railway, was received.

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

By Mr. *Rogers*—Bill (No. 52) intituled "An Act to amend the 'Land Act.'"

By the Hon. Mr. *McInnes*—Bill (No. 53) intituled "An Act to incorporate the Port Simpson General Hospital."

By the Hon. Mr. *Eberts*—Bill (No. 54) intituled "An Act to amend the 'New Westminster Act, 1888.'"

On the motion of Mr. *Curtis*, seconded by Mr. *Munro*, it was *Resolved*,—

That an Order of the House be made for a Return to this House showing the name and residence of each salaried official of the Government in its service throughout the Province, except as contained in the Return made on the 22nd April, 1903, with salary of each employee on the 2nd day of January in each of the years 1898, 1900 and 1903.

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

1. Did the Queen Charlotte Islands Railway Company deposit, within the specified time the sum of \$5,000, either in cash or securities, as security that the Company would expend not less than \$10,000 in surveys or construction of the railway before the 1st day of October, 1902?

2. If so deposited, was it in cash or securities?

3. Did the Company expend \$10,000 in surveys or construction of the railway before 1st day of October, 1902?

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

"1. No.

"2. Answered by 1.

"3. No."

Mr. *Helmcken* presented the Fifteenth Report from the Private Bills Committee, as follows :—

LEGISLATIVE COMMITTEE ROOM,
April 29th, 1903.

MR. SPEAKER :

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

The preamble proved of Bill (No. 39) intituled "An Act to incorporate the Kootenay Development and Tramways Company," and beg to submit the same herewith with amendments.

The preamble proved of Bill (No. 34) intituled "An Act to incorporate the Anglican Synod of the Diocese of Kootenay," and beg to submit the same herewith with amendments.

All of which is respectfully submitted.

H. DALLAS HELMCKEN,
Chairman.

The Report was received.

Bill (No. 33) intituled "An Act to incorporate the Flathead Valley Railroad Company," was read a third time and passed.

The report on Bill (No. 30) intituled "An Act to incorporate the Pacific Northern and Eastern Railway Company," was adopted.
Bill read a third time and passed.

Bill (No. 17) intituled "An Act to secure to certain Pioneer Settlers within the Esquimalt and Nanaimo Railway Land Belt their undersurface rights," was read a third time and passed.

Bill (No. 4) intituled "An Act to amend the 'Assessment Act,'" was again committed.
Reported complete with amendments.
Report adopted.
Bill read a third time and passed.

Bill (No. 46) intituled "An Act to amend the 'Supreme Court Act,'" was read a second time on the following division:—

YEAS :

Messieurs

| | | | |
|-------------------------|-----------------|--------------------|------------------|
| <i>Gilmour,</i> | <i>Gifford,</i> | <i>McBride,</i> | <i>Prior,</i> |
| <i>Stables,</i> | <i>Garden,</i> | <i>Semlin,</i> | <i>Kidd,</i> |
| <i>Smith, E. C.,</i> | <i>Fulton,</i> | <i>McPhillips,</i> | <i>Houston,</i> |
| <i>Oliver,</i> | <i>Curtis,</i> | <i>Taylor,</i> | <i>Paterson,</i> |
| <i>Hawthornthwaite,</i> | <i>Tatlow,</i> | <i>Helmcken,</i> | <i>Hall—22.</i> |
| <i>Neill,</i> | <i>Green,</i> | | |

NAYS :

Messieurs

| | | | |
|------------------|----------------------|-----------------|-------------------|
| <i>Hayward,</i> | <i>Smith, A. W.,</i> | <i>Wells,</i> | <i>Hunter,</i> |
| <i>Prentice,</i> | <i>Ellison,</i> | <i>McInnes,</i> | <i>Dickie,</i> |
| <i>Eberts,</i> | <i>Clifford,</i> | <i>Rogers,</i> | <i>Mounce—12.</i> |

To be committed to-morrow.

Mr. *Hunter* presented the Ninth Report from the Railway Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
29th April, 1903.

MR. SPEAKER :

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

The preamble proved of Bill (No. 42) intituled "An Act to incorporate the Quatsino Railway Company," and submit the same herewith with amendments.

All of which is respectfully submitted.

JOSEPH HUNTER,
Chairman.

The Report was received.

The second reading of Bill (No. 48) intituled "An Act to amend the 'Animals Act,'" was negatived on the following division:—

YEAS :

Messieurs

| | | | |
|----------------|--------------------|----------------|---------------------|
| <i>Fulton,</i> | <i>Green,</i> | <i>Prior,</i> | <i>Ellison,</i> |
| <i>Curtis,</i> | <i>McPhillips,</i> | <i>Eberts,</i> | <i>Clifford—10.</i> |
| <i>Tatlow,</i> | <i>Helmcken,</i> | | |

NAYS:

Messieurs

| | | | |
|-------------------------|-----------------|---------------------|-----------------|
| <i>Gilmour,</i> | <i>Neill,</i> | <i>Semlin,</i> | <i>McInnes,</i> |
| <i>Stables,</i> | <i>Gifford,</i> | <i>Smith A. W.,</i> | <i>Hall—11.</i> |
| <i>Hawthornthwaite,</i> | <i>Garden,</i> | <i>Houston,</i> | |

Bill (No. 49) intituled "An Act to amend the 'Companies Winding-up Act, 1898,'" was read a second time.

To be committed to-morrow.

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

HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to amend the 'South African War Land Grant Act, 1901'" and recommends the same to the Legislative Assembly.

Government House,
29th April, 1903.

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 Bill (No. 55) intituled "An Act to amend the 'South African War Land Grant Act, 1901.'"

Mr. *Rogers*, Chairman of the Committee, reported the Resolution and the Bill.

Report adopted.

Bill introduced and read a first time.

Second reading to-morrow.

On the motion of the Hon. Mr. *Eberts*, Bill (No. 56) intituled "An Act to incorporate the Kootenay Central Railway Company," was introduced and read a first time.

To be read a second time to-morrow.

The following papers were presented:—

By the Hon. Mr. *Wells*—Return, with dates of every reserve (of not less than 25,000 acres) of Provincial lands now in force, stating the purpose for which each reserve is made and the approximate area and location of each reserve.

Return of copy of lease drafted by the Government and signed by Mr. *Theo. Ludgate*.

By the Hon. Mr. *McInnes*—

Return of all letters passing between the Gold Commissioner, Atlin, and the Government, or any members thereof, relating to the engagement of the said Gold Commissioner in mercantile and mining operations in that district, and including, also, any Order or Orders in Council relating to the same subject-matter.

Return under section 21 of the "Redistribution Act, 1898."

Return under section 21 of the "Provincial Elections Act, and section 21 of the Redistribution Act, 1898."

Statement of Commons established showing the revenue collected for the fiscal year ended the 30th day of June, 1902.

Statement of bonds deposited in the Provincial Secretary's office by civil officers of the Province for the due performance of their duties under the "Civil Service Act."

Statement of the names and places of residence of collectors of revenue paid by commission, rate of same, and date of authority therefor.

Return in accordance with section 21 of the "Vancouver General Hospital Act, 1902."

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

And then the House adjourned at 4:45 o'clock, P.M.

Thursday, 30th April, 1903.

TWO O'CLOCK, P.M.

Prayers by the Rev. D. W. Scott.

The petition from citizens resident throughout the Province, *re* Lord's Day observance was received.

Mr. Curtis moved, seconded by Mr. Hawthornthwaite,—

Resolved, That it is highly in the public interest that the assent of His Honour the Lieutenant-Governor be given immediately to Bill No. 16, passed this Session.

Withdrawn by consent.

Mr. Curtis asked the Government the following questions:—

1. Has the lawsuit entered on behalf of the Province by the *Martin* Government against the New Vancouver Coal Company to set aside Crown grant of foreshore and of land under the sea been discontinued?
2. If so, when and by whose order, and upon what terms?
3. Why was it discontinued?
4. Was it ever brought to trial?
5. Did the Government ever have any independent advice that the Province had no case?
6. If so, when, and whose advice was it?
7. How many acres were covered by the Crown grant in question, and was the land so granted supposed to contain coal?
8. Does the Government consider it has any claim whatever to the foreshore and land under sea adjacent to the land granted as aid to the E. & N. Railway Company?
9. If so, does it intend to take any steps to determine what the Province's rights are?

The Hon. Mr. Eberts replied as follows:—

- "1. Yes.
- "2. Action discontinued on 7th September, 1900, each party to bear its own costs. The discontinuance was upon instructions from the Executive.
- "3. On account of instructions received from the Executive.
- "4. No.
- "5. No.
- "6. Answered by answer to 5.
- "7. The grant was made in the year 1899, a confirmation to the new Vancouver Coal Mining and Land Company, Limited, of the sole and exclusive right to mine for coal under that portion of the sea adjacent to the lands of the Company, said portion of the sea being the area coloured red on the plan annexed to said grant. The said area is, approximately, 140 square miles.
- "8. The foreshore outside of harbours certainly belongs to the Province until granted away. The ownership of land under the sea beyond the foreshore is about to be made the subject of a reference for the opinion of the Courts.
- "9. Answered by the answer to No. 8.

Mr. *Curtis* asked the Government the following questions :—

1. Has *George S. Russell* been granted a lease of foreshore on Beecher Bay?
2. If so, what was the date of his application, and upon what dates did notice thereof appear in the official Gazette?
3. For how many years is the lease? What is the acreage leased, and what the yearly rental?
4. Does the Government recognise assignments or transfers of notices of applications made, or of applications already made, and will it in proper cases give leases to the transferrors?
5. For what purpose was the lease to *George S. Russell* granted?
6. Do the leases of foreshore contain a provision preventing assignment or transfer thereof?

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

“1. Yes.

“2. Application was made on 12th August, 1902, by *George Schmith*, in pursuance of notice appearing in the British Columbia Gazette of July 17th, 1902. Mr. *Schmith* transferred his interest to Mr. *Geo. S. Russell*.

“3. Five. The tidal lands, approximately, two acres. \$100.

“4. Yes. Yes.

“5. Salmon fishing.

“6. Yes, unless the consent of the Chief Commissioner is first obtained.”

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

Has the Dominion Government, since the visit of the Delegates to Ottawa in January last, made any further proposition to the Local Government relative to—

1st. The readjustment of the boundaries of Indian Reserves.

2nd. The working of minerals on Indian Reserves, as alluded to in the Report of the Delegates recently laid before the House?

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

“1. No. The Hon. the Minister of the Interior promised to communicate with the Provincial Government in regard to the matter as soon as he consulted with Mr. *Vowell*, Superintendent of Indian Affairs; but his appointment as Canadian Agent in the Alaska Boundary Arbitration has probably delayed his reply.

“2. Same answer.”

The report on Bill (No. 19) intituled “An Act to amend Chapter 71, cited as the ‘Special Surveys Act, 1899,’” was considered.

Mr. *Garden* moved to strike out all the words after the word “part,” in the 10th line of sub-section (3), section 2, and substitute the following :—

“and such order directing the survey to be made shall direct that the costs of the survey, and other expenses connected therewith, shall, in respect of the area of land contained in the streets and lanes, be charged against the city, and in respect of the lots or land shall be taxed against the owners thereof, in direct proportion to their respective areas contained within the limits of the survey; and the proportion of costs taxed against the lots or land, when determined, shall be assessed proportionately against the lots or land so affected, and shall become a lien on such lots or land, to be collected in the same manner as other taxes.”

Carried.

Report, as amended, adopted.

Third reading to-morrow.

Bill (No. 46) intituled “An Act to amend the ‘Supreme Court Act,’” was committed.

Reported complete without amendment.

Report to be considered to-morrow.

Bill (No. 49) intituled An Act to amend the ‘Companies Winding-up Act, 1898,’” was committed.

Reported complete without amendment.

Report to be considered to-morrow.

Bill (No. 52) intituled "An Act to amend the 'Land Act,'" was read a second time and committed.

Report complete without amendment.

Report adopted.

Third reading to-morrow.

The order for the second reading of Bill (No. 35) intituled "An Act to amend the 'Mutual Fire Insurance Companies Act, 1902,'" was discharged.

Bill (No. 55) intituled "An Act to amend the 'South African War Land Grant Act, 1901,'" was read a second time and committed.

Progress reported.

Committee to sit again to-morrow.

Bill (No. 53) intituled "An Act to incorporate the Port Simpson General Hospital," was read a second time and committed.

Reported complete with amendments.

Report to be considered to-morrow.

Bill (No. 54) intituled "An Act to amend the 'New Westminster Act, 1888,'" was read a second time.

To be committed to-morrow.

Bill (No. 34) intituled "An Act to incorporate the Anglican Synod of the Diocese of Kootenay," was read a second time and committed.

Progress reported.

Committee to sit again to-morrow.

Bill (No. 42) intituled "An Act to incorporate the Quatsino Railway Company," was read a second time and committed.

Reported complete without amendment.

Report adopted.

Third reading to-morrow.

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

On the motion of Mr. *Helmcken*, Bill (No. 57) intituled "An Act to amend the 'Society for the Prevention of Cruelty to Animals Incorporation Act,'" was introduced and read a first time.

Second reading to-morrow.

The Hon. Mr. *Wells* presented a Return of all correspondence between *Joseph Collinson* and all Members of the Government; also, all correspondence between the Chief Boiler Inspector and all Members of the Government, relating to the prosecution of *Joseph Collinson* for violation of Steam Boiler Inspection Act.

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