

Tuesday, 22nd March, 1898.

TWO O'CLOCK, P. M.

Prayers by the Rev. *J. B. Haslam*.

Mr. *Williams* presented a Petition from *Ceperly, Loewen & Campbell* and others, asking amendment of section 50 of the Land Registry Act.

Received and *Ordered* to be printed.

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

That an Order of the House be granted for a Return showing the number of voters in the respective Electoral Districts of this Province; also number of applications to be placed on voters' list up to date.

Mr. *Hume* presented a Petition from *W. H. Brandon* and others, residents of *Slocan City*, re increased representation in *West Kootenay District*.

Mr. Speaker *Booth*: The prayer of this Petition is as follows:—

“Your petitioners would therefore pray that a redistribution be made, whereby West Kootenay District shall be allowed a representation of at least five members.”

Increased representation means increased expenditure, and the granting of the prayer of the Petition would involve an expenditure of public money, for which provision would have to be made in the Estimates.

The Petition, therefore, cannot be received.

Mr. *Semlin* appealed from the decision of the Chair.

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

Mr. *Hunter* presented the Twenty-seventh Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,  
22nd March, 1898.

MR. SPEAKER:

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

That your Committee have considered Bill No. 28, “An Act to Incorporate the Red Mountain Tunnel Company, Limited,” and find the preamble proved, and beg to submit the same herewith with amendments.

JOSEPH HUNTER,  
*Chairman.*

The Report was received.

Bill (No. 24) intituled “An Act to amend the ‘Farmers’ Institutes and Co-operation Act,” was read a third time and passed.

Bill (No. 7) intituled “An Act to Incorporate the Alice Arm Railway,” was read a third time and passed.

Bill (No. 4) intituled “An Act to Incorporate the Mountain Tramway and Electric Company,” was again committed.

Progress reported.

Committee to sit again to-morrow.

Bill (No. 9) intituled “An Act to Incorporate the Kootenay and North-West Railway Company,” was again committed.

Progress reported.

Committee to sit again to-morrow.

Order of the Day read for the House to consider Bill (No. 8) intituled "An Act to Incorporate the South-East Kootenay Railway Company," in Committee of the Whole.

Mr. *Sword* moved—That it be an instruction to the Committee to consider the insertion of a new clause as follows:—

"The Company shall, within six months after the passage of this Act, deposit with the Provincial Government the sum of \$5,000, either in cash or approved bonds, as security that the company will expend not less than \$10,000 in surveys or construction of the railway hereby authorised to be built, before the 30th June, 1899, and in default of such expenditure the aforesaid sum of \$5,000 shall be forfeited to and become the property of the Government, as liquidated and ascertained damages, and not as a penalty; and should such security not be deposited with the Government within the aforesaid time, all the rights and privileges conferred by this Act shall be null and void."

Carried.

House in Committee on the Bill, with Mr. *Huff* in the Chair.

Progress reported.

Committee to sit again to-morrow.

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

The Hon. Mr. *Turner* presented a Return showing the amount of fees collected by *John Andrew Forin*, Stipendiary Magistrate, under the "Small Debts Act," prior to the 30th June, 1897, and paid to the Minister of Finance; also amount of fees so collected since said 30th June, 1897, and paid to Minister of Finance, with dates of all such payments.

And then the House adjourned at 5:40 o'clock, P. M.

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## Wednesday, 23rd March, 1898.

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TWO O'CLOCK, P. M.

Prayers by the Rev. *J. B. Haslam*.

The Hon. Mr. *Martin* presented a Return of all timber leases granted in *Alberni District*, the names of the lessees, and the arrears of rent and taxes (if any).

The Hon. Colonel *Baker* presented the Annual Report of the Library of the Legislative Assembly.

On the motion of Mr. *Kellie*, seconded by Mr. *Hume*, it was *Resolved*,—

That an Order of this House be granted for a Return of affidavits sent to me and by me presented to the Government, *re* the *Nelson and Fort Sheppard Railway Company* taking timber off mineral claims.

On the motion of Mr. *Higgins*, seconded by Mr. *Stoddart*, it was *Resolved*—

That an Order of the House be granted for a Return of all correspondence between any member of the Executive, or any officer of the Government, and the officials of the *Esquimalt and Nanaimo Railway*, with respect to the erection of cattle-guards on the line of that railway, within the past two years.

Major *Mutter* presented the Third Report from the Printing Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,

23rd March, 1898.

MR. SPEAKER :

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

That the following Returns were submitted and ordered to be printed :

1. Return *re* charges, Gold Commissioner Hunter.

2. Instructions to Mr. L. B. Hamlin *re* examination Teslin Lake, &c.
  3. *Re* log scaling.
  4. Correspondence, Campbell's Creek School.
  5. *Re* Burnaby holdings.
  6. Revenue and expenditure, Electoral Districts.
  7. *Re* applications to purchase land at Teslin Lake.
  8. Koksilah Quarry Company judgments.
- All of which are respectfully submitted.

J. M. MUTTER,  
*Chairman.*

The Report was received.

Mr. *Sword* moved, seconded by Mr. *Semlin*,—

That whereas in 1874 and 1875 the Province of British Columbia received from the Dominion Government two sums amounting in the aggregate to \$339,150, and the semi-annual payment of interest from the Dominion to the Province (on the difference between the debt of the Province of British Columbia and the debts of the other Provinces) was proportionately reduced :

And whereas the "British North America Act," sections 114, 115, 116, as set forth in section 2 of the Terms of Union, provides that the Dominion shall pay to the Province interest semi-annually on such difference at the rate of 5 % per annum, and any change in said Act would be *ultra vires* both of the Dominion and the Provincial Legislatures :

And whereas the Provincial legislation sanctioning the acceptance of such sums from the Dominion and the Dominion legislation authorising their being advanced, each specifically provide for their repayment, the Provincial at any time and the Dominion as may be jointly agreed on :

And whereas the inscribed stock of the Province bearing 3 % interest is now quoted in the market above par :

And whereas the investments of the trustees for the sinking funds of the various loans in inscribed stock, at the present rates, do not yield quite 3 % per annum :

And whereas the repayment of the aforesaid advances would result in a saving to the Province of between \$6,000 and \$7,000 per annum, and to this extent relieve the burthens of the people :

Resolved, That the Government be respectfully requested to give their attention to this matter.

The Hon. Mr. *Turner* moved, seconded by the Hon. Colonel *Baker*,—

To strike out all the words after "Province," on the nineteenth line of the Resolution, to the end of the twentieth line.

The amendment was carried on the following division :—

YEAS :

Messieurs

|                  |                   |                  |                    |
|------------------|-------------------|------------------|--------------------|
| <i>Sword,</i>    | <i>Cotton,</i>    | <i>Martin,</i>   | <i>Eberts,</i>     |
| <i>Hume,</i>     | <i>Graham,</i>    | <i>Rithet,</i>   | <i>Bryden,</i>     |
| <i>Forster,</i>  | <i>Smith,</i>     | <i>Adams,</i>    | <i>Rogers,</i>     |
| <i>Vedder,</i>   | <i>Mutter,</i>    | <i>Higgins,</i>  | <i>Hunter,</i>     |
| <i>Huff,</i>     | <i>Helmecken,</i> | <i>Stoddart,</i> | <i>Braden,</i>     |
| <i>Williams,</i> | <i>Baker,</i>     | <i>Walkem,</i>   | <i>McGregor—27</i> |
| <i>Semlin,</i>   | <i>Turner,</i>    | <i>Pooley,</i>   |                    |

NAYS :

Messieurs

|                 |                    |                |
|-----------------|--------------------|----------------|
| <i>Kennedy,</i> | <i>Macpherson,</i> | <i>Kidd—3.</i> |
|-----------------|--------------------|----------------|

Resolution, as amended, put and carried.

Mr. *Helmcken* moved, seconded by Major *Mutter*,—

Whereas a Bill is now before the Railway Committee of the House of Commons of Canada, asking for the incorporation of a company to construct a line of railway, to be known as the *Kettle River Valley Railway Company*, which railway, when constructed, will be a portion of the *Red Mountain Railway Company*, whose terminal is at *Northport*, in the United States of America :

And whereas the construction of such line by the Company seeking such Act of Incorporation will draw the ores and traffic from the Province of British Columbia into the United States, and will most materially affect the commercial and industrial interests of this Province and of other portions of the Dominion of Canada :

Be it therefore Resolved, That a humble Address be presented to His Honour the Lieutenant-Governor, praying him to communicate with the Dominion Government, urging that Government to oppose the granting of such charter, or of any other having for its object the diversion of traffic from this Province to the United States of America, and to request that the said charter be not granted.

Mr. *Semlin* moved in amendment, seconded by Mr. *Kennedy*,—

To add to the Resolution—That the consideration of the question be referred to a Select Committee to inquire into the matter and to report to this House ; said Committee to be composed as follows :—Messrs. *Rithet*, *Graham*, *Higgins*, *Stoddart*, and *Hume*.

The amendment was negatived on the following division :—

YEAS :

Messieurs

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|-----------------|--------------------|------------------|--------------------|
| <i>Sword,</i>   | <i>Macpherson,</i> | <i>Williams,</i> | <i>Graham,</i>     |
| <i>Kennedy,</i> | <i>Kidd,</i>       | <i>Semlin,</i>   | <i>Kellie,</i>     |
| <i>Hume,</i>    | <i>Vedder,</i>     | <i>Cotton,</i>   | <i>Higgins—13.</i> |
| <i>Forster.</i> |                    |                  |                    |

NAYS :

Messieurs

|                  |                  |                |                     |
|------------------|------------------|----------------|---------------------|
| <i>Huff,</i>     | <i>Turner,</i>   | <i>Walkem,</i> | <i>Rogers,</i>      |
| <i>Smith,</i>    | <i>Martin,</i>   | <i>Pooley,</i> | <i>Hunter,</i>      |
| <i>Mutter,</i>   | <i>Rithet,</i>   | <i>Eberts,</i> | <i>Braden,</i>      |
| <i>Helmcken,</i> | <i>Adams,</i>    | <i>Bryden,</i> | <i>McGregor—18.</i> |
| <i>Baker,</i>    | <i>Stoddart,</i> |                |                     |

Mr. *Kidd* moved in amendment, seconded by Mr. *Kellie*,—

That all the words after the word "charter," in the 12th line of the Resolution, be struck out, and the following inserted instead, viz.: "unless the Company have first obtained a charter from this House."

The amendment was negatived.

Mr. Speaker left the Chair at 6 o'clock.

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

Debate resumed.

Mr. *Rithet* moved the "Previous Question."

The motion was carried on the following division :—

YEAS :

Messieurs

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|------------------|------------------|----------------|---------------------|
| <i>Huff,</i>     | <i>Turner,</i>   | <i>Walkem,</i> | <i>Rogers,</i>      |
| <i>Smith,</i>    | <i>Martin,</i>   | <i>Pooley,</i> | <i>Hunter,</i>      |
| <i>Mutter,</i>   | <i>Rithet,</i>   | <i>Eberts,</i> | <i>Braden,</i>      |
| <i>Helmcken,</i> | <i>Adams,</i>    | <i>Bryden,</i> | <i>McGregor—18.</i> |
| <i>Baker,</i>    | <i>Stoddart,</i> |                |                     |

## NAYS :

## Messieurs

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|-----------------|--------------------|------------------|-------------------|
| <i>Sword,</i>   | <i>Forster,</i>    | <i>Vedder,</i>   | <i>Cotton,</i>    |
| <i>Kennedy,</i> | <i>Macpherson,</i> | <i>Williams,</i> | <i>Graham,</i>    |
| <i>Hume,</i>    | <i>Kidd,</i>       | <i>Semlin,</i>   | <i>Higgins—12</i> |

Original question proposed and carried on the following division :—

## YEAS :

## Messieurs

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|------------------|----------------|------------------|---------------------|
| <i>Huff,</i>     | <i>Baker,</i>  | <i>Higgins,</i>  | <i>Bryden,</i>      |
| <i>Williams,</i> | <i>Turner,</i> | <i>Stoddart,</i> | <i>Rogers,</i>      |
| <i>Smith,</i>    | <i>Martin,</i> | <i>Walkem,</i>   | <i>Hunter,</i>      |
| <i>Mutter,</i>   | <i>Rithet,</i> | <i>Pooley,</i>   | <i>Braden,</i>      |
| <i>Helmcken,</i> | <i>Adams,</i>  | <i>Eberts,</i>   | <i>McGregor—20.</i> |

## NAYS :

## Messieurs

|                 |                    |                |                   |
|-----------------|--------------------|----------------|-------------------|
| <i>Sword,</i>   | <i>Forster,</i>    | <i>Vedder,</i> | <i>Cotton,</i>    |
| <i>Kennedy,</i> | <i>Macpherson,</i> | <i>Semlin,</i> | <i>Graham—10.</i> |
| <i>Hume,</i>    | <i>Kidd,</i>       |                |                   |

The Hon. Colonel *Baker* presented a Return showing the number of voters in the respective Electoral Districts of this Province; also number of applications to be placed on voters' lists up to date.

The Hon. Mr. *Martin* presented the Report of Crown Lands Surveys for the year ending 31st December, 1897.

The Hon. Mr. *Turner* presented a Return of moneys received and paid by the Official Administrators of the Province, as required by the Official Administrators Act.

The Hon. Mr. *Turner* presented a Supplementary Return of the names of all persons employed in the different departments of the Government at *Victoria*, and in the care of the Parliament Buildings, where employed and rate of wages.

Mr. *Helmcken* presented a Petition from *J. F. Beek* and 2,577 others, *re* female franchise.

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

THOS. R. McINNES,  
*Lieutenant-Governor.*

The Lieutenant-Governor transmits Estimates of sums required for the service of the Province for the financial year ending 30th June, 1899, and in accordance with the provisions of "The British North America Act, 1867," he recommends these Estimates to the Legislative Assembly.

*Government House,*  
*23rd March, 1898.*

*Ordered,* That the said Message, and the Estimates accompanying the same, be referred to the Committee of Supply on Friday next.

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

And then the House adjourned at 11:10 o'clock, P. M.

Thursday, 24th March, 1898.

TWO O'CLOCK, P. M

Prayers by the Rev. *J. B. Haslam*.

The Petition from *J. F. Beek* and others, *re* female franchise, was received and *Ordered* printed.

On the motion of Mr. *Walkem*, seconded by Mr. *Hume*, it was *Resolved*,—

That an Order of this House be granted for a Return of copies of all correspondence between the Provincial Board of Health and the municipal authority of *Nelson* in respect to the disposal of the sewage of that town.

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

That an Order of this House be granted for a Return of a copy of the opinion of the Hon. *Edward Blake*, with reference to a proposed appeal to the Privy Council in *re* "Koksilah Quarry Company *versus* The Queen."

On the motion of Mr. *Sword*, Private Bill (No. 39) intituled "An Act to Incorporate the Portland and Stickine Railway Company," was introduced and read a first time.

Referred to the Railway Committee.

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

Having regard to the decision of the Privy Council in the case of "The Attorney-General for the Dominion of Canada *vs.* the Attorney-General for the Province of Ontario" (A. C. 1898, p. 247), with reference to the appointment of Queen's Counsel, is it the intention of the Government to introduce legislation at the present Session dealing with the question?

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

"The matter is under consideration."

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

Has your attention been called to an alteration in the "Land Registry Act," sec. 42, Con. Stat., 1888, by the insertion in sec. 50 of the "Land Registry Act," Con. Stat., 1897, of the words "in writing"?

If so, is it your intention to introduce a Bill during the present Session to restore the section to its original form?

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

"1. Yes.

"2. It is proposed to amend the 'Land Registry Act,' when the question will be considered."

Mr. *Kellie* ask the Hon. the Minister of Finance the following questions:—

1. Did the Dominion Government agree to co-operate in equal amount with the Provincial Government in 1894-5 in the protection of the river bank at *Revelstoke*, upon representation made by the Provincial Government?

2. Did the Dominion Government last year put an appropriation in their Estimates of \$10,500 for this protection work, contingent on the Provincial Government contributing a like or equal amount?

3. Upon what ground was the offered co-operation declined?

4. Does the Provincial Government still hold to the ground upon which it declined to assist or co-operate?

5. Is the Provincial Government now doing this work alone?

6. How much, if so, is it to cost, and how has provision been made for it?

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

"1. Yes. There was a mutual agreement for the expenditure of \$10,000, to be advanced equally by the Dominion and the Province. This sum was to be spent during the year 1895, for the purpose of the protection of the bank at Revelstoke.

"2. Not last year. In the year 1896 the Dominion Government placed a sum of \$10,500 on the Estimates, to be spent in protecting the river bank at Revelstoke. This vote was contingent on the Province voting a similar amount for the same purpose. The Provincial Government was not communicated with before the vote was placed on the Dominion Estimates, and the Provincial Government had no knowledge of the vote until the month of January or February, 1897.

"3. The Provincial Government placed no sum in the Estimates for the year 1897, as they were of the opinion that such work was such as devolved on the Dominion Government, and had only joined with the Dominion in the year 1895, as above stated, on account of the extreme urgency of the case, and that unless such work were done during the spring of 1895 most dire results would follow, on account of the impending erosion of the river banks.

"4. Yes.

"5. Yes; on account of the urgency above mentioned.

"6. Cannot say what it would cost. Provision will be made in the Estimates. Meantime, a special warrant will be issued."

Mr. *Semlin* asked the Hon. the Leader of the Government the following question :—

Has the Government, or any member thereof, received a petition praying for the construction of a bridge over the *Fraser River* at or near *Chimney Creek*?

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

"Yes."

The adjourned debate on the second reading of Bill (No. 3) intituled "An Act relating to the employment of Chinese or Japanese persons on Works carried on under Franchises granted by Private Acts," was resumed.

The debate was further adjourned until to-morrow.

Bill (No. 30) intituled "An Act to amend the 'Master and Servant Act,'" was committed, with Mr. *Huff* in the Chair.

A point of order having arisen in Committee, the House was appealed to.

The Chairman was sustained on the following division :—

YEAS :

Messieurs

|                  |                  |                 |                   |
|------------------|------------------|-----------------|-------------------|
| <i>Huff,</i>     | <i>Helmcken,</i> | <i>Adams,</i>   | <i>Eberts,</i>    |
| <i>Williams,</i> | <i>Baker,</i>    | <i>Higgins,</i> | <i>Bryden,</i>    |
| <i>Smith,</i>    | <i>Turner,</i>   | <i>Walkem,</i>  | <i>Rogers,</i>    |
| <i>Mutter,</i>   | <i>Rithet,</i>   | <i>Pooley,</i>  | <i>Hunter—16.</i> |

NAYS :

Messieurs

|                 |                    |                |                  |
|-----------------|--------------------|----------------|------------------|
| <i>Kennedy,</i> | <i>Forster,</i>    | <i>Kidd,</i>   | <i>Semlin,</i>   |
| <i>Hume,</i>    | <i>Macpherson,</i> | <i>Vedder,</i> | <i>Cotton—8.</i> |

Bill reported complete with amendments.

Report to be considered to-morrow.

The adjourned debate on the second reading of Bill (No. 33) intituled "An Act to amend the 'Water Clauses Consolidation Act, 1897,'" was resumed.

On the point of order, viz.: That the Bill affected the rights of the Crown in the water of the Province, and that the same could not be introduced by a private member, Mr. Speaker *Booth* ruled that the first part of section 1 of the Bill is almost the same as section 41 of the Act sought to be repealed, and is a re-enactment, as required by Rule 113, and therefore in order.

The sub-sections (a) and (b) of the said section 1, which read as follows:—

“(a.) The provisions of this section shall apply to recorded water held under previous Acts:

“(b.) In expropriating such water, when it has not been used for a period of five years prior to such expropriation, the arbitrators shall take as the basis of their valuation the amount which would be required to construct such works as may exist at the date of such arbitration, and the condition in which the works are in at such date, and shall not allow anything for the value of such recorded water”—

are new, and as they refer to recorded water only, in which the rights of the Crown have been parted with by the record being made, I rule the Bill to be in order.

The second reading of the Bill was negatived on the following division:—

YEAS:

Messieurs

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|-----------------|--------------------|----------------|--------------------|
| <i>Sword.</i>   | <i>Forster,</i>    | <i>Vedder,</i> | <i>Graham,</i>     |
| <i>Kennedy,</i> | <i>Macpherson,</i> | <i>Semlin,</i> | <i>Kellie,</i>     |
| <i>Hume,</i>    | <i>Kidd,</i>       | <i>Cotton,</i> | <i>Higgins—12.</i> |

NAYS:

Messieurs

|                  |                |                |                     |
|------------------|----------------|----------------|---------------------|
| <i>Huff,</i>     | <i>Turner,</i> | <i>Walkem,</i> | <i>Rogers,</i>      |
| <i>Smith,</i>    | <i>Martin,</i> | <i>Pooley,</i> | <i>Hunter,</i>      |
| <i>Mutter,</i>   | <i>Rithet,</i> | <i>Eberts,</i> | <i>Braden,</i>      |
| <i>Helmcken,</i> | <i>Adams,</i>  | <i>Bryden,</i> | <i>McGregor—17.</i> |
| <i>Baker,</i>    |                |                |                     |

The Hon. Mr. *Martin* presented a Return of correspondence between His Honour or His Honour's Ministers and any person in regard to the regulations issued under the provisions of the "Water Clauses Consolidation Act."

*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.

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Friday, 25th March, 1898.

TWO O'CLOCK, P. M.

Prayers by the Rev. *J. B. Haslam*.

Mr. *Williams* presented a Petition from the Provincial Women's Christian Temperance Union, *re* Curfew By-laws.

Received and *Ordered* to be printed.

On the motion of Mr. *Helmcken*, seconded by Mr. *Huff*, it was *Resolved*,—

Whereas the establishment of a mint in Canada will be of great benefit commercially and otherwise:

And whereas the Province of British Columbia is the most suitable Province wherein such mint should be established:

Be it therefore *Resolved*, That an humble Address be presented to His Honour the Lieutenant-Governor, requesting him to communicate with the Dominion Government, urging upon that Government the desirability of the establishment, at the earliest possible date, of a mint; such mint to be erected in the Province of British Columbia.



Bill (No. 4) intituled "An Act to Incorporate the Mountain Tramway and Electric Company," was again committed.

Reported complete with amendments.

Report to be considered on Monday next.

Bill (No. 9) intituled "An Act to Incorporate the Kootenay and North-West Railway Company," was again committed.

Reported complete with amendments.

Report to be considered on Monday next.

Order called for Committee on Bill (No. 14) intituled "An Act to Incorporate the Arrow-head and Kootenay Railway Company."

Mr. *Sword* moved, seconded by Mr. *Semlin*,—

That it be an instruction to the Committee to consider the insertion of a new clause as follows :—

"The Company shall, within six months after the passage of this Act, deposit with the Provincial Government the sum of \$5,000, either in cash or approved bonds, as security that the company will expend not less than \$10,000 in surveys or construction of the railway hereby authorised to be built, before the 30th June, 1899, and in default of such expenditure the aforesaid sum of \$5,000 shall be forfeited to and become the property of the Government, as liquidated and ascertained damages, and not as a penalty; and should such security not be deposited with the Government within the aforesaid time, all the rights and privileges conferred by this Act shall be null and void."

Carried.

House in Committee on the Bill, with Mr. *Walkem* in the Chair.

Progress reported.

Committee to sit again on Monday next.

Bill (No. 10) intituled "An Act to amend the 'Vancouver Incorporation Act, 1886,' and amendments thereto," was committed, with Mr. *Hume* in the Chair.

Progress reported.

Committee to sit again on Monday next.

Order called for Committee on Bill (No. 16) intituled "An Act to Incorporate the North Star and Arrow Lake Railway Company."

Mr. *Sword* moved, seconded by Mr. *Kennedy*,—

That it be an instruction to the Committee to consider the insertion of a new section as follows :—

"The Company shall, within six months after the passage of this Act, deposit with the Provincial Government the sum of \$5,000, either in cash or approved bonds, as security that the company will expend not less than \$10,000 in surveys or construction of the railway hereby authorised to be built, before the 30th June, 1899, and in default of such expenditure the aforesaid sum of \$5,000 shall be forfeited to and become the property of the Government, as liquidated and ascertained damages, and not as a penalty; and should such security not be deposited with the Government within the aforesaid time, all the rights and privileges conferred by this Act shall be null and void."

Carried.

House in Committee on the Bill, with Mr. *Stoddart* in the Chair.

Progress reported.

Committee to sit again on Monday next.

Messrs. *Rithet*, *Hunter*, *Walkem*, *Kennedy* and *Forster* were appointed a Select Committee on log scaling and logging matters generally.

*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.

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Monday, 28th March, 1898.

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TWO O'CLOCK, P. M.

Prayers by the Rev. *O. E. Kendall*.

*Mr. Kennedy* presented a Petition from *Turner, Hart & Co.* and others, of *New Westminster*, asking amendment of section 50 of the Land Registry Act.

Received.

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

1. How many companies applied for water to be taken from *Cascade Falls, Kettle River*?
2. What is the name of the company whose application was granted?
3. Did that company make application for the water as a power company, according to the provisions of Part IV. of the "Water Clauses Act"?
4. If not under the provisions of Part IV. of the "Water Clauses Act," upon what grounds was the application made?

The Hon. Colonel *Baker* replied as follows :—

"1. Two: *Cascade Development Company*, and *Cascade Water, Power and Light Company*.

"2. *Mr. Chas. K. Milbourne*, as assignee of the *Cascade Development Company*.

"3. Yes."

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

What was the total amount of commission paid to *C. J. Marani* for arranging the taking up of the old debentures and the issuance in exchange of the Government debentures?

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

"\$1,595."

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

Have any lands been designated by the *Cassiar Central Railway Company*, in accordance with the "*Cassiar Central Railway Aid Act, 1897*"?

If so, how many acres, approximately?

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

"No; the *Company* has not yet designated any of the lands."

*Mr. Sword* rose to a question of privilege and proposed to move, seconded by *Mr. Semlin*,—

That whereas section 42 of cap. 166 of the Revised Statutes provides that the Minister of Finance shall present to the Legislature, as early as possible in the ensuing session, a statement of all expenditure made by special warrant:

And whereas the House has now been in session since 10th February, more than six weeks, and such statement has not yet been presented:

Resolved, That the Committee on Public Accounts be instructed to make immediate inquiry as to the cause of this delay, and report at once to the House.

*Mr. Speaker Booth*: This is not a question of privilege, and without the unanimous consent of the House the motion cannot be moved without notice, as required by Rule 32.

*Mr. Williams* rose to a question of privilege and proposed to move, seconded by *Mr. Semlin*,—

That whereas this House made an Order on the 10th instant, as follows :—

"That an humble Address be presented by this House to His Honour the Lieutenant-Governor, praying him to cause to be laid before the House copies of all Orders in Council in any way relating to the land grant to the *Nelson and Fort Sheppard Railway Company*; also, copies of all correspondence between any member of the Government and any person or persons, on behalf of or in relation to said *Railway Company*":

And whereas the papers therein referred to must contain information of great importance to the country, and the country and House have the right to be placed in possession of the contents thereof without delay, as evidenced by said Order :

And whereas the said papers relate to the grant of a large tract of the public lands of the Province to the said Company :

And whereas a notice of motion has been given, charging the Government with exceeding the powers conferred upon them by the "Nelson and Fort Sheppard Railway Subsidy Act, 1892," in granting said lands to said Company :

And whereas the terms of said Order have as yet not been complied with :

And whereas such neglect is retarding the business of the House by preventing the motion, of which notice has been given as aforesaid, from being submitted to the House :

And whereas it is the duty of the Government to place the House, without delay, in possession of all facts bearing upon their administration of the affairs of the country, especially so when their conduct is to be questioned by a motion, notice of which has been given :

Be it Resolved, That Messrs. *Higgins, Helmcken* and the mover be a Committee, with power to send for persons and papers, to inquire into the cause of such neglect, and to ascertain the name or names of the person or persons who are responsible for the gross delay in complying with the terms of the said Order of this House, and to report to this House.

Mr. Speaker *Booth* : This is open to the same objection as the last motion. No question of privilege is shown, and no notice of the motion has been given.

The House proceeded to the Orders of the Day.

Order of the Day read for the House to resolve itself into a Committee of Supply.

The Hon. Mr. *Turner* moved, seconded by the Hon. Colonel *Baker*,—

"That Mr. Speaker do now leave the Chair."

A debate arose.

Mr. Speaker left the Chair at 6 o'clock.

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

Debate resumed.

Debate adjourned until to-morrow.

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

The Hon. Mr. *Martin* presented a Return of all correspondence between any member of the Executive, or any officer of the Government, and the officials of the *Esquimalt and Nanaimo Railway*, with respect to the erection of cattle-guards on the line of that railway, within the past two years.

The Hon. Mr. *Eberts* presented the following papers :—

Return of a copy of the opinion of the Hon. *Edward Blake*, with reference to a proposed appeal to the Privy Council *in re* "Koksilah Quarry Company *versus* The Queen."

Return shewing the cost incidental to the Commission for Revising the Statutes, and stating in detail the amount paid to each Commissioner from the commencement of the work up to the present date, and the amounts paid for clerical assistance, and to whom, and the amount still due, if any.

The Hon. Mr. *Turner* presented a Return of copies of the prospectuses of the different Provincial loans issued since 1890.

The Hon. Col. *Baker* presented a Return of all petitions or correspondence in possession of the Government, or any member thereof, in reference to the construction of a bridge over the *Fraser*, near *Chimney Creek*.

And then the House adjourned at 11:30 o'clock, P. M.

Tuesday, 29th March, 1898.

TWO O'CLOCK, P. M.

Prayers by the Rev. *O. E. Kendall*.

The Hon. Mr. *Turner* presented a statement of Special Warrants signed by His Honour the Lieutenant-Governor, together with the expenditure incurred thereon, between the 22nd April, 1897, and 28th March, 1898, required by the "Revenue Act," chap. 102, sec. 42.

The House proceeded to the Orders of the Day.

Pursuant to Order, the adjourned debate on the question "That I do now leave the Chair," for the purpose of going into Committee of Supply, was resumed.

Mr. Speaker left the Chair at 6 o'clock.

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

Debate resumed.

Debate adjourned until to-morrow.

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

Major *Mutter* presented the Fourth Report from the Printing Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,  
29th March, 1898.

MR. SPEAKER :

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

That the following Returns were submitted and ordered to be printed, viz.:

1. Account of fees collected by J. A. Forin, Stipendiary Magistrate.
  2. Timber leases granted in Cowichan-Alberni.
  3. Supplementary Return of persons employed in Government Departments, Victoria.
  4. Correspondence, "Water Clauses Consolidation Act,"
  5. Official Administrators of Province intromissions
  6. Special Warrants signed by His Honour the Lieutenant-Governor.
  7. Cost of Commissioners revising the Statutes.
  8. Correspondence *re* bridge over the Fraser River.
  9. Opinion of the Honourable Edward Blake *re* Koksilah Quarry Co. *versus* The Queen, appeal.
  10. Prospectuses of Provincial loans since 1890.
- All of which are respectfully submitted.

J. M. MUTTER,  
*Chairman.*

The Report was received.

On the motion of Mr. *Sword*, Bill (No. 41) intituled "An Act to amend the 'Tramway Company Incorporation Act,'" was introduced and read a first time.  
To be read a second time to-morrow.

On the motion of Mr. *Forster*, Bill (No. 42) intituled "An Act to amend the 'Provincial Elections Act,'" was introduced and read a first time.  
To be read a second time to-morrow.

And then the House adjourned at 10:30 o'clock, P. M.

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Wednesday, 30th March, 1898.

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TWO O'CLOCK, P. M.

Prayers by the Rev. *R. W. Trotter*.

The Hon. Mr. *Eberts* presented a Return of copies of all Orders in Council in any way relating to the land grant to the *Nelson and Fort Sheppard Railway Company*; also, copies of all correspondence between any member of the Government and any person or persons, on behalf of or in relation to said Railway Company.

The House proceeded to the Orders of the Day.

Pursuant to Order, the adjourned debate on the question "That I do now leave the Chair," for the purpose of going into Committee of Supply, was resumed.

Debate further adjourned until to-morrow.

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

On the motion of Mr. *Riethel*, Bill (No. 43) intituled "An Act to amend the 'Creditors' Trust Deeds Act,'" was introduced and read a first time.

To be read a second time to-morrow.

On the motion of Mr. *Kellie*, Bill (No. 40) intituled "An Act respecting Liens of Mechanics, Wage-earners, and others," was introduced and read a first time.

To be read a second time to-morrow.

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

1. At whose request is the work of removing the log-jams from *Vedder Creek, Chilliwack Municipality*, being done?

2. By what authority was the work authorised?

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

"1. At the request of Mr. *Sprott*, Road Superintendent.

"2. By authority of the Lands and Works Department, with a view to the protection of *Vedder Creek Bridge*."

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

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Thursday, 31st March, 1898.

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TWO O'CLOCK, P. M.

Prayers by the Rev. *O. E. Kendall*.

Mr. *Helmcken* presented a Petition from *D. R. Harris* and others, of *Victoria*, asking amendment of section 50 of the "Land Registry Act."

Received.

The Hon. Colonel *Baker* presented the Annual Report on the Asylum for the Insane *New Westminster*, for the year 1897.

The House proceeded to the Orders of the Day.

Pursuant to Order, the adjourned debate on the question "That I do now leave the Chair," for the purpose of going into Committee of Supply, was resumed.

Mr. *Hume* moved in amendment, seconded by Mr. *Forster*,—

That all the words after "That" be struck out, and the following inserted:—

"whereas the Estimates of Revenue and Expenditure, as submitted, show that the estimated expenditure exceeds by \$539,222.30 the estimated revenue:

"And whereas the First Report of the Public Accounts Committee shows an overdraft of \$199,254.05 at the Bank of B. C.:

"And whereas the Estimates of Expenditure generally show the most complete disregard of economy:

"And whereas the administration of the affairs of the Province has not been carried on in such a way as to best conserve the public interests:

"Therefore, the Government has forfeited all claim to the confidence of this House and the country."

The amendment was negatived on the following division:—

YEAS :

Messieurs

|                 |                    |                  |                    |
|-----------------|--------------------|------------------|--------------------|
| <i>Sword,</i>   | <i>Macpherson,</i> | <i>Williams,</i> | <i>Graham,</i>     |
| <i>Kennedy,</i> | <i>Kidd,</i>       | <i>Semlin,</i>   | <i>Kellie,</i>     |
| <i>Hume,</i>    | <i>Vedder,</i>     | <i>Cotton,</i>   | <i>Higgins—13.</i> |
| <i>Forster.</i> |                    |                  |                    |

NAYS :

Messieurs

|                  |                  |                |                     |
|------------------|------------------|----------------|---------------------|
| <i>Huff,</i>     | <i>Turner,</i>   | <i>Walkem,</i> | <i>Rogers,</i>      |
| <i>Smith,</i>    | <i>Martin,</i>   | <i>Pooley,</i> | <i>Hunter,</i>      |
| <i>Mutter,</i>   | <i>Rithet,</i>   | <i>Eberts,</i> | <i>Braden,</i>      |
| <i>Helmcken,</i> | <i>Adams,</i>    | <i>Bryden,</i> | <i>McGregor—18.</i> |
| <i>Baker,</i>    | <i>Stoddart,</i> |                |                     |

The debate was adjourned until to-morrow.

The Hon. Mr. *Eberts* presented:—

A Return of all papers, correspondence and statement of accounts between the Government and other parties in connection with the settlement of *Leamy & Kyle's* assignment.

Copies of all correspondence which passed between *J. J. McKenna*, Esq. (the representative of the Dominion Government), and any member of the Provincial Government, relating to the negotiations for the settlement of the question affecting the removal of the Indians from the *Songhees Reserve*.

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

And then the House adjourned at 5:45 o'clock, p. m.