

JOURNALS
OF THE
LEGISLATIVE ASSEMBLY

OF THE PROVINCE OF
BRITISH COLUMBIA.

SESSION 1876.

Monday, 10th January, 1876.

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

This being the first day of the first meeting of the second Parliament or Legislative Assembly of the Province of British Columbia, for the dispatch of business, pursuant to a Proclamation of His Honour the Honourable Joseph William Trutch, Lieutenant-Governor of the Province, dated the first day of December, 1875, the members having been duly sworn, took their seats.

His Honour the Lieutenant-Governor having entered the House, took his seat on the Throne.

The Honourable Mr. *Ash*, Provincial Secretary, said:

Gentlemen of the Legislative Assembly :—

I am commanded by His Excellency the Lieutenant-Governor to announce that His Excellency does not see fit to declare the causes of his summoning you at this time, and will not do so until you have chosen a Speaker to preside over your Honourable Body. His Excellency hopes to be enabled to declare, during the afternoon, his reasons for calling you together.

His Honour was then pleased to retire.

The Honourable Mr. *Walkem*, addressing himself to the Clerk, (who, standing up, pointed to him and then sat down,) proposed to the House for their Speaker *James Trimble*, Esquire, Member representing the City of Victoria, which motion was seconded by Mr. *Robert Smith*.

And the question being put by the Clerk, "That *James Trimble*, Esquire, do take the Chair of this House as Speaker,"

Resolved, unanimously, That *James Trimble*, Esquire, do take the Chair of this House as Speaker.

And the Clerk, having declared *James Trimble*, Esquire, duly elected, he was taken out of his place by the Honourable Mr. *Walkem* and conducted to the Chair, where, standing on the upper step, he expressed his grateful thanks to the House for the great honour they had been pleased to confer upon him by unanimously choosing him to be their Speaker.

And thereupon he sat down in the Chair and the Mace was laid upon the table.

His Honour the Lieutenant-Governor again entered the House, and taking his seat on the Throne, the Speaker elect then spoke to the following effect:—

MAY IT PLEASE YOUR HONOUR:

The House of Assembly have elected me as their Speaker, though I am but little able to fulfil the important duties thus assigned to me.

If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me, and not to the Assembly, whose servant I am, and who, through me, the better to enable them to discharge their duty to their Queen and Country, humbly claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to Your Honour's person at all reasonable times, and that their proceedings may receive from Your Honour the most favourable interpretation.

Then the Honourable Mr. *Ash* said:—

MR. SPEAKER,

I am commanded by His Excellency the Lieutenant-Governor to declare to you that he freely confides in the duty and attachment of the House of Assembly to Her Majesty's person and Government, and not doubting that their proceedings will be conducted with wisdom, temper, and prudence, he grants, and upon all occasions will recognize and allow their constitutional privileges.

I am commanded also to assure you that the Assembly shall have ready access to His Excellency upon all reasonable occasions, and that their proceedings as well as your words and actions, will constantly receive from him the most favourable construction.

His Honour the Lieutenant-Governor was then pleased to open the Session by the following gracious Speech:—

Mr. Speaker:

Gentlemen of the Legislative Assembly:

I have much pleasure in meeting you at the opening of this, the first Session of the Second Term of our Legislature, since Confederation.

Several subjects of great importance require your earnest consideration. Foremost among them is the question of the construction of the Canadian Pacific Railway, which, unfortunately, since 1873, has been a fruitful source of anxiety and disappointment to the Province. Last Session I was enabled to lay before you official information on this matter of an assuring character, the Dominion Government having agreed to carry into effect the Terms of Union, according to certain conditions recommended by Lord Carnarvon. I now inform you with regret that I have recently received a despatch from that Government on this subject, submitting certain proposals strongly at variance with the conditions mentioned. These proposals I have unhesitatingly declined. I have further protested against any violation of the settlement by the Dominion Government. The papers on this subject will be laid before you.

The steps necessary for the commencement of the Graving Dock at Esquimalt have been taken, and full information with respect to this important work will be given to you.

The non-fulfilment by Canada of our Railway agreement has seriously crippled the

pastoral and agricultural interests of our community, whose anticipations of prosperity, fairly entertained, have unfortunately not been realized.

With respect to our Mining interests, it is a matter of congratulation that the Northern gold fields of Cassiar, which last year were not sufficiently tested to determine their real value, now give every promise of permanence, whilst the yield of Cariboo has been highly satisfactory.

The value of our Coal deposits cannot be over-rated. They already give remunerative employment to a large number of our people, and new mines are being opened with every prospect of being extensively and profitably worked.

I shall submit for your consideration measures to amend the law relating to Gold Mining, and to provide for the inspection of Coal mines, with the view of protecting the lives and property of those engaged in that industry.

I shall also ask you to give your attention to Indian Affairs, on which subject important papers will be communicated to you.

No domestic question will be more interesting to you than that of Education. The working of the School Act has been found defective, and requires amendment.

During the past season the Public Works authorised last Session have been carried on, and their construction has in a great measure relieved the Province of much of the depression which otherwise would have existed.

The Public Accounts will at once be laid before you, and Estimates for the current year are being prepared for your consideration.

Acts for the improvement of our County Court system, and for necessary law reforms, will be submitted to you.

The melancholy circumstances connected with the loss of the steamship Pacific, have induced me to forward representations to the Dominion and Imperial Governments, with the view of preventing, as far as possible, similar disasters in the future.

I now leave you to your deliberations, in full confidence that you will, on all occasions, aim to promote the best interests of the Province.

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

On the motion of the Honourable Mr. *Walkem* seconded by the Honourable Mr. *Ash*,—
Resolved, That the House, at its rising, do stand adjourned to Thursday next, at 2 p.m.

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

On the motion of the Honourable Mr. *Walkem*, seconded by the Honourable Mr. *Ash*, Bill (No. 1) intituled "An Act respecting County Courts" was introduced.

On the motion of the Honourable Mr. *Walkem*, seconded by the Honourable Mr. *Ash*,—
Ordered, That His Honour the Lieutenant-Governor's Speech be considered on Thursday next.

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

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

1. On Standing Orders and Private Bills;
2. On Public Accounts;

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

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

And then the House adjourned at 3:33 p. m.

Thursday, 13th January, 1876.

TWO O'CLOCK, P. M.

The House proceeded to take into consideration the Speech of His Honour the Lieutenant-Governor.

Mr. Douglas moved, seconded by Mr. Davie,—

1. That an humble address be presented to His Honour, thanking him for his gracious speech at the opening of this the first Session of the second term of our Legislature.

2. That we shall have much pleasure in giving our attention to the several subjects of great importance requiring our earnest consideration.

3. That we fully recognize the foremost importance of the question of the construction of the Canadian Pacific Railway, which unfortunately, since 1873, has been a fruitful source of anxiety and disappointment to the Province.

3. That we are aware that His Honour was enabled last Session to lay before us official information on this matter of an assuring character, the Dominion Government having agreed to carry into effect the Terms of Union, according to certain conditions recommended by Lord Carnarvon, and we thank His Honour for the information that he recently received, with regret, a despatch from that Government on this subject, submitting certain proposals strongly at variance with the conditions mentioned, which proposals His Honour unhesitatingly declined. We also thank His Honour for acquainting us that he has further protested against any violation of the settlement by the Dominion Government, and that the papers on the subject will be laid before us.

5. That we are interested to learn that the steps necessary for the commencement of the Graving Dock at Esquimalt have been taken, and that full information with respect to this important work will be given to us.

6. That we concur with His Honour that the non-fulfilment by Canada of our Railway agreement has seriously crippled the pastoral and agricultural interests of our community, whose anticipations of prosperity, fairly entertained, have unfortunately not been realized.

7. That with respect to our Mining interests, it is a matter of congratulation that the Northern gold fields of Cassiar, which last year were not sufficiently tested to determine their real value, now give every promise of permanence, whilst the yield of Cariboo has been highly satisfactory.

8. That the value of our coal deposits cannot be over-rated; that they already give remunerative employment to a large number of our people; and we are gratified to learn that new mines are being opened with every prospect of being extensively and profitably worked.

9. That we will give our careful consideration to measures to amend the law relating to Gold Mining, and to provide for the inspection of Coal mines, with the view of protecting the lives and property of those engaged in that industry.

10. That we will give our best attention to Indian affairs, and to the important papers to be communicated to us.

11. That we can assure His Honour that no domestic question is more interesting to us than that of Education, and we will carefully consider any amendment of the School Act submitted to us.

12. That we are pleased to learn that during the past season the Public Works authorized last Session have been carried on, and their construction has in a great measure relieved the Province of much of the depression which otherwise would have existed.

13. That we learn with satisfaction that the Public Accounts are at once to be laid before us, and that Estimates for the current year are being prepared for our consideration.

14. The Acts for the improvement of our County Court system, and for necessary law reforms, to be submitted to us, will be duly considered.

15. That we thank His Honour for forwarding representations to the Dominion and Imperial Governments concerning the melancholy circumstances connected with the

loss of the steam-ship Pacific, and trust they will have the desired effect of preventing, as far as possible, similar disasters in the future.

16. That we thank His Honour for the expression of his full confidence, and beg to assure him that we shall, on all occasions, endeavour to promote the best interests of the Province.

And it was *Resolved* accordingly.

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

The Honourable Attorney-General, the Honourable Chief Commissioner of Lands and Works, the Honourable Provincial Secretary, and Messrs. *Douglas* and *Davie*, with instructions to prepare and report an Address to His Honour.

The Hon. Mr. *Walkem*, from the Select Committee, reported an Address, which read as follows:—

To the Honourable JOSEPH WILLIAM TRUTCH, *Lieutenant-Governor of the Province of British Columbia.*

We, Her Majesty's dutiful and loyal subjects, the Legislative Assembly of the Province of British Columbia in Parliament assembled, humbly thank Your Honour for your gracious Speech at the opening of this the first Session of the second term of our Legislature.

We shall have much pleasure in giving our attention to the several subjects of great importance requiring our earnest consideration.

We fully recognize the foremost importance of the question of the construction of the Canadian Pacific Railway, which unfortunately, since 1873, has been a fruitful source of anxiety and disappointment to the Province.

We are aware that Your Honour was enabled last Session to lay before us official information on this matter of an assuring character, the Dominion Government having agreed to carry into effect the Terms of Union, according to certain conditions recommended by Lord Carnarvon, and we thank Your Honour for the information that you recently received, with regret, a despatch from that Government on this subject, submitting certain proposals strongly at variance with the conditions mentioned, which proposals Your Honour unhesitatingly declined. We also thank Your Honour for acquainting us that you have further protested against any violation of the settlement by the Dominion Government, and that the papers on the subject will be laid before us.

We are interested to learn that the steps necessary for the commencement of the Graving Dock at Esquimalt have been taken, and that full information with respect to this important work will be given to us.

We concur with Your Honour that the non-fulfilment by Canada of our Railway agreement has seriously crippled the pastoral and agricultural interests of our community, whose anticipations of prosperity, fairly entertained, have unfortunately not been realized.

With respect to our Mining interests, it is a matter of congratulation that the Northern gold fields of Cassiar, which last year were not sufficiently tested to determine their real value, now give every promise of permanence, whilst the yield of Cariboo has been highly satisfactory.

The value of our coal deposits cannot be over-rated; they already give remunerative employment to a large number of our people; and we are gratified to learn that new mines are being opened with every prospect of being extensively and profitably worked.

We will give our careful consideration to measures to amend the law relating to Gold Mining, and to provide for the inspection of Coal mines, with the view of protecting the lives and property of those engaged in that industry.

We will give our best attention to Indian affairs, and to the important papers to be communicated to us.

We can assure Your Honour that no domestic question is more interesting to us than that of Education, and we will carefully consider any amendment of the School Act submitted to us.

We are pleased to learn that during the past season the Public Works authorized last Session have been carried on; and their construction has in a great measure relieved the Province of much of the depression which otherwise would have existed.

We learn with satisfaction that the Public Accounts are at once to be laid before us, and that Estimates for the current year are being prepared for our consideration.

The Acts for the improvement of our County Court system, and for necessary law reforms, to be submitted to us, will be duly considered.

We thank Your Honour for forwarding representations to the Dominion and Imperial Governments concerning the melancholy circumstances connected with the loss of the steam-ship Pacific, and trust they will have the desired effect of preventing, as far as possible, similar disasters in the future.

We thank Your Honour for the expression of your full confidence, and beg to assure you that we shall, on all occasions, endeavour to promote the best interests of the Province.

The said Address was agreed to.

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

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

That Mr *Eli Harrison* be appointed Law Clerk.

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

That the Select Standing Committee on Standing Orders and Private Bills shall consist of the following Members:—The Honourable Mr. *Beaven*, and Messrs. *Davie*, *Smith*, *Evans*, and *Bryden*.

The Honourable Mr. *Walkem* moved for the nomination of Members to form the Select Standing Committee on Public Accounts.

The House nominated the following Members to form the Committee, together with the Honourable Mr. *Walkem*, the mover, Messrs. *Armstrong*, *Mara*, *Ebenezer Brown*, *Tolmie*, and *Fisher*.

On the motion of Mr. *Smith*, seconded by Mr. *Gallagher*, it was *Resolved*,—

That a Select Committee be appointed to overhaul the working of Public Schools, including the *Cache Creek* Boarding School. Said Committee to be composed of Messrs. *R. Smith*, *Morrison*, *Gallagher*, *Davie*, *Ash*, and *Douglas*, with power to call for persons, books, and papers.

Mr. *Smith* asked leave to introduce a Bill (No. 2) intituled "An Act to establish liens in favour of mechanics, labourers and others."

Ordered, That leave be granted.

The Honourable Mr. *Walkem* presented, by command of His Honour the Lieutenant-Governor, the Second Annual Report of the Registration of Births, Deaths, and Marriages, for the Province. (*See Sessional Papers*.)

The Honourable Mr. *Ash* presented, by command of His Honour the Lieutenant-Governor, the Fourth Annual Report on the Public Schools of the Province. (*See Sessional Papers*.)

The Honourable Mr. *Armstrong* presented, by command of His Honour the Lieutenant-Governor, a statement of expenditure for the year 1874, and for the nine months ending 30th September, 1875, together with Returns of Revenue for the year 1875. (*See Sessional Papers*.)

The Honourable Mr. *Walkem* presented, by command of His Honour the Lieutenant-Governor, Papers relating to certain proposed alterations by the Dominion Government in existing Railway agreements. (*See Sessional Papers.*)

And then the House adjourned at 3:45 p. m., until 2 o'clock on Monday next.

Monday, 17th January, 1876.

TWO O'CLOCK, P. M.

The Honourable Mr. *Walkem* delivered to Mr. Speaker a Message from His Honour the Lieutenant Governor, signed by His Honour.

The said Message was read by Mr. Speaker, and is as follows:—

JOSEPH W. TRUTCH.

Mr. Speaker and Gentlemen of the Legislative Assembly:

I thank you for your dutiful and loyal Address, and for the assurance that the important subjects submitted to you will receive your earnest attention.

Government House,

January 17th, 1876.

Mr. *Davie* moved, seconded by Mr. *Williams*,—

That a respectful Address be presented to His Honour the Lieutenant-Governor, praying that His Honour will cause to be sent down to this House copies of all despatches, letters, telegrams, and other communications from the Dominion Government, or any member thereof, to this Government or any member thereof, in any way relating to advances made, or to be made by the Dominion Government to this Province, under or by virtue of Section two of the Dominion Statute, 37 and 38 Vic., cap 17, or Section two of the Local Act entitled "An Act respecting the construction of a Graving Dock at *Esquimalt*, and of Provincial Public Works."

The Honourable Mr. *Walkem* presented, by command of His Honour the Lieutenant-Governor, the correspondence on the subject, and the motion was, by leave of the House, withdrawn.

The Honourable Mr. *Walkem* presented, by command of His Honour the Lieutenant-Governor, papers connected with the Indian Land Question, 1850-1875. (*See Sessional Papers.*)

On the motion of Mr. *Smith*, seconded by Mr. *Morrison*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying His Honour to have laid before the House a detailed statement of the Receipts and Expenditure of the *Cache Creek* Boarding School, from its first opening up to first of January, 1876; also quarterly returns of the number of children in attendance, boys and girls, and their ages.

Mr. *Smith* asked leave to introduce a Bill (No. 3,) intituled "An Act to amend the 'Constitution Act, 1871,' by creating a new Electoral District, to be known as the 'Cassiar District,' with one Representative."

Ordered, That leave be granted.

Bill introduced, and read a first time.

Ordered to be read a second time on Monday next.

The Honourable Mr. *Beaven* presented, by command of His Honour the Lieutenant-Governor, the Report of the Chief Commissioner of Lands and Works of the Province, from 1st January to 30th November, 1875. (*See Sessional Papers.*)

Mr. *Evans* asked the Honourable the Chief Commissioner the following Questions:

1. What portion, if any, of the \$34,500 voted for Roads, Bridges, and Trails in the *Cariboo* District for 1875 was intended for the *Quesnelle* Bridge?
2. Whether the Cofferdam built in connection with the *Quesnelle* Bridge is included in the original contract and covered by the sum of \$37,500, or was ordered to be built by the Surveyor-General, on behalf of the Government, in consequence of improper survey, and to be paid for as extra work; if so, at what cost?
3. Whether Mr. *J. Johnson Robertson* was in receipt of salary as Superintendent of *Quesnelle* Bridge while canvassing through the District as a Candidate for the Legislature, say from the first of July to the end of October, 1875?
4. Whether instructions have been sent to Superintendent of *Quesnelle* Bridge not to sign or issue any more certificates on account of work done; and if so, why?

The Honourable Mr. *Beaven* replied as follows:—

(No. 1.)—"The estimated cost of the *Quesnelle* River bridge, and road approach, was \$40,000; it was considered that about \$20,000 of the amount would be required for the service during the year 1875.

"The expenditure so far brought to account upon this work has not amounted to \$20,000."

(No. 2.)—"If the Contractor for the *Quesnelle* bridge, in carrying out the plans and specifications, deemed it advisable to construct a Cofferdam, he was entitled to do so, but he had no order from the Surveyor General to construct it as an extra work on behalf of the Government."

(No. 3.)—"Mr. *Robertson* has been employed by this Department since 23rd June, 1875, at \$100 per month, to see that the Contractor for the *Quesnelle* bridge carries out his agreement in accordance with the plans and specifications.

"Mr. *Robertson* has been paid \$400 on account of his salary, and if he has absented himself from his duties, for the purpose of attending to his private affairs, a deduction can be made upon final settlement."

(No. 4.)—"No."

Mr. *Davie* asked the Honourable the Premier the following Questions:—

1. Has this Government received from the Dominion Government any, and if any, what sums of money, and at what dates, under Section two of the Local Act, entitled "An Act respecting the construction of a Graving Dock at *Esquimalt* and of Provincial Public Works."

2. Has this Government borrowed money (during the years 1874 and 1875) from individuals or corporations in *British Columbia*; and if so, to what amount and at what dates, and what is the amount of our present indebtedness to such individuals or Corporations?

3. Has this Government pledged, or in any way given as security to any Government, corporation or person, any part of the revenues, subsidies or property of this Province; and if so, to what extent and when, and generally what is the nature of any such pledge, or pledges, or security?

4. Has this Government received from the Dominion Government any notification to the effect that our subsidies or any portion of them will be withheld until the performance by us of any, and what conditions or the happening of any and what event?

The Honourable Mr. *Walkem* replied as follows:—

(No. 1.)—"There was received from the Dominion Government, on 8th June, 1875, the sum of \$189,150; on the 21st of October, 1875, the sum of \$150,000, with permission to repay the latter on the 1st July, 1876."

(No. 2.)—"During 1874, the Bank of *British Columbia* advanced, and were repaid \$189,150. During 1875, temporary loans, under the authority of the 'British Columbia Loan Act, 1874,' were effected with the Bank of *British Columbia* for \$92,287 63, and with *Sir James Douglas* for \$30,000, which two sums show all our present indebtedness to Corporations and individuals."

(No. 3).—"This Government have only obtained money under the 'Loan Act' referred to, and under Act No. 4, of last session."

(No. 4).—"Full information in reply to this query is contained in the papers this day laid before the House."

Mr. *Smith* moved,—

That whereas in the Terms of Union between British Columbia and Canada it was agreed that the Dominion Government would construct a Railway from the sea-board of British Columbia to connect with that of the railway system of Canada.

And whereas British Columbia has faithfully fulfilled her portion of the contract, Canada having failed to do so.

And whereas a Minute of Council, dated *Ottawa*, September 20th, 1875, offers to *British Columbia* \$750,000 for non-construction of Railway on *Vancouver Island*, and indefinite postponement of railway construction on the *Mainland*;

Therefore be it *Resolved*,—That we, the people of *British Columbia*, in Parliament assembled, do hereby appeal to, and call on *England* to urge upon the Dominion Government the expediency of actual construction of Railway on the *Mainland* on or before the 1st of July, 1876; and if *Canada* should object, on the plea of increase of taxation, then *England*, being a third party to the contract, and through whose promptings the Terms of Union were framed and consummated, shall propose to *Canada* assistance in the construction of said road; and if *Canada* will not accede to the first or second proposition, then *British Columbia* will be allowed to sever her political connection with *Canada* and become an Independent Province under the protection of Her Majesty's Government; and claiming from *Canada* Thirty millions of Dollars as compensation for non-fulfilment of Treaty obligations.

The motion was not seconded.

Bill (No. 1) intituled "An Act respecting County Courts," was read a first time.
Ordered to be read a second time on Wednesday next.

And then the House adjourned, at 3 P.M., until 2 o'clock on Wednesday next.

Wednesday, 19th January, 1876.

TWO O'CLOCK P.M.

Mr. *Williams* presented a Petition from the *Victoria* and *Esquimalt* Railway Company, which was referred to the Select Standing Committee on Standing Orders and Private Bills.

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

That this House do resolve itself into a Committee of the Whole, for the purpose of considering and reporting upon the correspondence between the Dominion and Provincial Governments, with respect to the Canadian Pacific Railway.

On Mr. Speaker resuming the Chair, Mr. *Fisher*, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered, That leave be granted for Friday next.

Pursuant to leave, Mr. *Smith* introduced Bill (No. 2) intituled "An Act to establish liens in favour of mechanics, labourers, and others."

Bill read a first time.

Ordered to be read a second time on Monday next.

Mr. *Elliott* asked the Honourable the Provincial Secretary the following Question:—

What cause, or causes, led to the recent discharge of Mr. *John Morley* from the position of Returning Officer for the District of *Cowichan*?

The Honourable Mr. *Ash* replied as follows:—

“Mr. *Morley* was displaced because, in the opinion of the Government, he failed, as Returning Officer, to maintain that impartiality which is contemplated by the ‘Election Regulation Act.’”

Mr. *Morrison* asked the Honourable the Provincial Secretary the following Question:

What were the causes that led to the removal of *A. W. Smith, Esq.*, from the position of Government Agent, Returning Officer, and various other offices lately held by him in and for the *Lillooet* District?

The Honourable Mr. *Ash* replied as follows:—

“Mr. *Smith*, when in *Victoria*, having informed me that he was indifferent about holding the office of Government Agent, the Government, so soon as practicable, appointed his successor.”

Mr. *Mara* asked the Honourable the Minister of Finance the following Question:—

Is it the intention of the Government to collect tolls on *Spence's* Bridge this year?

The Honourable Mr. *Armstrong* replied as follows:

“Yes.”

Mr. *Mara* asked the Honourable the Chief Commissioner of Lands and Works the following Question:—

What portion of the \$95,817 appropriated for the *Yale* District for Roads, Streets, and Bridges for 1875 was intended for the *Okanagan* and *Okanagan Mission* Road?

The Honourable Mr. *Beaven* replied as follows:—

“It was considered, whilst framing the estimated expenditure for 1875, that about seven thousand dollars would be required towards the construction of the *Okanagan Lake* Road, from the head of the lake to the *Mission*.

“The expenditure so far brought to account upon the work has not reached that amount.”

Mr. *Mara* asked the Honourable the Chief Commissioner of Lands and Works the following Question:—

Have the *Hope-Yale* Waggon Road and Section 1 of the *Hope-Nicola* Trail been accepted from the contractors? And will the cost of repairs at present required on those works have to be paid by the Government or contractors?

The Honourable Mr. *Beaven* replied as follows:—

“The work on the road from *Yale* to *Hope*, and on Section 1 of the *Hope-Nicola* trail, has not been accepted, and is still in the hands of the contractors.

“Before final acceptance of these works, they are to be finished in accordance with the Contracts. The question of liability for cost of any repairs, cannot be decided until the origin of the damage, and the necessity and nature of the repair is defined.”

Mr. *W. M. Brown* asked the Honourable the Chief Commissioner of Lands and Works the following Question:—

Seeing that he stated in answer to my question last Session respecting the condition of the *Bridge River* Bridge, that *W. Sampson* had inspected it and reported it safe for another year, why he sent notices immediately after the close of the Session to be posted on the Bridge, to the effect that it was not safe, and warning persons not to cross? and why, after it had been found to be unsafe, it had been allowed to remain in that condition?

The Honourable Mr. *Beaven* replied as follows:—

“The Honourable gentleman is mistaken in his assertions.

“Last August I caused notices to be posted stating that the Bridge was insecure. This step was taken in consequence of my receiving, on the 31st July, a letter to that effect from *A. W. Smith* of *Lillooet*.

“I have not had the time or the information necessary to prepare plans for a new structure, even had it been considered a judicious expenditure.”

Mr. *Dickinson* asked the Honourable the Premier the following Question:—

If the Honourable the Premier is aware of any arrangements having been made by the Dominion Government for the appointment of a County Court Judge at *New Westminster* ?

The Honourable Mr. *Walkem* replied as follows:—

“The Provincial Government requested the Dominion Government, some months back, to appoint a County Court Judge for *New Westminster*, but no direct reply has been given. The County Court Act before the House contemplates the division of the Province into judicial Districts, of which *New Westminster* will be one, and a Judge will no doubt be appointed if the Act should be passed.”

Mr. *E. Brown* asked the Honourable the Attorney-General the following Question:—

Whether it is the intention of this Government to make arrangements for a resident Supreme Judge on the Mainland ? also the appointment of a permanent Deputy Registrar ?

The Honourable Mr. *Walkem* replied as follows:—

“The question is under consideration.”

Mr. *E. Brown* asked the Honourable the Attorney-General the following Question:—

Whether the Government intend bringing before this House a scheme for dyking the Low Lands of the *Fraser* ?

The Honourable Mr. *Walkem* replied as follows:—

“No. There is a Statute which provides for this matter.”

And then the House adjourned at 3:50 p. m., until 2 o'clock on Thursday next.

Thursday, 20th January, 1876.

Two o'clock, P. M.

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

That the correspondence between the Dominion and Provincial Governments on Indian affairs, be immediately taken into consideration, and that this House do approve of the basis of settlement agreed upon; and this House respectfully suggests that the Commissioners, to be appointed by both Governments, should be selected from persons in this Province who have had an intimate experience of the character, habits, and wants of our Indian population.

The second reading of Bill (No. 1) intituled “An Act to make provision for the better administration of Justice,” was postponed to Tuesday next.

And then the House adjourned at 3:15 p. m., until 2 o'clock on Friday next.

Friday, 21st January, 1876.

TWO O'CLOCK, P. M.

Mr. *Elliott* presented a Petition from the Corporation of the City of *Victoria*, which was referred to the Select Standing Committee on Standing Orders and Private Bills.

The Honourable Mr. *Beaven* presented a Report (being the first) from the Select Standing Committee on Standing Orders and Private Bills.

The Report was received.

Pursuant to Order, the House again resolved itself into a Committee of the Whole, for the purpose of considering and reporting upon the correspondence between the Governments of the Dominion and the Province with regard to the Canadian Pacific Railway.

On Mr. Speaker resuming the Chair, Mr. *Fisher*, Chairman of the Committee, presented the following Report:—

Your Committee appointed by this Honourable House to consider and report upon the correspondence between the Governments of the Dominion and of the Province with regard to the Canadian Pacific Railway, respectfully report as follows:—

1. That it appears that the Dominion Government have almost wholly disregarded the terms of the Settlement effected through the mediation of the Right Honourable the Secretary of State for the Colonies, for the purpose of carrying out the Railway Agreement in our Terms of Union.

2. The Dominion Government have not commenced Railway construction, either on the Island or on the Mainland, or the waggon road or engineering trail intended to facilitate railway work on the Mainland; though as part of the Settlement the "immediate construction" of a portion of these works was promised by the Dominion Government in December, 1874. The agreement, in the Settlement, for the immediate construction of the Provincial section of the Trans-Continental Telegraph Line has also been violated.

3. That with respect to the promised active prosecution of the surveys, your Committee have no authoritative information upon which a correct opinion can be based.

4. That the Dominion Government have, by Minute of the Privy Council of the 20th of September, 1875, intimated their intention to virtually ignore the Settlement effected by them with Lord Carnarvon, and have stated that they will submit their views, as expressed in the Minute, to Parliament at its ensuing Session, as the policy which should be adopted with respect to their Railway engagements with the Province.

5. That the Dominion Government have affirmed, in their Minute of September, that the section of Railway on *Vancouver Island* is not part of the Pacific Railway, but that it was offered to this Province as compensation for local losses caused by delays in the construction of the Pacific Railway; but your Committee do not find that such an offer of compensation was ever made or even suggested to the Province.

6. That the Dominion Government state in their Minute of the 20th of September last, that "it cannot be too clearly understood" that they will not abide by, or observe the agreements in the Settlement for an annual railway expenditure of \$2,000,000 in the Province, and for the completion of the railway from the Pacific to Lake Superior, by the year 1890, if the performance of such agreements should interfere with the conditions of a Resolution passed by the House of Commons in 1871, after our Terms of Union had been assented to by that body. The terms of this Resolution were, in effect, that the Railway should be constructed and worked by private enterprise, and not by the Dominion Government; and that subsidies in land and money, to an extent that would not increase the then rate of taxation, should be given in aid of the work by the Government.

7. Your Committee find that the terms of the Resolution were abandoned in 1874, the rate of taxation having been increased, and the construction of the Railway having been undertaken by the Government, instead of being confided to private enterprise.

8. Your Committee would observe that the Resolution was at best merely an indication of the scheme matured by the Government to provide means to fulfil their Rail-

way engagements with the Province; that it never was submitted to the people or Government of British Columbia; nor was it, so far as known, submitted in 1871 to the Imperial Government for consideration, when the Terms of Union were passed; or in 1874, to Lord Carnarvon, during the negotiations which preceded the Settlement. The Resolution therefore cannot, for plain constitutional, as well as legal reasons, control either the Terms of Union, or the Settlement made to carry them out.

9. That no compensation has been offered by the Dominion Government for the proposed abandonment of the section of Railway on *Vancouver Island*, or for the broken engagements to build the waggon road and telegraph line, or for any of the past disastrous and ruinous delays in the construction of the Pacific Railway on the Mainland or Island.

10. That an indemnity, however, to the amount of \$750,000—the cost of about twenty miles of railway—has been offered to British Columbia, for any *future* delays which may occur in the construction of the Railway, and that this sum will, subject to the assent of Parliament, be paid as a cash bonus to the Province, if the agreements for yearly Railway expenditure, and for completion of the Railway to *Lake Superior* by 1890, be surrendered by the Province.

11. That the Provincial Government have declined to accept the offer of \$750,000, and have recorded their dissent from the views expressed by the Dominion Government in their Minute in Council of September last.

12. That your Committee are of opinion that the Provincial Government have, by declining such offer, acted in the interests of this Province.

13. That the Province entered Confederation upon a distinct and specific agreement that, as “no real union could exist” without “speedy communication” between *British Columbia* and *Eastern Canada* through British territory, the Canadian Pacific Railway should be constructed by the Dominion as a Federal work of political and commercial necessity.

14. That the aim of the Province is to secure practical Confederation and its anticipated advantages, as indicated in the Terms of Union, in lieu of theoretical union with its losses, deprivations, and many disappointments.

15. That as the Dominion Government have failed to observe their Railway engagements with the Province, and have intimated, as stated, their intention not to carry them out, your Committee advise that your Honourable House do appoint a Committee to draft and submit to the House an humble Address to Her Majesty, setting forth all the circumstances connected with the subject of this Report, and praying that Her Majesty may be graciously pleased to at once move the Dominion Government to carry out the conditions of the Settlement effected through the mediation of Lord Carnarvon, and agreed to by them.

The Report was received and agreed to unanimously.

The Hon. Mr. *Walkem* and Messrs. *Elliott* and *Davie* were appointed a Committee to draft and submit to the House an Address accordingly.

Mr. *Evans* moved, seconded by Mr. *Tolmie*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying His Honour to cause to be sent down to this House a full Return of all unimproved and unoccupied land sold by auction, or otherwise, by the Provincial Government, since the date of Confederation; showing the number of acres, dates of sale, where situated, prices obtained, names of present holders, and arrears in each case, if any.

The Motion was withdrawn, by leave of the House.

Mr. *Morrison* moved, seconded by Mr. *Smith*,—

That a respectful Address be presented to His Honour the Lieutenant-Governor, asking that copies of all correspondence relating to the *Lillooet* and *Howe Sound* Trail, and a detailed statement of the moneys expended thereon, be laid before this House.

The Motion was withdrawn, by leave of the House.

The Standing Orders were suspended, and, on the motion of the Honourable Mr. *Humphreys*, seconded by Mr. *Tolmie*, it was Resolved that—

Whereas, a Bill intituled "An Act to consolidate and amend the Ordinances and Acts relating to the Procedure of the County Courts in the Province of British Columbia" has been submitted to this House for its second reading;

And whereas, in the opinion of this House it is expedient, before said Act becomes law, to submit it for the consideration and opinion of the Supreme Judges;

It is therefore *Resolved*, that copies of the Bill be forwarded to the Judges, with a respectful request that their opinion thereon be given.

And then the House adjourned at 5:45 p.m., until 2 o'clock on Monday next.

Monday, 24th January, 1876.

TWO O'CLOCK P. M.

Mr. *Davie* presented a Report from the Committee on Public Schools, including the *Cache Creek* Boarding School. (*See Sessional Papers.*)

The Report was received, and *Ordered* to be printed.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 3) intituled "An Act to make Regulations with respect to Coal and other Mines."

Ordered, That leave be granted.

Bill introduced, and read a first time.

Ordered to be read a second time on Thursday next.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 4) intituled "An Act to authorize the appointment of Deputy Registrars of the Supreme Court, and for other purposes."

Ordered, That leave be granted.

Bill introduced, and read a first time.

Ordered to be read a second time on Friday next.

The Honourable Mr. *Walkem* moved, seconded by Mr. *Douglas*,—

That this House do resolve itself into a Committee of the Whole, to take into consideration and report upon the correspondence between the Dominion and Provincial Governments, with respect to advances made to, and applied for, by this Government, under Act No. 4, of last Session.

Mr. *Smithe* moved in amendment, seconded by Mr. *Fisher*,—

That this debate be adjourned until Thursday next, in order that the Committee on Public Accounts may be enabled to make a Report to this House, which Report may then be taken into consideration in conjunction with the correspondence on Financial affairs.

The original motion was put, and carried on the following division:—

YEAS:

Messieurs

Walkem,
Armstrong,
Beaven,

Ash,
Bryden,
Douglas,

Gallagher,
Smith,
Dickinson,

Davie,
Evans,
Williams.—12.

NAYS:

Messieurs

Mara,
Vernon,
Vowell,

E. Brown,
W. Brown,
Tolmie,

Elliott,
Morrison,
Humphreys,

Fisher,
Smithe,
Pimbury.—12.

Mr. Speaker gave his vote for the motion.

The House resolved itself into a Committee of the Whole accordingly.

On Mr. Speaker resuming the Chair, Mr. *Bryden*, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

And then the House adjourned at 5:30 p. m., until 2 o'clock on Tuesday next.

Tuesday, 25th, January, 1876.

TWO O'CLOCK P.M.

The Honourable Mr. *Beaven* presented a Report (being the second) from the Select Standing Committee on Standing Orders and Private Bills.

The Report was received.

Pursuant to Order, the House again resolved itself into Committee of the Whole, to take into consideration and report upon the Correspondence between the Dominion and Provincial Governments, with respect to Advances made to and applied for by this Government, under Act No. 4 of last Session.

On Mr. Speaker resuming the Chair, Mr. *Bryden*, Chairman of the Committee, reported the following Resolution:—

“That this House strongly disapproves of the policy of the Government in *borrowing* large sums of money from *Canada*, at a time when *Canada* is a serious defaulter in respect to the most important obligation of the Treaty of Union; and this House is of opinion that, in pledging the Annual Subsidies of the Province for money thus borrowed,—thereby anticipating the stated revenues of the country—the Government have exceeded the powers granted to them under Act No. 4 of last Session.” And that the Committee had passed the same, on the following division:—

YEAS:

Messieurs

<i>Mara,</i>	<i>Dickinson,</i>	<i>Elliott,</i>	<i>Fisher,</i>
<i>Vernon,</i>	<i>W. Brown,</i>	<i>Morrison,</i>	<i>Smithe,</i>
<i>Vowell,</i>	<i>Tolmie,</i>	<i>Humphreys,</i>	<i>Pimbury.</i> —13.
<i>E. Brown,</i>			

NAYS:

Messieurs

<i>Walkem,</i>	<i>Ash,</i>	<i>Smith,</i>	<i>Evans,</i>
<i>Armstrong,</i>	<i>Douglas,</i>	<i>Davie,</i>	<i>Williams.</i> —10.
<i>Beaven,</i>	<i>Gallagher,</i>		

The Report was received, and being read a first and second time, was agreed to on the following division:—

YEAS:

Messieurs

<i>Mara,</i>	<i>Dickinson,</i>	<i>Elliott,</i>	<i>Fisher,</i>
<i>Vernon,</i>	<i>W. Brown,</i>	<i>Morrison,</i>	<i>Smithe,</i>
<i>Vowell,</i>	<i>Tolmie,</i>	<i>Humphreys,</i>	<i>Pimbury.</i> —13.
<i>E. Brown,</i>			

NAYS:

Messieurs

<i>Walkem,</i>	<i>Ash,</i>	<i>Gallagher,</i>	<i>Evans,</i>
<i>Armstrong,</i>	<i>Bryden,</i>	<i>Smith,</i>	<i>Williams.</i> —11.
<i>Beaven,</i>	<i>Douglas,</i>	<i>Davie,</i>	

And then the House adjourned at 6 o'clock p. m., until 2 o'clock on Friday next.

Friday, 28th January, 1876.

TWO O'CLOCK P.M.

Mr. *Elliott* presented a Petition from the District Meeting of the Methodist Church of *Canada* in *British Columbia*, which was referred to the Select Standing Committee on Standing Orders and Private Bills.

The Honourable Mr. *Beaven* presented, by command of His Honour the Lieutenant-Governor, a Supplementary Report of the Chief Commissioner of Lands and Works, from the 1st to the 31st December, 1875.

The Honourable Mr. *Walkem* stated the Ministry had, in consequence of the vote given on Tuesday last, tendered their resignations to His Honour the Lieutenant-Governor, who had accepted the same; and that His Honour had been pleased to send for Mr. *Elliott*, member for *Victoria City*, to form a new Ministry.

And then the House adjourned, at 2:20 p.m., until 2 o'clock on Tuesday next.

Tuesday, 1st February, 1876.

TWO O'CLOCK P.M.

The Honourable Mr. *Walkem* presented a Report from the Committee appointed to draft a Petition to Her Most Gracious Majesty, respecting the breach by the Dominion Government of *Canada* of their Railway Agreement with the Province.

The Report was received and read.

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

1. That the Petition to Her Most Gracious Majesty with respect to the breach by *Canada* of her Railway engagements with this Province be engrossed and printed, and that the original be signed by Mr. Speaker.

2. That an humble Address be presented to His Honour the Lieutenant-Governor, requesting His Honour to forward the Petition, when signed by Mr. Speaker, to the Right Honourable the Secretary of State for the Colonies, with a respectful request that the said Petition may be laid before Her Majesty, and that Her Majesty will be graciously moved to favourably consider the same, and order the signification of Her Royal pleasure thereon to be communicated to the Government of this Province as soon as practicable.

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

That this House, at its rising, do adjourn till Thursday, the 6th April, next, at two o'clock p.m.

And then the House adjourned at 2:45 p.m.

Thursday, 6th April, 1876.

TWO O'CLOCK, P. M.

Mr. Speaker informed the House that, since the last sitting of the House, he had received a Notification of vacancies which occurred in the Assembly by *Andrew Charles Elliott*, Esquire, having accepted the office of Attorney-General and Provincial Secretary, and by *Forbes George Vernon*, Esquire, having accepted the office of Chief Commissioner of Lands and Works, and by the Honourable *Thomas Basil Humphreys* having accepted the office of Minister of Finance and Agriculture, and that he issued a Warrant to the Registrar of the Supreme Court to issue new Writs to fill such vacancies, and that the Honourable *Andrew Charles Elliott*, the Honourable *Forbes George Vernon*, and the Honourable *Thomas Basil Humphreys*, had respectively been re-elected.

The Notification and Certificates of re-election were then read by the Clerk at the Table, and were as follows:—

“To the Honourable *James Trimble*, Speaker, Legislative Assembly, British Columbia.

“SIR,—We notify you that vacancies have been created in the Legislative Assembly of British Columbia, by the acceptance of Provincial Offices by three of its Members, as follows:—

“*Andrew Charles Elliott*, Attorney-General and Provincial Secretary;

“*Forbes George Vernon*, Chief Commissioner of Lands and Works;

“*Thomas Basil Humphreys*, Minister of Finance and Agriculture.

“Given under our hands and seals, at *Victoria, B. C.*, this third day of February, one thousand eight hundred and seventy-six.

“In the presence of } (Signed) “J. EVANS, M. L. A. [L.S.]
A. McLEAN. } “J. W. DOUGLAS, M. L. A.” [L.S.]

“SUPREME COURT, BRITISH COLUMBIA,

“Registrar’s Office, 6th April, 1876.

“Whereas *Andrew Charles Elliott*, Esq., one of the members for the Electoral District of *Victoria City*, did on or before the 4th day of February last, accept office under the Crown, and did thereby vacate his seat for such District in the House of Assembly.

“And whereas on the 4th day of February last, a Writ for the Election of a Member to represent such District was duly issued to *A. F. Pemberton*, Esq., the Returning Officer of the said District.

“Now I do hereby certify, that, on the 22nd day of February last, the said Writ was returned to me by the said Returning Officer, with his Certificate attached thereto, whereby it appears that the said *Andrew Charles Elliott*, Esq., has been, under and by virtue of the said Writ, re-elected to be a Member of the House of Assembly for the said District.

(Signed) “CHAS. E. POOLEY,
“Registrar Supreme Court.”

“SUPREME COURT, BRITISH COLUMBIA,

“Registrar’s Office, 6th April, 1876.

“Whereas *Forbes George Vernon*, Esquire, one of the Members for the Electoral District of *Yale*, did, on or before the 4th day of February last, accept Office under the Crown, and did thereby vacate his seat for such District in the House of Assembly.

“And, Whereas, on the 4th day of February last, a Writ for the Election of a Member to represent such District, was duly issued to *John Ussher*, Esquire, the Returning Officer of the said District;

“Now I do hereby certify that on the 30th day of March last, the said Writ was returned to me by the said Returning Officer, with his certificate attached thereto, whereby it appears that the said *Forbes George Vernon*, Esquire, has been, under and by virtue of the said Writ, re-elected to be a Member of the House of Assembly for the said District.

(Signed) “CHAS. E. POOLEY,
“Registrar, Supreme Court.”

“SUPREME COURT, BRITISH COLUMBIA,
“Registrar’s Office, 6th April, 1876.

“Whereas the Honourable *Thomas Basil Humphreys*, one of the Members for the Electoral District of *Victoria* District, did, on or before the 4th day of February last, accept office under the Crown, and did thereby vacate his seat for such District in the House of Assembly.

“And, whereas, on the 4th day of February, last, a Writ for the Election of a Member to represent such District, was duly issued to *Charles James Prevost*, Esquire, the Returning Officer of the said District.

“Now I do hereby certify that on the 15th day of February, 1876, the said Writ was returned to me by the said Returning Officer, with his Certificate attached thereto, whereby it appears that the said Honourable *Thomas Basil Humphreys* has been, under and by virtue of the said Writ, re-elected to be a Member of the House of Assembly for the said District.

(Signed) “CHAS. E. POOLEY,
“Registrar, Supreme Court.”

Ordered, That the Notification and Certificates be entered on the Journals of the House.

The Honourable *Thomas Basil Humphreys*, and the Honourable *Forbes George Vernon*, having been duly sworn, took their seats.

On the motion of the Honourable Mr. *Humphreys*, seconded by the Honourable Mr. *Vernon*, it was *Resolved*,—

That the House at its rising do adjourn until Saturday, the 15th instant, at two o’clock, p.m.

Mr. *Mara* presented a Petition from *Philip Parke* and others, which was read and *Ordered* to be printed.

Mr. *Smith* asked leave to introduce a Bill (No. 6) intituled “An Act to amend the Qualification and Registration of Voters’ Act, 1875.”

Ordered, That leave be granted.

Bill introduced, and read a first time.

Ordered to be read a second time on Tuesday, the 18th April, instant.

Mr. *Smith* moved, seconded by Mr. *Mara*,—

That a humble Address be presented to His Honour the Lieutenant-Governor, praying His Honour to take into his earnest consideration the expediency of encouraging manufactories in the interior of the Province, such as a woollen factory, a tannery, with boot and shoe shop attached, in the vicinity of *Kamloops*.

Mr. Speaker ruled the Motion out of Order.

On the motion of Mr. *Evans*, seconded by Mr. *Tolmie*, it was *Resolved*,—

That a humble Address be presented to His Honour the Lieutenant-Governor, praying His Honour to cause to be sent down to this House a full Return of all land sold by Auction or otherwise, by the Provincial Government, since the date of Confederation, that remains unimproved and unoccupied, showing the number of acres, dates of sale, where situated, prices obtained, names of present holders, and arrears due in each case, if any.

On the motion of Mr. *Smith*, seconded by Mr. *Gallagher*, it was *Resolved*,—

That a Select Committee be appointed to visit the Insane Asylum and the Royal Hospital; said Committee to be composed of Messrs. *Ash*, *Smith*, *Gallagher*, *Morrison*, and *Douglas*, with power to call for persons and papers.

The second reading of Bill (No. 3) intituled “An Act to amend the ‘Constitutional Act, 1871,’ by creating a new Electoral District, to be known as the ‘*Cassiar* District, with one representative;” and of Bill (No. 2) intituled “An Act to establish Liens in favour of mechanics, labourers, and others,” was postponed to Tuesday, the 18th April, instant.

And then the House adjourned at 3 o’clock p. m.

Saturday, 15th April, 1876.

TWO O'CLOCK P.M.

The Honourable Mr. *Elliott* presented, by command of His Honour the Lieutenant-Governor,—

Further papers relating to certain proposed alterations by the Dominion Government in existing Railway agreements.

Further papers relating to applications to the Dominion Government for advances under Act No. 4 of the Statutes, 1875.

On the motion of the Honourable Mr. *Elliott*, seconded by the Honourable Mr. *Humphreys*, it was *Resolved*,—

That this House, at its rising, do adjourn till Tuesday, the 18th instant, at two o'clock P.M.

Mr. *Davie* asked leave to introduce the following Bills (Nos. 7, 8, 9, 10) intituled:—

“An Act to provide for the service of legal process on Foreign Companies carrying on business in British Columbia.”

“An Act respecting the challenging and number of Jurors in Civil Cases.”

“An Act to explain and amend the ‘Execution against Lands Act, 1874.’”

“An Act to give to parties to Civil Causes in the Supreme Court the option of having such causes tried by a Judge or Jury.”

Ordered, That leave be granted.

Bills introduced, and severally read a first time.

Ordered to be read a second time on Tuesday next.

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

That an humble Address be presented to His Honour the Lieutenant-Governor, requesting that this House be furnished with copies of all correspondence which has passed between the Dominion and Provincial Governments, or between any persons acting in their behalf, relative to our subsidies and other financial matters.

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

That an humble Address be presented to His Honour the Lieutenant-Governor, requesting that this House be supplied with copies of all correspondence which has passed between the Dominion and Provincial Governments, or between any persons acting on their behalf, relative to the *Canadian Pacific* Railway.

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

That an humble Address be presented to His Honour the Lieutenant-Governor, requesting that this House be supplied with copies of all correspondence including telegrams, (if any) respecting the *Esquimalt* Dock, which may have passed between the Dominion and Provincial Governments, or between any member of or person authorised by the Provincial Government and the Dominion Government, or any person or persons whomsoever.

On the motion of Mr. *Ash*, seconded by Mr. *Armstrong*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying His Honour to cause to be sent down to this House a Return of all correspondence between the Dominion and Provincial Governments on the subject of the Administration of Justice in this Province.

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

That a respectful Address be presented to His Honour the Lieutenant-Governor, praying that a Return may be printed and sent down to this House, of all expenditures brought to account at the Treasury, *Victoria*, in connection with the General Election of 1875, showing, in detail, the expenditure in each Electoral District of the Province, with the date, name of recipient, and nature of service rendered.

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

That a respectful Address be presented to His Honour the Lieutenant-Governor, praying that a Return of all Pastoral Leases issued may be printed and sent down to this House, showing, in detail, the date of application, name of lessee, date of lease, term of lease, rental per acre, amounts due and unpaid thereon for survey fee, rent and road tax, and the Electoral District in which land is situate.

On the motion of Mr. *Beaven*, seconded by Mr. *Douglas*, it was *Resolved*,—

That a respectful Address be presented to His Honour the Lieutenant-Governor, praying that a Return may be printed and sent down to this House, of all Pastoral Lands applied for and surveyed, but for which leases have not been signed by the applicant, showing, in detail, the Electoral District in which the land is situate, date of application, name of applicant, name of surveyor, date of survey, amount paid by applicant for survey, amounts due for rent and road tax to date of Return.

On the motion of Mr. *Beaven*, seconded by Mr. *Douglas*, it was *Resolved*,—

That a respectful Address be presented to His Honour the Lieutenant-Governor, praying that a Return may be printed and sent down to this House, giving a full statement, in detail, of the Receipts and Expenditures, as per the Revenue Cash Account Book, Lands and Works Department, *Victoria*, from 1st February, 1876, to date of the Return.

On the motion of Mr. *Beaven*, seconded by Mr. *Evans*, it was *Resolved*,—

That a respectful Address be presented to His Honour the Lieutenant-Governor, praying that a Return may be printed and sent down to this House, showing, in detail, the Receipts and Expenditures upon Public Works, as brought to account in the Public Works Cash Account Book in the Lands and Works Department, *Victoria*, from 1st February, 1876, to the date of the Return.

The dates, names, and nature of service rendered, to be supplied in full.

On the motion of Mr. *Beaven*, seconded by Mr. *Ash*, it was *Resolved*,—

That a respectful Address be presented to His Honour the Lieutenant-Governor, praying that a Return may be printed and sent down to this House, showing, in detail, all Contracts or Agreements entered into, sums of money agreed to be paid, liabilities incurred, labour, material, or supplies ordered, services rendered by other than the Departmental Officers, from 1st February, 1876, to date of this Return, through the Department of Lands and Works (of which the head office at *Victoria* is cognizant) giving, in detail, the dates, names, and nature of service.

On the motion of Mr. *Beaven*, seconded by Mr. *Ash*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying that a Return of the evidence taken before the Arbitrators, in reference to the value of Messrs. *Tolmie* and *Finlayson's* land at *Esquimalt*, be printed and sent down to this House.

Mr. *Walkem* asked the Ministry the following Question :—

Has the Government, or any member thereof, or any person acting for the Government, or on behalf of any member thereof, sent to or received from the Dominion Government, or any person or persons whatsoever, any communication, direct or indirect, respecting the payment by *Canada* of \$250,000, in aid of the construction of the *Esquimalt* Graving Dock? If any such communications have passed, what is their nature or purport?

The Honourable Mr. *Elliott* replied as follows ;—

Yes. Their nature and purport will be communicated at an early period.

Mr. *Walkem* asked the Ministry the following Question :—

Has any correspondence passed since the 1st of February, 1876, between the Provincial Government and Messrs. *Kinipple* and *Morris*, or Messrs. *Reid Bros.*, respecting the *Esquimalt* Graving Dock; if so, what is the nature and what the dates of such correspondence?

The Honourable Mr. *Vernon* replied as follows :—

Yes. The nature and dates of this correspondence will be communicated to the House in due course.

Mr. *Walkem* asked the Ministry the following Question :—

What steps do the Government intend to take with respect to our system of Education ?

The Honourable Mr. *Elliott* replied as follows :—

To remove any defects which may exist, and generally to promote its efficiency.

Mr. *Beaven* asked the Ministry the following Question :—

Have the Arbitrators who were appointed, at the request of the owners, to decide as to the value of about six acres of land, at *Esquimalt*, required for Dock purposes, been notified that the owners, Messrs. *Tolmie* and *Finlayson*, have failed to comply with the Statutes, and that, consequently, there is now no question to arbitrate upon ?

Mr. Speaker ruled the Question out of order.

Mr. *Beaven* asked the Ministry the following Question :—

In reference to about six acres of unimproved property, near *Esquimalt*, purchased by Messrs. *Tolmie* and *Finlayson*, from the fur trading branch of the Hudson Bay Company, at the rate of \$5 per acre, for which, in July last, I tendered, on behalf of the Government of *British Columbia*, gold coin at the rate of \$600 per acre, the property being required for the *Esquimalt* Graving Dock. This tender the owners declined to accept; and I am now credibly informed that they ask \$100,000 for the property from the Government. Is the Government aware that the Arbitrators who were appointed, at the request of the owners, to decide as to the value of any claim made in accordance with the Statute, by Messrs. *Tolmie* and *Finlayson*, for this land, have held several sittings in *Victoria*, commencing on or about the 23rd February, 1876 ?

The Honourable Mr. *Elliott* replied as follows :—

The Government is aware that the Arbitrators have held several sittings.

Mr. *Evans* asked the Ministry the following Question :—

What is the nature of the tenure on which the *Lane* and *Kurtz* Company, on *Williams Creek*, hold three and a half miles of mining ground on that creek ; and, in view of the said company having long since ceased to work their ground and sold part of their machinery, with the balance advertised for sale, whether it is the intention of the Government to cancel such holding and throw the ground open to the public for location ?

The Honourable Mr. *Vernon* replied as follows :—

Messrs. *C. C. Lane* and *John Kurtz* hold the mining ground on *Williams Creek* under a lease from the Gold Commissioner of the *Cariboo* District, dated the 28th July, 1870; term 21 years; rental \$250 per annum, payable in advance. The rent has been paid to the 28th July, 1876.

Mr. *W. Brown* asked the Chief Commissioner of Lands and Works the following Questions :—

1. Whether the public buildings at *Victoria* are the property of the Dominion or Provincial Government ?

2. What was the total amount expended for the improvement and repair of these buildings, from 1873 to 1875, inclusive ?

3. Whether the cost of such improvements and repairs was paid by the Dominion or Provincial Government ?

The Honourable Mr. *Vernon* replied as follows :—

1. By Clause 8, British North America Act, all public buildings belong to Canada except such as the Government of Canada appropriate for the use of the Provincial Legislatures and Governments. Up to the present date no such appropriation has taken place, though correspondence has passed between the two Governments upon the subject, which correspondence will be placed before the House.

2. The amount expended on these buildings from 1873 to 1875, inclusive, has been thirty thousand nine hundred and eighty-nine dollars and forty-two cents, (\$30,989 42).

3. The cost has been paid by the Provincial Government.

Mr. *Vowell* asked the Honourable the Premier the following Question :—

Why neither a Supreme, County, nor Gold Commissioner's Court was held at *Kootenay* during the past year (1875) ?

The Question was withdrawn by leave of the House.

And then the House adjourned at 6:15 p. m.

Tuesday, 18th April, 1876.

TWO O'CLOCK P.M.

The Honourable Mr. *Elliott* presented, by command of His Honour the Lieutenant-Governor,—The Municipality Returns for the year 1875; and a Return of Expenditure at the Provincial Treasury, *Victoria*, from the 1st February, 1876, to 9th April, 1876. (*See Sessional Papers.*)

Mr. *Douglas* asked leave to introduce a Bill (No. 11) intituled "An Act to make provision as to investment of Trust Funds, and appointment and powers of Trustees and Executors."

Ordered, That leave be granted.

Bill introduced, and read a first time.

Ordered to be read a second time on Thursday next.

Mr. *Mara* asked leave to introduce a Bill (No. 12) intituled "An Act to regulate the Branding and Marking of Cattle on the Mainland of British Columbia."

Ordered, That leave be granted.

Bill introduced, and read a first time.

Ordered to be read a second time on Friday next.

Mr. *Smith* asked leave to introduce a Bill (No. 13) intituled "An Act to make better provision for the Fencing of Land."

Ordered, That leave be granted.

Bill introduced, and read a first time.

Ordered to be read a second time on Friday next.

On the motion of Mr. *Smith*, seconded by Mr. *W. M. Brown*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying His Honour to state to the Dominion Government the isolated condition the *Cassiar* Miners are left in, as regards Mail communication throughout the year; and that His Honour will urge upon the Dominion Government the expediency of having established a semi-monthly mail at *Dease Lake*, and a monthly mail at *McDames Creek*.

On the motion of Mr. *Smith*, seconded by Mr. *Mara*, it was *Resolved*,—

That, whereas, *British Columbia* is a country possessed of many valuable resources, and one of the most important is stock, the development of which ought to be encouraged; and the confidence of success depending, to a great measure, upon the introduction of manufactories, such as tanneries, woollen factories, and shoe factories, throughout the Province, particularly in the interior; therefore, be it *Resolved*—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying His Honour to take the matter into his earnest consideration, with a view of encouraging the same in such a manner as he may think proper.

On the motion of Mr. *W. M. Brown*, seconded by Mr. *Morrison*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying for the return of letter No. 2,651, registered in the Lands and Works Department.

On the motion of Mr. *W. M. Brown*, seconded by Mr. *Morrison*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying that His Honour may be pleased to send down to this House all correspondence and Orders in Council, if any, respecting the removal of Mr. *A. W. Smith*, Government Agent at *Lillooet*.

On the motion of Mr. *Smith*, seconded by Mr. *Gallagher*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying His Honour to have laid before this House Returns as follows:—

1. A statement in detail of all matters and things as regards the expenditure and liabilities connected with the *Esquimalt* Graving Dock, to whom paid, and for what purpose, from the 1st January, 1872, to the 1st April, 1876.

2. Contracts let, if any, to whom, for what figure, and for what purpose.

3. When will the Dock be supposed to be completed, the estimated cost, and if any definite arrangement has been made to secure the money for the construction of a Graving Dock at *Esquimalt* without involving this Province.

Mr. *Armstrong* asked the following Question of the Ministry :—

Is it the intention of the Government to appoint a Stipendiary Magistrate and Gold Commissioner for the District of *Cassiar*? and, if so, when?

The Honourable Mr. *Elliott* replied as follows:—

It is the intention of the Government to appoint such an Officer at an early period.

Mr. *Armstrong* asked the following question of the Ministry:—

Has the Government, or any member thereof, or any person acting on behalf of the Government, or any member thereof, made an offer to any Road or other Contractor, in *New Westminster* District, with a view to buy out any contract let by the late Government? if so, by whom, and to whom, was the offer made?

The Honourable Mr. *Vernon* replied as follows:—

No.

Mr. *Walkem* asked the Chief Commissioner of Lands and Works the following Question :—

Whether any extension of, or arrangement respecting, the Charter of the *Forks of Quesnelle* Bridge, has been given to or made with Mr. *Barry*, the lessee? and, if so, what is the substance thereof?

The Honourable Mr. *Vernon* replied as follows:—

An agreement has been entered into with Mr. *Wm. Barry* to extend his toll charter, at the same rates of toll for the *Forks of Quesnelle* bridge for a term of seven years, on the condition that he erects a new bridge at the site of the present one known as bridge No. 1, in accordance with plans and specifications to be approved of by the Government.

The order for the second reading of a Bill (No. 6), intituled “An Act to amend the ‘Qualification and Registration of Voters Act, 1875,’” was discharged, and the Bill was withdrawn.

Mr. *Morrison* was granted leave to present another Bill (No. 14) instead thereof.

Bill presented and read a first time.

Ordered to be read a second time on Friday next.

The second reading of Bill (No. 2) intituled “An Act to establish Liens in favour of Mechanics, Labourers, and others,” was postponed to Thursday next.

And then the House adjourned at 2:40 p. m., until 2 o'clock on Wednesday next.

Wednesday, 19th April, 1876.

TWO O'CLOCK P.M.

The Honourable Mr. *Elliott* asked leave to introduce a Bill (No. 15) intituled “An Act to make Debts and Choses in action assignable at law.”

Ordered, That leave be granted.

Bill introduced, and read a first time.

Ordered to be read a second time on Tuesday next.

The Honourable Mr. *Elliott* to ask leave to introduce a Bill (No. 16) intituled "An Act respecting Voluntary Conveyances."

Ordered, That leave be granted.

Bill introduced, and read a first time.

Ordered to be read a second time on Tuesday next.

On the motion of Mr. *Fisher*, seconded by Mr. *Mara*, it was *Resolved*,—

That an Address, from this House, be presented to the Dominion Government, praying that our old Tariff, which was abandoned for the Dominion Tariff at a time when the immediate commencement of the Railway was contemplated, be restored, with power for the Province to modify the same without detriment or prejudice to the Revenue of the Dominion Government.

Mr. *Vowell* asked the Honourable the Minister of Finance the following Question:—
If the sum of Six hundred dollars has been paid to Mr. *Amor De Cosmos* as commission for borrowing Thirty thousand dollars from Sir *James Douglas*? and, if so, when?

The Honourable Mr. *Humphreys* replied as follows:—

"Yes. The sum of Six hundred dollars was paid to Mr. *De Cosmos*, on 20th October, 1875, as commission for borrowing Thirty thousand dollars from Sir *James Douglas*."

Mr. *Fisher* asked the Honourable the Premier the following Question:—

Have the present Ministry, directly or indirectly, offered a portfolio or a seat in the present cabinet to the senior member for *Cariboo*, Mr. *Walkem*?

The Honourable Mr. *Elliott* replied as follows:—

"No such offer has been made to Mr. *Walkem*."

Mr. *Fisher* asked the Honourable the Chief Commissioner of Lands and Works the following Question:—

Has any insurance been effected on the Thirty thousand dollars' worth of cement warehoused in *Esquimalt*?

The Honourable Mr. *Vernon* replied as follows:—

"The cement was not insured by the late Government, nor has any insurance, as yet, been effected by the present Government."

Pursuant to Order, Bill (No. 7) intituled "An Act to provide for the service of legal process on Foreign Companies carrying on business in British Columbia," was read a second time.

Ordered to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Gallagher*, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered, That the Report be considered to-morrow.

Pursuant to Order, Bill (No. 8) intituled "An Act respecting the challenging and number of Jurors in Civil Cases," was read a second time.

Ordered to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Williams*, Chairman of the Committee, reported the Bill complete, without amendment.

Report adopted.

Ordered, That the Bill be now read a third time.

Bill read a third time.

Resolved, That the Bill do pass.

Pursuant to Order, Bill (No. 9) intituled "An Act to amend and explain the 'Execution against Lands Act, 1874.'" *Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Douglas*, Chairman of the Committee, reported the Bill complete without amendment.

Report adopted.

Ordered, That the Bill be now read a third time.

Bill read a third time.

Resolved, That the Bill do pass.

The second reading of Bill (No. 10) intituled "An Act to give to parties in civil causes in the Supreme Court the option of having such causes tried by a Judge or Jury" was postponed to Thursday next.

And then the House adjourned, at 4:15 p.m., until 2 o'clock on Thursday next.

Thursday, 20th April, 1876.

TWO O'CLOCK, P. M.

The Standing Orders were suspended, and on the motion of Mr. *Ash*, seconded by Mr. *Smith*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying that His Honour will cause to be sent down to this House copies of all papers relating to the management of the Lunatic Asylum, from the 1st January, 1875, to the present time.

On the motion of Mr. *Smith*, seconded by Mr. *Morrison*, it was *Resolved*,—

That, whereas there arrive in this Province, annually, foreign drovers with large bands of horned cattle, horses, and other stock, which are not only pastured without charge on the public domain, but come directly in competition with our own stock-raisers; therefore, be it *Resolved*—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying His Honour to take the matter into his earnest consideration, with a view of removing the grievance in such a manner as he may think proper.

The Honourable Mr. *Vernon* presented, by command of His Honour the Lieutenant-Governor, a Return to an Address of the Legislative Assembly for copies of all correspondence, including telegrams, if any, respecting the *Esquimalt* Dock, which may have passed between the Dominion and Provincial Governments, or between any member of or person authorized by the Provincial Government and the Dominion Government, or any person or persons whomsoever. (*See Sessional Papers*).

On the motion of Mr. *Pimbury*, seconded by Mr. *W. M. Brown*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying for a Return of all correspondence and Orders in Council respecting the transfer of certain public reserves and public buildings by the Dominion Government to the Province of *British Columbia*.

Mr. *Walkem* asked leave to introduce a Bill (No. 17) intituled "An Act to repeal the 'Gold Mining Amendment Act, 1874.'"

Ordered, That leave be granted.

Mr. *Beaven* moved, seconded by Mr. *Williams*,—

That a Select Committee, with power to call for persons and papers, be appointed to enquire into and report upon the method of receiving and opening Tenders, and of awarding Contracts for Public Works, by Lands and Works Department, *Victoria*, from 1st January, 1873, to date.

The Motion was withdrawn by leave of the House.

On the motion of Mr. *Beaven*, seconded by Mr. *Douglas*, it was *Resolved*,—

That a Select Committee, with power to call for persons and papers, be appointed to enquire into and report to this House from time to time, as to the manner in which the following Resolution of this Assembly, passed 8th April, 1872, has been carried out, viz:—

"That 47 acres of the Crown Lands at *Ogden Point*, should be set apart for the purpose of providing for a Public Cemetery, and for other public purposes, on behalf of "the City of *Victoria*, as Trustees in that behalf shall think fit;" and also into the management and position of the trust thus created.

The Committee to consist of Messrs. *Beaven*, *Douglas*, *Tolmie*, *Williams*, *Davie*, *Evans*, *Ash*, and *Morrison*.

Mr. *Beaven* asked the Honourable the Premier the following Question:—

Did Mr. *Humphreys* before consenting to join your Cabinet, require any pledge from yourself or colleagues, that your Government would secure such a modification of the Tariff as would protect the farming interests in this Province, and that protection to the farming interests would be part of the policy of your Government?

The Honourable Mr. *Elliott* replied as follows:—

"Any communication I had with Mr. *Humphreys*, previous to his taking office in the administration, I regard as strictly confidential, and I must therefore respectfully decline answering the question of the Honourable gentleman more fully."

Mr. *Dickinson* asked the Premier the following question:—

If it is the intention of the Government to make any alteration, this year, in the plans and specifications under contract for the Lunatic Asylum, *New Westminster*?

The Honourable Mr. *Elliott* replied as follows:—

"It is not the intention of the Government to make any such alterations."

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

What is the nature of the tenure on which the *Lane* and *Kurtz* Company, on *Williams Creek*, hold three and a half miles of mining ground on that creek; and, in view of the said company having long since ceased to work their ground and sold part of their machinery, with the balance advertised for sale, whether it is the intention of the Government to cancel such holding and throw the ground open to the public for location?

The Honourable Mr. *Vernon* replied as follows:—

"The lease is dated 28th July, 1870.

"The *Lane* and *Kurtz* hold their lease under the following conditions:—

"To erect a saw mill, with 50-inch circular saw, capable of cutting not less than 6000 feet of lumber per day; also, to erect steam hoisting and pumping engine, with works complete, of not less than thirty horse-power; to have the same works completed within eight months from date of lease. Also, to build a quartz crushing mill, containing ten stamps, to be completed within eighteen months, each stamp to weigh not less than 750 lbs., to be erected within ten miles of *Cameronton*. Term 25 years. Rental \$250, payable in advance. Privilege of renewal for 10 years from expiration, if conditions fulfilled. 60 days' (2 months') notice, from Gold Commissioner of district, of cancellation, by writing posted on works of lessees, necessary. One year's cessation of work constitutes absolute forfeiture.

"Rent paid up to 28th July, 1876."

Pursuant to Order, the Report on Bill (No. 7) intituled "An Act to provide for the service of legal process on Foreign Companies carrying on business in British Columbia," was considered.

Report adopted.

Ordered, That the Bill be now read a third time.

Bill read a third time.

Resolved, That the Bill do pass.

Pursuant to Order, Bill (No. 10) intituled "An Act for giving to the parties to civil causes in the Supreme Court the option of having such causes tried by a Judge or Jury," was read a second time.

Ordered to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Evans*, Chairman of the Committee, reported the Bill complete, without amendment.

Ordered, That the Report be considered on Monday next.

Pursuant to Order, Bill (No. 11) intituled "An Act to make provision as to investment of Trust Funds, and appointment and powers of Trustees and Executors," was read a second time.

Ordered to be committed on Friday next.

Pursuant to Order, the second reading of Bill (No. 2) intituled "An Act to establish Liens in favour of Mechanics, Labourers, and others," was postponed to Monday next.

And then the House adjourned, at 3:40 p. m., until 2 o'clock on Friday next.