

Friday, 13th February, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. C. Watson.

The Petition from *George Norris* and others, for a Private Bill to incorporate "The Nanaimo Electric Tramway Company, Limited," was read and received.

Mr. *Keith* presented the following Report from the Select Committee appointed to enquire into the cause of the strike or lock-out at *Wellington*:—

12th February, 1891.

MR. SPEAKER:

Your Committee appointed to enquire into the causes which led to the strike or lock-out at *Wellington*, with power to send for persons and papers, beg respectfully to report as follows: That in the opinion of this Committee it is very desirable to have the assistance of a Secretary, and the Committee ask the House to authorize the appointment of a Secretary.

THOMAS KEITH,
Chairman.

The Report was received and adopted.

Mr. *Kellie* asked leave to introduce a Private Bill (No. 38) intituled "An Act to incorporate the Nelson and Fort Sheppard Railway Company."

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Railways.

The Honourable Mr. *Davie* presented, by command of His Honour the Lieutenant-Governor, a Return concerning the estate of the late *Armstead Buckner*, specifying therein the amount realized, the expenses incurred, and what disposition has been made of the balance, if any.

Ordered to be printed.

The Report on Bill (No. 4) intituled "An Act for the benefit of Mechanics and Labourers," was considered.

Mr. *Beaven* moved to amend clause 12 by striking out all the words after "behalf" on the 5th line down to and including "may" on the 8th line and insert—"a pay roll containing the names of all labourers who have done work for him upon such works or improvements, with a receipt in full from each of the said labourers, with the amounts which were due and had been paid to each of them set opposite their respective names, which pay roll shall."

And to amend Schedule C so as to show the actual days worked, the amount earned, and the amount paid, as follows:—

SCHEDULE C.

PAY ROLL, AS PER SECTION 12 "MECHANICS' LIEN ACT, 1891."

Name.	From 5th January, 1891, to 10th January, 1891 (inclusive).			Amount paid.	Date of payment.	Received payment in full.
	Number of days employed.	Rate per day.	Total amount earned.			
R. Roe	Six days.	\$3.50	\$21.00	\$21.00	12th Jan., 1891	R. Roe.

I hereby certify that the above statement is correct to the best of my knowledge and belief, and is made by me in compliance, and in accordance with section 12 of the "Mechanics'

Lien Act, 1891," on account of (my contract to, or employment by, *as the case be*), [*here insert a brief description of the work*] for (*owner's name*) up to the _____ day of _____, 18 _____.

(Signed) _____

Contractor.

Dated _____ day of _____, 18 _____.

Mr. Booth moved, seconded by Mr. Eberts,—

That the whole Bill be referred back to a Committee of the Whole House for the purpose of reconsideration and amendment.

Mr. Sword moved in amendment, seconded by Mr. Kitchen,—

To strike out all the words after the word "Committee" and insert "only for the purpose of making the following amendments":—

To amend section 12 by striking out all the words after "behalf" on the fifth line down to and including "may" on the 8th line, and insert—"a pay roll containing the names of all labourers who have done work for him upon such works or improvements, with a receipt in full from each of the said labourers, with the amounts which were due and had been paid to each of them set opposite their respective names, which pay roll shall."

Also to amend Schedule C so as to show the actual days worked, the amount earned, and the amount paid.

Also to insert the following clauses:—

"26. Every person making or entering into any contract, engagement, or agreement with any other person for the purpose of furnishing, supplying, or obtaining timber or logs by which it is requisite and necessary to engage and employ workmen and labourers in the obtaining, supplying, and furnishing such logs or timber as aforesaid shall, before making any payment for, or on behalf of, or under such contract, engagement, or agreement of any sum of money, or by kind, require such person to whom payment is to be made, to produce and furnish a pay roll or sheet of the wages and amount due and owing, and of the payment thereof, which pay roll or sheet may be in the form of Schedule C annexed to this Act, or if not paid the amount of wages or pay due and owing to all the workmen or labourers employed or engaged on or under such contract, engagement, or agreement at the time when the said logs or timber is delivered or taken in charge for, or by, or on behalf of, the person so making such payment and receiving the timber or logs.

"27. Any person making any payment under such contract, engagement, or agreement without requiring the production of the pay roll or sheet as mentioned in section 26 of this Act, shall be liable, at the suit of any workmen or labourer so engaged under said contract, engagement, or agreement, for the amount of pay so due and owing to said workman or labourer under said contract, engagement, or agreement.

"28. The person to whom such pay roll or sheet is given shall retain, for the use of the labourers or workmen whose names are set out in such pay roll or sheet, the sums set opposite their respective names which have not been paid, and the receipt or receipts of such labourers or workmen shall be a sufficient discharge therefor."

To amend section 12 by making provision against the presentation of bogus pay rolls; and to amend sub-section (2) of section 22, by limiting the length of time for which the labourer can claim a lien.

The debate was adjourned until Thursday next.

Pursuant to Order, Mr. Milne moved—That Bill (No. 25) intituled "An Act to establish a Pharmaceutical Association in the Province of British Columbia," be read a second time now.

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

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

And then the House adjourned at 5:55 o'clock, p. m.

Tuesday, 17th February, 1891.

TWO O'CLOCK, P. M.

Prayers by the Right Rev. Bishop *Cridge*.

The following Petitions were presented and laid on the table:—

By Mr. *Eberts*, from *P. C. Dunlevy* and others, for a Private Bill to incorporate "The Hot Springs and Goat River Tramway Company."

By Mr. *Martin*, from the *Vancouver Water-works Company*, opposing Act to amend the "Vancouver Incorporation Act, 1886."

By Mr. *Cotton*, from the *Ministerial Association of Vancouver* (*re* Public School Act).

By Mr. *Brown*, from the Grand Lodge of the *Independent Order of Good Templars of British Columbia* (*re* liquor traffic on Sunday).

By Mr. *Martin*, from *J. F. Allison* and others, for a Private Bill to incorporate "The Nicola, Kamloops, and Similkameen Railway Company.'

Mr. *Martin* presented the Sixth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

LEGISLATIVE LIBRARY,
17th February, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that the Standing Orders in connection with the Petition of "The Victoria and Beecher Bay Railway Company," have not been complied with, and your Committee have no recommendation to make, as the Esquimalt and Nanaimo Railway Company have agreed to build the branch line to Beecher Bay as soon as a line connecting the American system of railways with Port Crescent or Port Angelos, or some other point opposite Beecher Bay, is constructed, and will complete the construction of the line and receive freight as soon as the American lines are in a position to transship.

Your Committee also beg leave to report that the Standing Orders in connection with the following Petitions have been complied with, viz.:—

1. The Kootenay Lake Telephone Company, Limited;
2. The Nanaimo Electric Tramway Company, Limited;
3. The Upper Columbia and Kootenay Navigation and Tramway and Railway Company;
4. The Vancouver Northern and Alaska Railway and Navigation Company.
5. The Nicola Valley Railway Company.

Your Committee then considered a Bill to incorporate "The Order of the Oblates of Mary Immaculate in the Province of British Columbia," found the preamble proved, and agreed to report the Bill without amendments.

GEO. B. MARTIN,
Chairman.

The Report was received and adopted

Mr. *Cotton* asked leave to introduce a Bill (No. 39) intituled "An Act to amend the 'Companies Act, 1890.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Friday next.

The Honourable Mr. *Vernon* asked leave to introduce a Bill (No. 40) intituled "An Act to amend the 'Land Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Friday next.

The Hon. Mr. *Davie* asked leave to introduce a Bill (No. 41) intituled "An Act to amend the 'Summary Convictions Act, 1889.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Thursday next.

The Honourable Mr. *Davie* asked leave to introduce a Bill (No. 42) intituled "An Act to amend the 'Supreme Court Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Friday next.

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

That a Select Committee be appointed, composed of Messrs. *Semlin*, *Eberts*, *Hall*, *Forster*, and the mover, to investigate all matters connected with the seizure of the vessel "Hesperus," and her crew; with power to call for persons and papers, and to report to the House.

Bill (No. 16) intituled "An Act to amend the 'Assessment Act,'" was read a second time and *Ordered* to be committed on Thursday next.

Bill (No. 34) intituled "An Act to prohibit the sale or gift of Tobacco to Minors in certain cases," was read a second time and committed, with Mr. *Forster* in the Chair.

The Committee reported progress and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

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

And then the House adjourned at 5:59 o'clock, p. m.

Wednesday, 18th February, 1891.

TWO O'CLOCK, P. M.

Prayers by the Right Rev. Bishop *Cridge*.

The following Petitions were read and received:—

From *P. C. Dunlevy* and others, for a Private Bill to incorporate "The Hot Springs and Goat River Tramway Company."

From the *Vancouver Water-works Company*, opposing Act to amend the "Vancouver Incorporation Act, 1886."

From the *Ministerial Association of Vancouver* (*re* Public School Act). *Ordered* to be printed.

From the Grand Lodge of the *Independent Order of Good Templars* of British Columbia (*re* liquor traffic on Sunday). *Ordered* to be printed.

From *J. F. Allison* and others, for a Private Bill to incorporate "The Nicola, Kamloops, and Similkameen Railway Company."

Mr. *Martin* presented the Seventh Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

18th February, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that the Standing Orders in connection with the following Petitions have been complied with, viz.:—

1. The Vancouver and Ladner's Landing Railway *via* Lulu Island.
2. The Liverpool and Canoe Pass Railway.

Your Committee then considered a Bill to incorporate "The Westminster and Vancouver Tramway Company and the Westminster Street Railway Company"; found the preamble proved, and beg leave to report the Bill with amendments.

GEO. B. MARTIN,
Chairman.

The Report was received.

Colonel *Baker* presented the Second Report from the Select Standing Committee on Railways, as follows:—

18th February, 1891.

MR. SPEAKER:

Your Standing Committee on Railways has the honour to report the following Bill intituled "An Act to amend the 'Crow's Nest and Kootenay Lake Railway Company Act, 1888,'" complete with amendments.

JAMES BAKER,
Chairman.

The Report was received.

The following Petitions were presented and laid on the table:—

By Mr. *Nason*, from *James Reid* and others (*re* construction of a waggon road between *Alexandria* and *Quesnellemouth*).

By Mr. *Martin*, from *J. C. Barnes* and others (*re* stock killed by C. P. R. Company).

By Mr. *Nason*, from *Wm. Adams* and others, (*re* construction of a waggon road between *Alexandria* and *Quesnellemouth*).

By Mr. *Martin*, from *R. H. Lee* and others, for a Private Bill to incorporate "The Nicola, Kamloops and Similkameen River Railway Company."

Mr. *Kellie* moved, seconded by Mr. *Cotton*,—

That whereas the miners resident in the *Kootenay District* have expressed themselves grievously dissatisfied with the effect of certain of the provisions contained in the "Railway Aid Act, 1890";

And whereas it is the opinion of this House that they have just grounds for complaint, and that the same ought to be removed as speedily as possible;

Be it therefore resolved, That a respectful Address be presented to His Honour the Lieutenant-Governor, praying His Honour to take such steps as may be necessary for the speedy removal of such grounds of complaint.

The motion was withdrawn with leave of the House.

Mr. *Kellie* asked leave to introduce a Private Bill (No. 43) intituled "An Act to incorporate the Kootenay Lake Telephone Company, Limited."

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Standing Orders and Private Bills.

Bill (No. 19) intituled "An Act to incorporate the Order of the Oblates of Mary Immaculate in the Province of British Columbia," was read a second time.

Ordered to be committed to-morrow.

Pursuant to Order, the Honourable Mr. *Robson* moved—That Bill (No. 33) intituled "An Act respecting the Public Schools," be read a second time now.

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

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

And then the House adjourned at 5:50 o'clock, p. m.

Thursday, 19th February, 1891.

TWO O'CLOCK, P. M.

Prayers by the Right Rev. Bishop *Cridge*.

The following Petitions were presented and laid on the table:—

By Mr. *Booth*, from *Thomas W. Mouatt* and 21 others (*re* sale of liquors on Sunday).

By Mr. *Cotton*, from the *Board of Trade* of the City of *Vancouver*, opposing Private Bill intituled "An Act to amend the 'Crow's Nest and Kootenay Lake Railway Company Act, 1888.'"

The following Petitions were read and received:—

From *R. H. Lee* and others, for a Private Bill to incorporate "The Nicola, Kamloops, and Similkameen River Railway Company."

From *J. C. Barnes* and others (*re* stock killed by C. P. R. Company). *Ordered* to be printed.

The following Petitions were ruled out of order:—

From *James Reid* and others (*re* construction of a waggon road between *Alexandria* and *Quesnellemouth*).

From *Wm. Adams* and others (*re* construction of a waggon road between *Alexandria* and *Quesnellemouth*).

Mr. *Martin* presented the Eighth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

19th February, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that the Standing Orders in connection with the following Petitions have been complied with, viz.:—

1. The Hot Springs and Goat River Tramway Company.
2. The Nicola, Kamloops, and Similkameen Railway Company.

GEO. B. MARTIN,
Chairman.

The Report was received and adopted.

Colonel *Baker* moved, seconded by Mr. *Smith*,—

Whereas the introduction of what is known as the anti-Chinese clause into Private Bills may prejudicially affect the introduction of capital in furtherance of private enterprises, and may prove detrimental to the interests of the white labouring classes of the Province, by interfering with trade, by limiting the freedom of contract, and by checking the prosecution of certain valuable industries;

And whereas there is considerable doubt whether the imposition of such a clause in Private Bills, sanctioned by the Legislature of the Province, has any legal force;

And whereas it is not expedient that this House should stultify itself, by passing Acts which have no legal effect;

Therefore, be it enacted, That an humble Address be presented to His Honour the Lieutenant-Governor, praying him to cause a judgment of the Supreme Court of the Province to be taken, as to the powers of this House to pass Acts which contain clauses prohibiting the employment of Chinese.

Mr. *Beaven* moved in amendment, seconded by Mr. *Milne*,—

To strike out all the words after "Whereas" in the first line down to the end of the resolution, and insert—"the introduction of Chinese into the Province is highly prejudicial, and has proved injurious, by retarding enterprise and impoverishing the Province by largely withdrawing the capital brought in and expended upon public works and enterprises, thus transferring capital from Canada to the Chinese Empire;"

“And whereas during the construction of the Canadian Pacific Railway in British Columbia large cargoes of the residents of the Chinese Empire were imported into the Province who were practically slaves ; who caused the Province heavy expense in maintaining law and order and in administering justice ; who had no interest in the welfare of the Province, but excluded others of our own and kindred races, and prevented many from finding employment here ;

“And whereas there are now before the Legislative Assembly a number of Private Acts to incorporate railway and other companies for the construction of enterprises ;

“And whereas a Select Committee of the House, appointed on 7th December, 1883, composed of the late Hon. *A. E. B. Davie* (then Attorney-General of British Columbia), and Mr. *M. W. T. Drake*, (now the Honourable Mr. Justice *Drake*, Judge of the Supreme Court of British Columbia), and Messrs. *Beaven, T. Davie, Duck, Cowan, Orr, Martin*, and the late Mr. *Raybould*, reported on 10th January, 1884, *inter alia*, that ‘for the future Private Bills ‘granting franchises or rights contain provisions against the employment of Chinese on any ‘works to be undertaken in pursuance of the Bill.’

“And whereas during the Session of 1885, sections were inserted in Private Acts stating that Chinese were not to be employed on the works authorized ;

“And whereas on 11th March, 1886, a Select Committee of this House, composed of the late Honourable *A. E. B. Davie* (then Attorney-General), the late Honourable *W. Smith* (then Premier and Minister of Finance), and Messrs. *Beaven, M. W. T. Drake, and T. Davie*, was appointed ‘to prepare a clause to be inserted in all Private Bills passed during that Session to regulate the employment of Chinese in connection therewith’ ;

“And whereas on 18th March, 1886, the Committee reported clauses which were inserted in the Private Bills of the character indicated that Session, and which are the law of the Province now ;

“Be it therefore resolved, That this House is of opinion that the practice adopted by the Legislature in the Session of 1886, on the recommendation of a Select Committee, three of which were members of the legal profession, be followed this Session, and that whilst incorporating companies for the purpose of constructing railways and other undertakings employing labour in the work of construction, the necessary steps should be taken in order that Chinese may be excluded from employment in the work of construction or operation.”

Colonel *Baker* moved, seconded by Mr. *Smith*,—That the debate be adjourned.

The motion was withdrawn.

The amendment was withdrawn.

The original motion was withdrawn with leave of the House.

Mr. *Keith* asked leave to introduce a Private Bill (No. 44) intituled “An Act to incorporate the Nanaimo Electric Tramway Company, Limited.”

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Standing Orders and Private Bills.

Mr. *Semlin* asked leave to introduce a Private Bill (No. 45) intituled “An Act to incorporate the Nicola Valley Railway Company.”

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Railways.

Mr. *Kellie* asked the Honourable the Minister of Mines the following question:—

Would the Government be willing to grant a land or cash subsidy to assist the establishment of reduction and refining works at *Nelson*, or some other convenient point on *Kootenay Lake* ?

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

“It is the policy and earnest desire of the Government to promote the erection of such reduction works as will enable our ores to be treated in the Province, and any sound and meritorious scheme having that object in view, and seeking a subsidy either in land or money, shall receive the best consideration of the Government.”

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

(a.) Have the Provincial Government paid any money or incurred any pecuniary liability in consequence of the Militia having been sent to or maintained at *Wellington* last year?

(b.) If so, to what amount or to what extent?

(c.) Have the Dominion Government, or any of its employés, or any corporation, commercial firm, party or person, made or preferred, verbally or otherwise, any claim against the Provincial Government in consequence of the Militia having been sent to or maintained at *Wellington* last year?

(d.) If so, of what nature or amount?

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

“(a.) No.

“(c.) No.”

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

(a.) Did any person, verbally or otherwise, consult with, or communicate with, the Provincial Government, or any of its members or deputies, concerning the sending of the Militia to *Wellington* last summer prior to the calling out of that force?

(b.) If so, what was the purport of the consultation or communication, and what course was advised?

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

“Except for the Attorney-General and Deputy, I cannot answer. For the Attorney-General and Deputy, officially, no.”

Pursuant to Order, the Honourable Mr. *Davie* moved—That Bill (No. 41) intituled “An Act to amend the ‘Summary Convictions Act, 1889,’” be read a second time now.

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

To leave out the word “now” and insert the words “this day six months.”

The amendment was negatived on the following division:—

YEAS :

Messieurs

<i>Grant,</i>	<i>Beaven,</i>	<i>Pooley,</i>	<i>Anderson—7.</i>
<i>Milne,</i>	<i>Robson,</i>	<i>Hunter,</i>	

NAYS :

Messieurs

<i>McKenzie,</i>	<i>Smith,</i>	<i>Davie,</i>	<i>Hall,</i>
<i>Sword,</i>	<i>Brown,</i>	<i>Eberts,</i>	<i>Nason,</i>
<i>Kitchen,</i>	<i>Forster,</i>	<i>Stoddart,</i>	<i>Rogers,</i>
<i>Cotton,</i>	<i>Keith,</i>	<i>Booth,</i>	<i>Fletcher—17.</i>
<i>Kellie,</i>			

The Bill was read a second time on the following division:—

YEAS :

Messieurs

<i>McKenzie,</i>	<i>Brown,</i>	<i>Eberts,</i>	<i>Nason,</i>
<i>Kitchen,</i>	<i>Forster,</i>	<i>Stoddard,</i>	<i>Rogers,</i>
<i>Kellie,</i>	<i>Keith,</i>	<i>Booth,</i>	<i>Fletcher—15.</i>
<i>Smith,</i>	<i>Davie,</i>	<i>Hall,</i>	

NAYS :

Messieurs

<i>Grant,</i>	<i>Milne,</i>	<i>Robson,</i>	<i>Hunter,</i>
<i>Sword,</i>	<i>Beaven,</i>	<i>Pooley,</i>	<i>Anderson—9.</i>
<i>Cotton,</i>			

Ordered to be committed to-morrow.

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

And then the House adjourned at 5:35 o'clock, p. m.

Friday, 20th February, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. Mr. *Dobbs*.

The following Petitions were read and received and *Ordered* to be printed:—

From *Thomas W. Mouat* and 21 others (*re* sale of liquors on Sunday).

From the *Board of Trade* of the City of *Vancouver*, opposing Private Bill intituled "An Act to amend the 'Crow's Nest and Kootenay Lake Railway Company Act, 1888.'" "

Colonel *Baker* presented the Third Report from the Select Standing Committee on Railways, as follows:—

20th February, 1891.

MR. SPEAKER:

Your Select Standing Committee on Railways have the honour to report an Act intituled "An Act to incorporate the Burrard Inlet and Fraser Valley Railway Company," complete with amendments.

JAMES BAKER,
Chairman.

The Report was received and adopted.

Mr. *Smith* presented the following Report from the Select Standing Committee on Mining:—

MR. SPEAKER:

Your Select Standing Committee on Mining have the honour to report that they have carefully considered the Bill referred to them by the House intituled "An Act relating to Gold and other Minerals, excepting Coal." The Committee have made several amendments. The Bill, with the amendments made by the Committee, is herewith submitted for the consideration of the House.

A. W. SMITH,
Chairman.

The Report was received.

Colonel *Baker* moved, seconded by Mr. *Cotton*,—

That this House take into consideration the adoption of the Report from the Standing Committee on Railways, namely:—

"Your Committee respectfully recommend to the House that before any of the present Private Railway Bills before the House are taken into consideration, the Government be requested to consider the advisability of amending the present Railway Act by introducing a clause which will provide that the right of eminent domain, upon special conditions, but without the necessity of a special charter, be granted as a right to applicants for a railway line.

The motion was withdrawn with leave of the House.

Mr. *Cotton* asked the Honourable the Minister of Finance the following question:—

What were the amounts received during the fiscal year ended June 30th, 1890, and during the half-year ended December 31st, 1890, from the Provincial Revenue Tax in the cities of *Vancouver*, *Victoria*, *New Westminster*, and *Nanaimo*?

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

"For the Fiscal Year ended 30th June, 1890:—

"Victoria City\$8,619 00

"New Westminster City 3,033 00

"No separate return can be given for *Vancouver* and *Nanaimo* Cities for the year 1890. Under the former 'Constitution Act' *Vancouver* formed a part of the District of *New Westminster*, and *Nanaimo* was included in the District of *Nanaimo*.

"For the half-year ended 31st December, 1890:—

"Victoria City	\$921 00
"Nanaimo City	564 00
"New Westminster City.....	522 00
"Vancouver City.....	990 00."

Bill (No. 39) intituled "An Act to amend the 'Companies Act, 1890,'" was read a second time.

Ordered to be committed on Tuesday next.

The Report on Bill (No. 17) intituled "An Act respecting Actions of Libel and Slander," was considered.

The Hon. Mr. *Davie* moved to amend section 4, by inserting the words "or by admission" between the words "demurrer" and "he" in line three.

Carried.

The Hon. Mr. *Davie* moved to strike out the whole of section 5 and to substitute therefor the following:—

"5. (1.) In an action for libel contained in a public newspaper or other periodical publication the defendant may plead that the libel was inserted in the newspaper or other periodical publication without actual malice and without gross negligence, and that before the commencement of the action, or at the earliest opportunity afterwards, he inserted in the newspaper or other periodical publication a full apology for the libel; or if the newspaper or periodical publication in which the libel appeared be one ordinarily published at intervals exceeding one week, that he offered to publish the apology in any newspaper or periodical publication to be selected by the plaintiff in the action:

"(2.) In any such action the plaintiff shall recover actual damages only, if it appears on the trial of the action that the article was published in good faith, and that there was reasonable ground to believe that the same was for the public benefit, and if it did not involve a criminal charge, and if it appears that the publication took place in mistake or misapprehension of the facts, and that a full and fair retraction of any statement therein alleged to be erroneous was published either in the next regular issue of the newspaper or other periodical publication aforesaid, or in any regular issue thereof published within three days after the issue of the writ, and was so published in as conspicuous a place and type as was the article complained of:

"(a.) Provided, however, that the provisions of this Act shall not apply to the case of any libel against any candidate for a public office in this Province, unless the retraction of the charge is made editorially in a conspicuous manner at least five days before the election."

Mr. *Beaven* moved in amendment to strike out the whole of section 5 and to substitute therefor the following:—

"5. In an action for libel contained in a public newspaper or other periodical publication the defendant may plead that the libel was inserted in the newspaper or other periodical publication without actual malice and without gross negligence, and that before the commencement of the action, or at the earliest opportunity afterwards, he inserted in the newspaper or other periodical publication a full apology for the libel; or if the newspaper or periodical publication in which the libel appeared be one ordinarily published at intervals exceeding one week, that he offered to publish the apology in any newspaper or periodical publication to be selected by the plaintiff in the action:

"(1.) No such action shall lie unless and until the plaintiff has given to the defendant notice in writing specifying the statements complained of, such notice to be served in the same manner as a plaintiff's statement of claim is served, or by delivering the notice to some grown up person at the place of residence or business of the defendant.

"(2.) In any such action the plaintiff shall recover actual damages only, if it appears on the trial of the action that the article was published in good faith, and that there was reasonable ground to believe that the same was for the public benefit, and if it did not involve a criminal charge, and if it appears that the publication took place in mistake or misapprehension of the facts, and that a full and fair retraction of any statement therein alleged to be erroneous was published either in the next regular issue of the newspaper or other periodical publication aforesaid, or in any regular issue thereof published within three days after the issue of the writ, and was so published in as conspicuous a place and type as was the article complained of:

“(a.) Provided, however, that the provisions of this Act shall not apply to the case of any libel against any candidate for a public office in this Province, unless the retraction of the charge is made editorially in a conspicuous manner at least five days before the election.”

Amendment negatived.

Original motion put and carried.

The Hon. Mr. *Davie* moved to amend section 6, by striking out the words “of the plea” in the 9th line, and substitute therefor the word “thereof,” and to strike out the whole of section 7.

Carried.

The Hon. Mr. *Pooley* moved to strike out clause 9.

The motion was negatived upon the following division:—

YEAS :

Messieurs

<i>Smith,</i>	<i>Vernon,</i>	<i>Martin,</i>	<i>Rogers,</i>
<i>Keith,</i>	<i>Hall,</i>	<i>Croft</i>	<i>Anderson,</i>
<i>Robson,</i>	<i>Nason,</i>	<i>Hunter,</i>	<i>Fletcher— 14.</i>
<i>Davie,</i>	<i>Pooley,</i>		

NAYS :

Messieurs

<i>Semlin,</i>	<i>Kitchen,</i>	<i>Beaven,</i>	<i>Stoddart,</i>
<i>Grant.</i>	<i>Cotton,</i>	<i>Brown,</i>	<i>Booth,</i>
<i>McKenzie,</i>	<i>Kellie,</i>	<i>Forster,</i>	<i>Turner—15.</i>
<i>Sword,</i>	<i>Milne,</i>	<i>Eberts,</i>	

Mr. *Beaven* moved to amend section 9, line one, by striking out the figure “(1),” and in line nineteen to strike out the figure “7” and insert “5,” and in line twenty-three to strike out the figure “(2)” and insert “(1).”

Carried.

Mr. *Beaven* moved to amend section 11, line one, by striking out the figure “(1)” and in line twelve to strike out the figure “(2)” and insert “(1).”

Carried.

The further consideration of the Report was adjourned until Monday next.

The Order for the further consideration of Bill (No. 10) intituled “An Act to amend the ‘Supreme Court Act,’” in Committee of the Whole, was discharged.

Pursuant to Order, Bill (No. 19) intituled “An Act to incorporate the Order of the Oblates of Mary Immaculate in the Province of British Columbia,” was considered in Committee of the Whole, with Mr. *Smith* in the Chair.

The Committee reported progress and asked leave to sit again.

Leave granted for Monday next.

The Honourable Mr. *Turner* presented, by command of His Honour the Lieutenant-Governor, Abstract Statements of Public Accounts for the half-year ended 31st December, 1890.

On the motion of the Honourable Mr. *Turner*, seconded by the Honourable Mr. *Robson*, it was *Resolved*,—

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

Pursuant to Order, the adjourned debate on the second reading of Bill (No. 33) intituled “An Act respecting the Public Schools,” was resumed.

The debate was further adjourned until Monday next.

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

And then the House adjourned at 5:50 o’clock, p. m.

Monday, 23rd February, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. D. Fraser.

The following Petitions were presented and laid on the table:—

By Mr. Rogers, from I. B. Nason and others (*re* waggon road in Chilcotin, Cariboo District).

By Mr. Sword, from Alphonse Desracher and others, residents of Nicomen Settlements, (*re* exemption from provisions of "Fraser River Dyking Bill").

By Mr. Sword, from Cornelius McKay and others, residents in Townships 10 and 7, Langley Prairie, asking that Government road work be done by contract.

By Mr. Semlin, from J. B. Leighton and others (*re* stock killed by C. P. R. Company on railway right of way).

By Mr. Milne, from Mrs. Boddy and others (*re* extension of the electoral franchise to women).

By Mr. Kitchen, from James Murray and others, residents of Chilliwack, opposing Private Bill for power to direct water of Vedder Creek into the Luc-cu-cuck River.

Colonel Baker presented the Fourth Report from the Select Standing Committee on Railways, as follows:—

23rd February, 1891.

MR. SPEAKER:

Your Standing Committee on Railways has the honour to report the following Bills complete with amendments:—

1. An Act to incorporate the Chilliwack Railway Company;
2. An Act to incorporate the Vernon and Okanagan Railway Company;
3. An Act to incorporate the Nicola Valley Railway Company;
4. An Act to amend the "Ashcroft and Cariboo Railway Company Act, 1890."

JAMES BAKER,
Chairman.

The Report was read, received, and adopted.

Mr. Martin presented the Ninth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

23rd February, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that they have amended the preamble of a Bill intituled "An Act to incorporate the Vernon and Nelson Telephone Company," to make it comply with the notice in the Government Gazette and newspapers, and agreed to report the Bill with amendments.

The Petition for an Act to incorporate the "Toad Mountain and Nelson Tramway Company" was then taken into consideration, and your Committee found the necessary notices had been inserted in the Government Gazette and one newspaper in the Province; but not for a sufficient length of time in the paper published in the district. Your Committee, under the circumstances, beg to recommend that they may be authorized to consider the Petition.

Respectfully submitted,
GEO. B. MARTIN,

Chairman.

The Report was received and adopted.

The Honourable Mr. *Robson* asked leave to introduce a Bill (No. 47) intituled "An Act for the better observance of the Lord's Day, commonly called Sunday."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Wednesday next.

Colonel *Baker* asked leave to introduce a Private Bill (No. 48) intituled "An Act to incorporate the Upper Columbia Navigation and Tramway Company."

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Standing Orders and Private Bills.

✓ The Standing Rules and Orders were suspended, and upon the motion of the Honourable Mr. *Robson*, seconded by the Honourable Mr. *Davie*, it was *Resolved*,—

That a Select Committee, composed of Messrs. *Davie*, *Grant*, *Sword*, *Croft*, and *Martin*, be appointed to enquire into the circumstances under which local partners were admitted with Messrs. *F. B. McNamee & Co.*, in the contract for the construction of the *Esquimalt Graving Dock*, or the sub-letting of such contract; what rate of interest (if any) was to be allowed upon the deposit of \$10,000 as security for the contract; the application of the deposit, and the financial position of matters at the present time.

Bill (No. 20) intituled "An Act respecting the Westminster and Vancouver Tramway Company and the Westminster Street Railway Company," was read a second time.

Ordered to be committed on Wednesday next.

The Order to resume the debate on the second reading of Bill (No. 24) intituled "An Act to amend the 'British Columbia Railway Act, 1890,'" was discharged.

The Order for the second reading of Bill (No. 27) intituled "An Act respecting the Observance of Sunday," was discharged.

The adjourned debate on the second reading of Bill (No. 25) intituled "An Act to establish a Pharmaceutical Association in the Province of British Columbia," was resumed.

Bill was read a second time and committed, with Mr. *Hunter* in the Chair.

The Committee reported progress and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

Mr. Speaker left the Chair at 6 o'clock, p. m.

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

Colonel *Baker* presented the following report from the Select Standing Committee on Railways:—

MR. SPEAKER:

Your Select Standing Committee on Railways desire your ruling upon the following points:

"If a Private Bill comes before the Standing Committee on Railways or Private Bills, and is passed by the Committee with or without amendments, and the report from the Committee is received and adopted by the House, can petitions afterwards be brought before the House against the Bill on its second reading, or on the future stages of the Bill?"

JAMES BAKER,
Chairman.

The report was received.

Mr. Speaker gave the following decision upon the question referred to in the said report:—

I think that the Private Bills Committee, not having had the petition before it, by reference or otherwise, had not the power to present a report or to question the right of the House to receive the petition, of the existence of which the Committee could have had no cognizance. There is another and more expeditious mode of procedure, which is to bring the matter up as a question of privilege, when I shall be able to rule as to its admissibility.

Bill (No. 41) intituled "An Act to amend the 'Summary Convictions Act, 1889,'" was committed, with Mr. *Kellie* in the Chair.

The Committee rose without report.

Bill (No. 42) intituled "An Act to amend the 'Supreme Court Act,'" was read a second time and committed, with Mr. *Stoddart* in the Chair.

The Committee reported progress and asked leave to sit again.

Leave granted for to-morrow.

The adjourned debate on the second reading of Bill (No. 33) intituled "An Act respecting the Public Schools," was resumed.

Bill read a second time.

Ordered to be committed to-morrow.

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

And then the House adjourned at 9:40 o'clock, p. m.

Tuesday, 24th February, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *D. Fraser*.

The following Petitions were presented and laid on the table:—

By Mr. *Kitchen*, from *Matthew Hall* and others, opposing dyking of the *Sumas Prairie*.

By Mr. *Cotton*, from 570 residents of *Vancouver*, opposing "Sunday Observance Bill."

By Mr. *Grant*, from 1,008 residents of *Victoria*, opposing "Sunday Observance Bill."

The following Petitions were read and received and *Ordered* to be printed:—

From *Alphonse Desracher* and others, residents of *Nicomien Settlements*, (*re* exemption from provisions of "Fraser River Dyking Bill").

From *Cornelius McKay* and others, residents in Townships 10 and 7, *Langley Prairie*, asking that Government road work be done by contract.

From *J. B. Leighton* and others (*re* stock killed by C. P. R. Company on railway right of way).

From Mrs. *Boddy* and others (*re* extension of the electoral franchise to women).

From *James Murray* and others, residents of *Chilliwhack*, opposing Private Bill for power to divert water of *Vedder Creek* into the *Luc-cu-cuk River*.

The following Petition was ruled out of order:—

From *I. B. Nason* and others (*re* waggon road in *Chilcotin, Cariboo District*).

Colonel *Baker* presented the Fifth Report from the Select Standing Committee on Railways, as follows:—

24th February, 1891.

MR. SPEAKER:

Your Select Standing Committee on Railways has the honour to report the following Bill, intituled "An Act to incorporate the Nelson and Fort Sheppard Railway Company," complete with amendments.

JAMES BAKER,
Chairman.

The Report was received and adopted.

Mr. *Martin* presented the Tenth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

24th February, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that the Standing Orders in connection with the following Petitions have been complied with, viz. :—

“The Toad Mountain and Nelson Tramway Company.”

“The Vancouver and Lulu Island Electrical Railway and Improvement Company, Ltd.”

Your Committee also beg to report an Act to amend the “Vancouver Water-works Act, 1886,” and submit the same with amendments.

GEO. B. MARTIN,
Chairman.

The Report was received and adopted.

Mr. *Cotton* asked leave to introduce a Private Bill (No. 49) intituled “An Act to incorporate the Vancouver and Lulu Island Railway Company.”

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Railways.

Mr. *Cotton* asked leave to introduce a Private Bill (No. 50) intituled “An Act to incorporate the Liverpool and Canoe Pass Railway Company.”

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Railways.

Mr. *Kellie* asked leave to introduce a Private Bill (No. 51) intituled “An Act to incorporate the Toad Mountain and Nelson Tramway Company.”

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Standing Orders and Private Bills.

Mr. *Horne* asked leave to introduce a Private Bill (No. 52) intituled “An Act to incorporate the Vancouver and Lulu Island Electrical Railway and Improvement Company.”

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Standing Orders and Private Bills.

Mr. Speaker *Higgins* gave the following decision, which was *Ordered* to be placed upon the Journals of the House:—

I am asked to rule on a question of privilege raised by the Hon. Member for *East Kootenay*, upon the following points:—

“If a Private Bill comes before the Standing Committee on Railways or Private Bills, and is passed by the Committee with or without amendments, and the report from the Committee is received and adopted by the House, can petitions afterwards be brought before the House against the Bill on its second reading, or on the future stages of the Bill?”

Neither *May* nor our own Rules and Orders place any restrictions on the right to petition the House on any subject that is not in violation of the rules of the House. According to Rule 57 of this House, all petitions for or against a Bill are considered as referred to the Committee on Private Bills; but if the time limit for the consideration of a petition by that Committee shall have expired, it would be an arbitrary and unconstitutional stretch of authority to deny the petitioners the right to approach the House on the subject. The House is entitled to all the light that can be thrown, by petition or otherwise, on a measure upon which it is asked to legislate. In the instance before me, I think the interests of the petitioners occupy a secondary position—the value of the information contained in the petition to the House being the first consideration.

May (9th edition), page 622, says:—“When petitions relate to *any Bill*, or the subject matter of *any motion* appointed for consideration, a member may present them before the debate commences, at any time during the sitting of the House.” So jealously is this right of

petition guarded in the House of Commons, that on one occasion a motion for the Speaker to leave the chair was withdrawn, in order to enable a Member to present a petition, and was repeated as soon as the petition had been received.

I rule that the presentation of a petition to the House, under the circumstances set forth by the Hon. Member for *East Kootenay*, is in order.

D. W. HIGGINS,
Speaker.

Mr. *Brown* moved, seconded by Mr. *Forster*,—

Whereas the introduction of Chinese into the Province is highly prejudicial to the best interests of the country, as Chinese can never become citizens in any true sense of the word;

Therefore, be it resolved, That an humble Address be presented to His Honour the Lieutenant-Governor, praying him to take such steps as may seem best to him to induce the Dominion Government to increase the tax on Chinese coming into the country from \$50 to \$200.

Mr. *Beaven* moved in amendment, seconded by Mr. *Horne*,—

To strike out all the words after "country" in line 2, down to and including "\$200" in line 6, and insert:—

"And whereas the 'Chinese Immigration Act of Canada' has proven in a great measure beneficial, but is in some respects defective, more especially in that its 3rd section permits the employment of a Chinese as interpreter, and we consider it would be preferable that a suitable person of our own race should be obtained;

"And whereas the 5th section permits vessels to carry one Chinese immigrant to any part of Canada for every 50 tons of its tonnage; but we are of opinion that a much larger restriction should be imposed, and fewer Chinese carried on each vessel, or their importation prohibited;

"And whereas the 8th section imposes only an entrance duty of \$50 on every person of Chinese origin entering Canada, when \$200 is in our opinion the lowest entrance duty that should be charged, if Chinese are allowed to enter Canada;

"And whereas the 4th sub-section of the 8th section provides that the entrance duty of \$50 shall not apply to any Chinese person who resided or was within Canada on 1st January, 1886; and the 13th section authorizes the issuance of a certificate of leave to depart and return to Chinese who wish to leave and return to Canada; but, in our opinion, the entrance duty should apply to all Chinese other than those mentioned in sub-sections (a.) and (b.) of section 8, and the issuance of the above-mentioned certificates should be entirely abolished;

"Be it therefore Resolved, That a respectful Address be presented to His Honour the Lieutenant-Governor, requesting him to take such steps as may seem best to him to move the Dominion Government in this matter."

Question proposed—"Shall the words proposed to be struck out stand part of the question," and *Resolved* in the negative.

Question proposed—"Shall the words proposed to be inserted stand part of the question," and *Resolved* in the affirmative on the following division:—

YEAS:

Messieurs

<i>Semlin,</i>	<i>Cotton,</i>	<i>Horne,</i>	<i>Davie,</i>
<i>Grant,</i>	<i>Kellie,</i>	<i>Brown,</i>	<i>Eberts,</i>
<i>McKenzie,</i>	<i>Milne,</i>	<i>Forster,</i>	<i>Stoddart,</i>
<i>Kitchen,</i>	<i>Beaven,</i>	<i>Keith,</i>	<i>Rogers—16.</i>

NAYS:

Messieurs

<i>Sword,</i>	<i>Vernon,</i>	<i>Pooley,</i>	<i>Hunter,</i>
<i>Smith,</i>	<i>Booth,</i>	<i>Turner,</i>	<i>Anderson,</i>
<i>Baker,</i>	<i>Hall,</i>	<i>Croft,</i>	<i>Fletcher—14.</i>
<i>Robson,</i>	<i>Nason,</i>		

The Hon. Mr. *Davie* moved in amendment, seconded by Mr. *Eberts*,—

To insert in line one of the resolution, between the words “Chinese” and “into,” the words “and Japanese.”

To insert in line five of the amendment, between “that” and “its,” the words “it does not extend to Japanese and.”

To add to the resolution the words “and also to urge upon them the propriety of placing Japanese under the same restriction as Chinese.”

The debate was adjourned until the next sitting of the House.

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.

Wednesday, 25th February, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *D. Fraser*.

The following Petition was presented and laid on the table:—

By Mr. *Brown*, from *A. Van Volkenburgh* and others, residents of *New Westminster* (re extension of the electoral franchise to women).

The following Petitions were read and received and *Ordered* to be printed:—

From *Matthew Hall* and others, opposing dyking of the *Sumas Prairie*.

From 570 residents of *Vancouver*, opposing “Sunday Observance Bill.”

From 1,008 residents of *Victoria*, opposing “Sunday Observance Bill.”

Mr. *Martin* presented the Eleventh Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

25th February, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that they considered a Bill for an Act to amend the “New Westminster and Burrard Inlet Telephone Company's Incorporation Act, 1886,” and submit the same with amendments.

Your Committee respectfully recommend that the time for receiving reports be extended for two weeks.

The Report was received and adopted.

GEO. B. MARTIN,
Chairman.

The Standing Rules and Orders were suspended, and upon the motion of Mr. *Martin*, seconded by Mr. *Croft*, it was *Ordered* that the time limited for reporting Bills to the House be extended for two weeks, from the 26th instant.

Colonel *Baker* presented the Sixth Report from the Select Standing Committee on Railways, as follows:—

25th February, 1891.

MR. SPEAKER:

Your Select Standing Committee on Railways has the honour to report an Act intituled “An Act to incorporate the Burrard Inlet Railway and Ferry Company,” complete with amendments.

JAMES BAKER,
Chairman.

The Report was received and adopted.

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

That a respectful Address be presented to His Honour the Lieutenant-Governor, requesting him to cause to be sent down to this House a return showing the area of all that portion of land conveyed to the Dominion Government under section 3 of an Act intituled "An Act relating to the Island Railway, the Graving Dock, and Railway Lands of the Province," lying to the northward of a line running east and west half-way between the mouth of the *Courtenay River (Comox District)* and *Seymour Narrows*.

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

That a respectful Address be presented to His Honour the Lieutenant-Governor, requesting him to cause to be sent down to this House a return showing the area of the lands alienated up to 19th December, 1883, by Crown grant, pre-emption, or otherwise within the limits of the grant mentioned in section 3 of the Act intituled "An Act relating to the Island Railway, the Graving Dock, and Railway Lands of the Province."

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

That a respectful Address be presented to His Honour the Lieutenant-Governor, requesting him to cause to be sent down to this House a return showing the School Reserves, Indian Reserves or Settlements, Naval or Military Reserves, and Reserves for general public purposes within the limits of the grant to the Esquimalt and Nanaimo Railway Company, the several areas, and situations thereof.

Mr. *Sword* asked leave to introduce a Bill (No. 53) intituled "An Act respecting damage done to Stock."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Monday next.

Mr. *Cotton* asked leave to introduce a Private Bill (No. 54) intituled "An Act to incorporate the Vancouver, Northern, Peace River and Alaska Railway and Navigation Company."

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Railways.

Mr. *Kellie* asked leave to introduce a Private Bill (No. 55) intituled "An Act to incorporate the Nicola, Kamloops and Similkameen Railway."

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Railways.

Mr. *Eberts* asked leave to introduce a Private Bill (No. 56) intituled "An Act to incorporate the Hot Springs and Goat River Tramway Company."

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Standing Orders and Private Bills.

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

That the following Report from the Select Standing Committee on Railways be adopted:—

"Your Committee respectfully recommend to the House that before any of the present Private Railway Bills before the House are taken into consideration, the Government be requested to consider the advisability of amending the present Railway Act by introducing a clause which will provide that the right of eminent domain, upon special conditions, but without the necessity of a special charter, be granted as a right to applicants for a railway line."

A debate arose, which was adjourned until Tuesday next.

Mr. *Anderson* moved, seconded by Mr. *Booth*,—

That in the opinion of this House the time has arrived when greater interest should be taken by the Government in the settlement of the public lands.

The motion was withdrawn with leave of the House.

Mr. *Sword* asked the Honourable the Chief Commissioner of Lands and Works the following questions:—

(a.) What applications to purchase, under section 29 of the "Land Act," are now subject to forfeiture?

(b.) What land has been applied for under this section the purchase of which has not been completed?

(c.) What are the names of the parties who have not completed their purchases under this section, the dates of their applications, the situations, and acreages?

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

"A reply to a similar set of questions will be found in the Journals of the Legislature for 1889, folio 26.

"(a.) Since that date applications aggregating about 250,000 acres, which were made more than six months ago, have not yet been completed, and are subject to forfeiture, except in cases where good and sufficient cause can be shown to the contrary.

"(b.) About 54,000 acres have been applied for within the past six months, the time for the completion of the purchase of which has not yet expired.

"(c.) The question is so comprehensive that it cannot be briefly answered. If the Honourable Gentleman will call at the Lands and Works Office he can more readily obtain the desired information."

Mr. *McKenzie* asked the Honourable the President of the Executive Council the following questions:—

(a.) Did any person, verbally or otherwise, consult with, or communicate with, the Provincial Government, or any of its members or deputies, concerning the sending of the Militia to *Wellington* last summer prior to the calling out of that force?

(b.) If so, what was the purport of the consultation or communication, and what course was advised?

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

"No, not to my knowledge."

Pursuant to Order, Mr. *Martin* moved—That Bill (No. 36) intituled "An Act to amend the 'Vancouver Water-works Act, 1886,'" be read a second time now.

A debate arose, which was adjourned until Tuesday next.

The adjourned debate on the motion of Mr. *Brown* (of 24th February), and the proposed amendments thereto, moved by the Hon. Mr. *Davie* (re increase of tax on Chinese), was resumed.

After debate the amendments were withdrawn with leave.

Question proposed—"Shall the resolution as amended pass," and negatived on the following division:—

YEAS :

Messieurs

Semin,
Grant,
McKenzie,
Cotton,

Kellie,
Milne,
Beaven,
Horne,

Brown,
Forster,
Keith,

Davie,
Stoddart,
Fletcher— 14.

NAYS :

Messieurs

Sword,
Kitchen,
Smith,
Baker,

Robson,
Vernon,
Booth,
Hall,

Nason,
Pooley,
Turner,
Martin,

Croft
Hunter,
Rogers,
Anderson—16.

Bill (No. 20) intituled "An Act respecting the Westminster and Vancouver Tramway Company and the Westminster Street Railway Company," was committed, with Mr. *Smith* in the Chair.

The Committee reported progress and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

The Honourable Mr. *Davie* presented, by command of His Honour the Lieutenant-Governor, the Seventeenth Annual Report of the Registrar of Births, Deaths, and Marriages of the Province.

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

And then the House adjourned at 5:58 o'clock, p. m.

Thursday, 26th February, 1891

TWO O'CLOCK, P. M.

Prayers by the Rev. *D. Fraser*.

The following Petition was read and received and *Ordered* to be printed:—

From *A. Van Volkenburgh* and others, residents of *New Westminster* (re extension of the electoral franchise to women).

The Hon. Mr. *Vernon* asked leave to introduce a Bill (No. 57) intituled "An Act respecting Land Surveyors."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Monday next.

Mr. *Milne* asked leave to introduce a Bill (No. 58) intituled "An Act to amend the 'Grave-yard Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Monday next.

Mr. *Sword* asked leave to introduce a Bill (No. 59) intituled "An Act to amend the 'British Columbia Railway Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Monday next.

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

That whereas at the present time the mail service for the *Osoyoos District* is a monthly service to *Camp McKinney*, to the great inconvenience of the inhabitants of the said district;

And whereas it would be for the greatest benefit of the inhabitants of the said *Osoyoos District* to have the said mail service extended to *Rock Creek* and changed to a fortnightly instead of a monthly service;

Be it therefore Resolved, That a humble Address be presented to His Honour the Lieutenant-Governor in Council, praying him to take steps to cause the said mail service to be extended to *Rock Creek*, in the *Osoyoos District*, and to change the same to a fortnightly instead of a monthly service.

Bill (No. 20) intituled "An Act respecting the Westminster and Vancouver Tramway Company and the Westminster Street Railway Company," was again considered in Committee of the Whole, with Mr. *Smith* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered on Wednesday next.

Ordered, That Bill (No. 13) intituled "An Act relating to Gold and other minerals, excepting Coal," be placed on the Orders of the Day for second reading to-morrow.

The Hon. Mr. *Robson* presented a Petition from *John Stephen Muir* and 1,558 others (*re* liquor traffic on Sunday).

Laid on the table.

Bill (No. 23) intituled "An Act to incorporate the Burrard Inlet and Fraser Valley Railway Company," was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 28) intituled "An Act to amend the 'Ashcroft and Cariboo Railway Company Act, 1890,'" was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 32) intituled "An Act to incorporate the Chilliwack Railway Company," was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 30) intituled "An Act to incorporate the Vernon and Okanagan Railway Company," was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 39) intituled "An Act to amend the 'Companies Act, 1890,'" was committed, with Mr. *Hall* in the Chair.

The Committee reported progress and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

The Honourable Mr. *Turner* presented, by command of His Honour the Lieutenant-Governor, the following Returns:—

Return of the acreage and situation of all lands assessed for wild land tax where the acreage in any individual assessment exceeds 500 acres.

Return of acreage, ownership, and situation of all lands (not being the property of the Crown) exempted from taxation, and the reasons for such exemptions.

The Honourable Mr. *Robson* presented, by command of His Honour the Lieutenant-Governor, the Annual Report on the Asylum for the Insane for the year 1890.

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

And then the House adjourned at 5:55 o'clock, p. m.

Friday, 27th February, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *D. Fraser*.

✓ Mr. *McKenzie* presented a Petition from *T. Bryant* and 122 others (*re* liquor traffic on Sunday).

Mr. Speaker gave the following decision on the point of order, viz.:—"Can a Bill be Committed upon the same day it is read a second time?"—

I am asked to rule on a point raised by the Honourable the President of the Council—"Whether a *Private* Bill may be sent to a Committee of the Whole immediately after or on the same day it has been read a second time?"

Rule 44 of this House requires that every *Public* Bill shall be read twice in the House before committal or amendment; and

May (9th edition), page 758, says:—"Private Bills * * * in every separate stage, when they come before either House, are treated precisely as if they were *Public* Bills. They are read as many times, and similar questions are put, except when any proceeding is specially directed by the Standing Orders; and the same rules of debate and procedure are maintained throughout."

The same authority (page 552) says:—"When a Bill has been read a second time, a question is put—'That this Bill be committed?' which is rarely opposed, being a *mere formal sequel* to the second reading, not admitting of any discussion of the merits of the Bill itself. When this question has been agreed to, a *day is named* for the committee. When the *order of the day* is read in the Commons, for the House to resolve itself into a committee on the Bill, the Speaker puts the question—'That I do now leave the Chair?'"

Bourinot, although not an authority in this House, is of value in the elucidation of the point raised, as showing the practice of the Canadian House of Commons. That authority (page 532) says:—

"When a Bill has been read a second time (short) by the Clerk, the *next question* will be proposed—'That the House go into Committee on the Bill on — next,' which motion generally passes, *nem con.*, like all such formal motions, though it is quite regular to move an amendment as to the time of committal. When the order of the day for committee has been reached and called in due form, the Speaker will put the question—'That I do now leave the Chair.'"

I have no hesitation in ruling that, under *May*, a Bill, whether Public or Private, cannot be committed except it is on the orders of the day for such committal; that it cannot be committed the same day on which it has been read a second time; and that the words "a mere formal sequel" mean the *order for committal*, for which a day is set, and not the committal of the Bill immediately after the second reading, as has been the practice in this House for some years when dealing with Public Bills.

D. W. HIGGINS,
Speaker.

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

That in the opinion of this House it is advisable that a Commission should be appointed, under the presidency of Mr. Speaker, to revise, during the recess, the Rules and Orders for the conduct of the business of this House.

Mr. *Keith* moved, seconded by Mr. *Horne*,—

Whereas the "Chinese Immigration Act of Canada" has proven in a great measure beneficial, but in some respects defective, more especially as the 5th section permits vessels to carry one Chinese immigrant to any part of Canada for every 50 tons of its tonnage; but we are of opinion that a much larger restriction should be imposed, and fewer Chinese carried on each vessel, or their importation prohibited;

And whereas the 8th section imposes only an entrance duty of \$50 on every person of Chinese origin entering Canada, when \$100 is in our opinion the lowest entrance duty that should be charged, if Chinese are allowed to enter Canada at all;

And whereas the 4th sub-section of the 8th section provides that the entrance duty of \$50 shall not apply to any Chinese person who resided or was within Canada on 1st January, 1886; and the 13th section authorizes the issuance of a certificate of leave to depart and return to Chinese who wish to leave and return to Canada; but, in our opinion, the entrance duty should apply to all Chinese other than those mentioned in sub-sections (a.) and (b.) of section 8, and the issuance of the above-mentioned certificates should be entirely abolished;

Be it therefore Resolved, That a respectful Address be presented to His Honour the Lieutenant-Governor, requesting him to move the Dominion Government to cause the "Chinese Immigration Act of Canada" to be made more restrictive in the manner indicated.

The Honourable Mr. *Davie* moved the "Previous Question," which was *Resolved* in the affirmative.

The motion was then put and *Resolved* in the affirmative upon the following division:—

YEAS :

Messieurs

Semlin,
McKenzie,
Kitchen,
Cotton,
Kellie,

Milne,
Beaven,
Horne,
Brown,
Forster,

Keith,
Robson,
Davie,
Stoddard,

Booth,
Martin,
Rogers,
Fletcher—18.

NAYS :

Messieurs

Sword,
Smith,
Baker,

Vernon,
Hall,
Pooley,

Turner,
Croft,

Hunter,
Anderson—10.

The Report on Bill (No. 17) intituled "An Act respecting actions of Libel and Slander," was further considered.

The Hon. Mr. *Davie* moved to amend section 5 by inserting in line 2, between the words "publication" and "the," "one clear day must be allowed to elapse between the cause of action complained of and the issue of the writ thereupon, and."

Carried.

The Hon. Mr. *Davie* moved to amend sub-section (a.) of the said section 5 in the second line by inserting the words "whether at a parliamentary or a municipal election," between the words "candidate" and "unless."

Carried.

The Hon. Mr. *Davie* moved to amend section 5 sub-section (a.) in line 1 by striking out the word "Act" and insert "section and sub-section."

Carried.

Mr. *Eberts* moved to amend section 8, line 9, by striking out "or" and insert "and."

Carried.

Mr. *Beaven* moved to amend section 8, line 18, by inserting after the word "Court" the words "or Judge that the action is trivial or frivolous, or."

Carried.

The Report, as amended, was adopted.

Bill read a third time and passed.

Mr. *Eberts* to move, on the consideration of the Report on Bill (No. 17) intituled "An Act respecting actions for Libel and Slander," the following amendment:—

In section 9 to strike out in the ninth line the word "or" and insert in lieu thereof the word "and."

Mr. *Beaven* to move, on the consideration of the Report on Bill (No. 17) to amend section 8, line 9, by striking out "or" and insert "and"; also in line 18 to insert after "Court" the words "or judge that the action is trivial or frivolous or."

Bill (No 25) intituled "An Act to establish a Pharmaceutical Association in the Province of British Columbia," was again considered in Committee of the Whole, with Mr. *Hunter* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered on Monday next.

Mr. Speaker gave the following decision:—

On the 24th inst. the Honourable Senior Member for *Vancouver City* took exception to a newspaper report that a certain Bill had passed its second reading without a division, the Honourable Member contending that, the yeas and nays having been called, therefore there had been a division.

When the point was first raised I was of opinion that it was well taken; but having since had access to *May* (9th edition), page 311, I find that I was in error.

May says:—"When each party have exclaimed according to their opinion, the Speaker endeavours to judge, from the loudness and general character of the opposing exclamations, which party have the majority. As his judgment is not final, he expresses his opinion thus: 'I think the (contents or) ayes have it;' or, 'I think the (not contents or) noes have it.' If the House acquiesce in this decision, the question is said to be 'resolved in the affirmative,' or 'negative,' according to the supposed majority on either side; but if the party thus declared

to be in the minority dispute the fact, they say, 'The contents (or not contents), the ayes (or noes) have it,' as the case may be; and the actual numbers must be counted by means of what is termed a *division*."

It is plain, therefore, that the mere taking of the "ayes" and "noes" is not a division; and I must reverse my previous ruling and decide that the second reading of the School Bill was carried without a division.

D. W. HIGGINS,
Speaker.

Mr. Speaker left the Chair at 6 o'clock, p. m.

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

Pursuant to Order, the adjourned debate on the consideration of the Report on Bill (No. 4) intituled "An Act for the benefit of Mechanics and Labourers," (*See Journals 13th February*), was resumed.

The proposed amendment moved by Mr. *Sword*, was withdrawn with leave.

Original motion proposed, and it was *Ordered* that the whole Bill be referred back to a Committee of the Whole House for the purpose of reconsideration and amendment.

The House then went into Committee of the Whole on the Bill, with Mr. *Keith* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered on Wednesday next.

Bill (No. 34) intituled "An Act to prohibit the sale or gift of Tobacco to Minors in certain cases," was again considered in Committee of the Whole, with Mr. *Forster* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered on Monday next.

Bill (No. 19) intituled "An Act to incorporate the Order of the Oblates of Mary Immaculate in the Province of British Columbia," was again considered in Committee of the Whole, with Mr. *Smith* in the Chair.

The Committee reported the Bill complete without amendment.

Report *Ordered* to be considered on Monday next.

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

And then the House adjourned at 11:59 o'clock, p. m.

Monday, 2nd March, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *Percival Jenns*.

The following Petitions were presented and laid on the table:—

By Mr. *Cotton*, from the Mayor and Corporation of the City of *Vancouver*, (opposing Bill to amend the "Vancouver Water-works Act, 1886").

Similar Petition from *C. G. Forsberg* and 360 others, residents and ratepayers of *Vancouver*.

Similar Petition from *D. Oppenheimer* and 407 others.

Similar Petition from *A. St. George* and 124 others.

By Mr. *Semlin*, from *S. Gordon* and others, residents of *Nicola Valley*, for a Private Bill to incorporate "The Nicola Valley Railway Company."

The following Petitions were read and received:—

From *John Stephen Muir* and 1,558 others (*re* liquor traffic on Sunday).

From *T. Bryant* and 122 others (*re* liquor traffic on Sunday).

The Honourable Mr. *Robson* asked leave to introduce a Bill (No. 60) intituled "An Act to amend the 'Railway Aid Act, 1890.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Wednesday next.

Mr. *Martin* presented the Twelfth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

2nd March, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that they considered a Bill intituled "An Act to incorporate the Kootenay Lake Telephone Company, Limited," found the preamble proved, and agreed to submit the Bill with amendments.

GEO. B. MARTIN,
Chairman.

The Report was received and adopted.

Colonel *Baker* presented the Seventh Report from the Select Standing Committee on Railways, as follows:—

2nd March, 1891.

MR. SPEAKER:

Your Select Standing Committee on Railways has the honour to report the preamble proved of an Act intituled "An Act to incorporate the Nicola Valley Railway Company," complete with amendments.

JAMES BAKER,
Chairman.

The Report was received and adopted.

On the motion of the Honourable Mr. *Turner*, seconded by the Honourable Mr. *Pooley*, it was *Resolved*,—

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

On the motion of Mr. *Nason*, seconded by Mr. *Rogers*, it was *Resolved*,—

That whereas at the present time the mail service for the *Chilcotin District* is a fortnightly service (from *Soda Creek* to *Hanseville*) in the summer, and monthly in the winter season, to the great inconvenience of the inhabitants of the said district;

And whereas it would be for the greater benefit of the inhabitants of said *Chilcotin District*, to have the said mail service changed to a fortnightly instead of a monthly service in the months of January, February, March and April, and the months of May, June, July, August, September, October, November and December, a weekly instead of a fortnightly service.

Be it therefore resolved, That an humble Address be presented to His Honour the Lieutenant-Governor, praying him to take steps to cause the said mail service to be changed from monthly to fortnightly in the months of January, February, March, and April, and from fortnightly to weekly in the months of May, June, July, August, September, October, November and December.

The Hon. Mr. *Davis* asked leave to introduce a Bill (No. 61) intituled "An Act to amend the Religious Institutions Act."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Wednesday next

The Hon. Mr. *Davie* asked leave to introduce a Bill (No. 62) intituled "An Act to make valid the Jurors' Books, Rolls, and Lists for the New Westminster Jury District for the year 1891."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Thursday next.

Bill (No. 33) intituled "An Act respecting the Public Schools," was committed, with Mr. *Semlin* in the Chair.

The Committee reported progress and asked leave to sit again.

Ordered, That leave be granted for 7:30 p. m. to-night.

Bill (No. 26) intituled "An Act to amend the 'Crow's Nest and Kootenay Lake Railway Company Act, 1888,'" was read a second time and *Ordered* to be committed to-morrow.

The Order for the second reading of Bill (No. 18) intituled "An Act respecting Actions of Libel and Slander," was discharged.

The Order for the second reading of Bill (No. 5) intituled "An Act relating to Libel in Civil Cases," was discharged.

The Honourable Mr. *Vernon* moved—That Bill (No. 40) intituled "An Act to amend the 'Land Act,'" be read a second time now.

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

Mr. Speaker left the Chair at 6 o'clock, p. m.

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

Pursuant to Order, Bill (No. 33) intituled "An Act respecting the Public Schools," was again considered in Committee of the Whole, with Mr. *Booth* in the Chair.

The Committee reported progress and asked leave to sit again.

Leave granted for to-morrow.

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

And then the House adjourned at 11:59 o'clock, p. m.

Tuesday, 3rd March, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *Percival Jenns*.

The following Petitions were read and received and *Ordered* to be printed:—

From the Mayor and Corporation of the City of *Vancouver*, (opposing Bill to amend the "Vancouver Water-works Act, 1886").

From *C. G. Forsberg* and 360 others, residents and ratepayers of *Vancouver*.

From *D. Oppenheimer* and 407 others,

" "

From *A. St. George* and 124 others,

" "

From *S. Gordon* and others, residents of *Nicola Valley*, for a Private Bill to incorporate "The Nicola Valley Railway Company."

Mr. *Brown* presented a Report from the Select Committee appointed to amend and consolidate the Municipal Acts, enclosing a Bill.

The Report was received.

Mr. *Brown* asked leave to introduce a Bill (No. 63) intituled "An Act to consolidate and amend the Municipal Acts."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Wednesday, the 11th instant.

The Order for the second reading of Bill (No. 11) intituled "An Act to amend an Act to authorize and facilitate the sale of the Royal Hospital, with the buildings thereon," was discharged.

The Honourable Mr. *Robson* moved—That Bill (No. 47) intituled "An Act for the better observance of the Lord's Day, commonly called Sunday," be read a second time now.

Mr. *Hall* moved the "previous question," which was negatived.

Mr. Speaker ruled that the Bill would drop from the Orders of the Day unless the House appointed another day for the second reading of the Bill. (See *May*, 9th ed., pages 545, 550).

Ordered, That the Bill be placed on the Orders of the Day for second reading for to-morrow.

Bill (No. 38) intituled "An Act to incorporate the Nelson and Fort Sheppard Railway Company," was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 39) intituled "An Act to amend the 'Companies Act, 1890,'" was again considered in Committee of the Whole, with Mr. *Hall* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered to-morrow.

The Honourable Mr. *Robson* presented, by command of His Honour the Lieutenant-Governor, a Return showing the area of the lands alienated up to 19th December, 1883, by Crown grant, pre-emption, or otherwise, within the limits of the grant mentioned in section 3 of the Act intituled "An Act relating to the Island Railway, the Graving Dock, and Railway Lands of the Province."

The Honourable Mr. *Robson* presented, by command of His Honour the Lieutenant-Governor, a Return showing the area of all that portion of land conveyed to the Dominion Government under section 3 of an Act intituled "An Act relating to the Island Railway, the Graving Dock, and Railway Lands of the Province," lying to the northward of a line running east and west half-way between the mouth of the *Courtenay River* (*Comox District*) and *Seymour Narrows*.

The Honourable Mr. *Robson* presented, by command of His Honour the Lieutenant-Governor, a Return showing the School Reserves, Indian Reserves, Settlements, Naval or Military Reserves, and Reserves for general public purposes within the limits of the grant to the Esquimalt and Nanaimo Railway Company, the several areas, and situations thereof.

Bill (No. 21) intituled "An Act to amend the 'New Westminster and Burrard Inlet Telephone Company's Incorporation Act, 1886.'" was read a second time and *Ordered* to be committed on Friday next.

Bill (No. 37) intituled "An Act to incorporate the Burrard Inlet Railway and Ferry Company," was read a second time and *Ordered* to be committed on Friday next.

The Report on Bill (No. 25) intituled "An Act to establish a Pharmaceutical Association in the Province of British Columbia," was considered.

Mr. *Hall* moved to strike out clause 2 and to substitute the following clause in place thereof:—

"2. The Lieutenant-Governor in Council shall appoint a Board of Examiners, consisting of not less than _____ persons, who shall, in his opinion, be competent to examine candidates. The said Board of Examiners shall examine candidates for certificates of qualification; determine the subjects of and prescribe rules for the governance of candidates during the examination; grant certificates as hereinafter set forth; and determine the standard of

qualification disclosed by diplomas presented to them under section 3 of this Act. The Board of Examiners shall hold an examination under the provisions of this section in every year, and at such place as shall to the Lieutenant-Governor in Council seem fit."

Clause read a first time.

Second reading moved and negatived.

The Report was adopted upon the following division:—

YEAS:

Messieurs

<i>Grant,</i>	<i>Baker,</i>	<i>Stoddart,</i>	<i>Hunter,</i>
<i>Milne,</i>	<i>Robson,</i>	<i>Pooley,</i>	<i>Rogers,</i>
<i>Horne,</i>	<i>Davie,</i>	<i>Turner,</i>	<i>Fletcher—15.</i>
<i>Brown,</i>	<i>Eberts,</i>	<i>Croft,</i>	

NAYS:

Messieurs

<i>Semlin,</i>	<i>Beaven,</i>	<i>Keith,</i>	<i>Hall,</i>
<i>McKenzie,</i>	<i>Smith,</i>	<i>Vernon,</i>	<i>Anderson—10.</i>
<i>Sword,</i>	<i>Forster,</i>		

Bill read a third time and passed.

Pursuant to Order, Mr. *Brown* moved—That the Report on Bill (No. 34) intituled "An Act to prohibit the sale or gift of Tobacco to Minors in certain cases," be adopted.

The motion was withdrawn.

Ordered, That the said Report be considered on Monday next.

Bill (No. 53) intituled "An Act respecting damages done to stock," was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 57) intituled "An Act respecting Land Surveyors," was read a second time and *Ordered* to be committed to-morrow.

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

And then the House adjourned at 5:55 o'clock, p. m.

Wednesday, 4th March, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *Percival Jenns*.

Mr. *Martin* presented the Thirteenth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

4th March, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that on 21st February they found the notices in connection with the Petition of the "Okanagan Land and Development Company, Limited," proved, but through an oversight omitted to report the Bill in due course. Your Committee now ask the indulgence of the House to present the same.

Your Committee considered the following Bills, viz. :—

1. The Nanaimo Electric Tramway Company, Limited ;
 2. The Upper Columbia Navigation and Tramway Company ;
 3. An Act to amend the "Vancouver Incorporation Act, 1886," and amendments thereto ;
- found the preambles proved, and agreed to report the former without amendments, and the two latter with amendments.

GEO. B. MARTIN,
Chairman.

The Report was received and adopted.

The Standing Rules and Orders were suspended, and Mr. *Martin* then presented the Fourteenth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

4th March, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that the Standing Orders in respect to the Petition of "The Okanagan Land and Development Company, Limited," have been complied with.

GEO. B. MARTIN,
Chairman.

The Report was received and adopted.

Mr. *Martin* then asked leave to introduce a Private Bill (No. 64) intituled "An Act to enable the Okanagan Land and Development Company, Limited Liability, to construct Telephone Lines and Tramways in the Towns of Enderby and Vernon."

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Standing Orders and Private Bills.

On the motion of Mr. *Sword*, seconded by Mr. *Kitchen*, it was *Resolved*,—

That a Select Committee, composed of Messrs. *Fletcher*, *Booth*, *Stoddard*, *Semlin*, and the mover, be appointed to examine and report to the House on the answer given by the Honourable the Chief Commissioner of Lands and Works on Wednesday, 25th February, to section (c) of the question asked by Mr. *Sword*; and also to ascertain whether lands applied for under section 29 of the "Land Act" are placed on the assessment roll when such application is made.

On the motion of Mr. *Brown*, seconded by Mr. *Kitchen*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying that he will cause to be sent down to this House copies of all correspondence between the Bishop of New Westminster and the Department of Lands and Works, relative to a certain reserve situated in suburban block XII., in the City of *New Westminster*, together with copies of Orders in Council (if any) relating thereto, and a tracing of the part of *New Westminster* suburbs in which said reserve is situated, as shown on the map attached to the field-notes of the original survey of *New Westminster* City and suburbs, and a tracing of the said field-notes, including the said reserve.

The adjourned debate on the motion for the second reading of Bill (No. 36) intituled "An Act to amend the 'Vancouver Water-works Act, 1886,'" was resumed.

Bill read a second time.

Ordered to be committed on Friday next.

Pursuant to Order, Mr. *Milne* moved—That Bill (No. 58) intituled "An Act to amend the 'Grave-yard Act,'" be read a second time now.

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

Bill (No. 59) intituled "An Act to amend the 'British Columbia Railway Act,'" was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 26) intituled "An Act to amend the 'Crow's Nest and Kootenay Lake Railway Company Act, 1888,'" was committed, with Mr. *Kitchen* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered on Friday next.

Bill (No. 45) intituled "An Act to incorporate the Nicola Valley Railway Company." was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 43) intituled "An Act to incorporate the Kootenay Lake Telephone Company, Limited," was read a second time and *Ordered* to be committed on Friday next.

The Order for the House to go into Committee of the Whole on Bill (No. 16) intituled "An Act to amend the 'Assessment Act,'" was discharged.

The Report on Bill (No. 39) intituled "An Act to amend the 'Companies Act, 1890,'" was considered and adopted.

Bill read a third time and passed.

Bill (No. 38) intituled "An Act to incorporate the Nelson and Fort Sheppard Railway Company," was committed, with Mr. *Cotton* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered to-morrow.

Bill (No. 53) intituled "An Act respecting damages done to stock," was committed, with Mr. *Hall* in the Chair.

The Committee reported progress and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

The Report on Bill (No. 20) intituled "An Act respecting the Westminster and Vancouver Tramway Company and the Westminster Street Railway Company," was considered.

Mr. *Beaven* moved to insert the following as a new clause:—

Sec. 18. This Act is passed upon the express understanding that no Chinese, either directly or indirectly, shall be employed in, or about, or concerning any work or services authorized by this Act or required by the Company to be done or performed. In the event of any Chinese being employed by the Company, the Company shall be liable, upon summary conviction before any two Justices of the Peace or functionary having the power of two Justices of the Peace, upon the oath or affirmation of one or more credible witness or witnesses, to a penalty not exceeding twenty-five dollars, or less than ten dollars, for every Chinese employed; and in default of immediate payment of the penalty, the same may be levied by distress and sale of the goods and chattels of the Company. And in the event of any Chinese being employed by any of the Company's contractors or sub-contractors contrary to the provisions of this Act, then any such contractor or sub-contractor shall be liable, upon summary conviction as aforesaid, to a penalty not exceeding twenty-five dollars, nor less than ten dollars, for every Chinese employed; and in case of default in immediate payment of such last-mentioned penalty, the same may be recovered by distress and sale of the goods and chattels of the offender; and in default of sufficient distress, the offender may be committed to any gaol or place of confinement situate within the territorial jurisdiction of the convicting Justices, and there imprisoned for any term not exceeding thirty days; and any director or officer of the Company who causes or procures any Chinese to be employed, contrary to the provisions of this Act, or permits or connives at such employment, shall be liable, upon summary conviction as aforesaid, to the like penalties as hereinbefore in this section provided, recoverable in manner secondly hereinbefore mentioned.

The motion was negatived on the following division:—

YEAS:

Messieurs

<i>McKenzie,</i>	<i>Milne,</i>	<i>Brown,</i>	<i>Hunter,</i>
<i>Kitchen,</i>	<i>Beaven,</i>	<i>Keith,</i>	<i>Anderson—11.</i>
<i>Cotton,</i>	<i>Horne,</i>	<i>Stoddart,</i>	

NAYS:

Messieurs

<i>Sword,</i>	<i>Davie,</i>	<i>Nason,</i>	<i>Croft</i>
<i>Smith,</i>	<i>Vernon,</i>	<i>Pooley,</i>	<i>Rogers,</i>
<i>Forster,</i>	<i>Eberts,</i>	<i>Turner,</i>	<i>Fletcher— 14.</i>
<i>Robson,</i>	<i>Hall,</i>		

Report adopted.

Ordered to be read a third time to-morrow.

The Report on Bill (No. 4) intituled "An Act for the benefit of Mechanics and Labourers," was considered.

Mr. Speaker left the Chair at 6 o'clock, p. m.

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

The Report was adopted.

The Bill was then read a third time on the following division:—

YEAS :

Messieurs

<i>Semlin,</i>	<i>Kellie,</i>	<i>Keith,</i>	<i>Turner,</i>
<i>McKenzie,</i>	<i>Beaven,</i>	<i>Robson,</i>	<i>Martin,</i>
<i>Sword,</i>	<i>Brown,</i>	<i>Stoddart,</i>	<i>Rogers,</i>
<i>Kitchen,</i>	<i>Forster,</i>	<i>Pooley,</i>	<i>Anderson—17.</i>
<i>Cotton,</i>			

NAYS :

Messieurs

<i>Smith,</i>	<i>Eberts,</i>	<i>Nason,</i>	<i>Croft—6.</i>
<i>Davie,</i>	<i>Hall,</i>		

Resolved, That the Bill do pass.

Bill (No. 61) intituled "An Act to amend the 'Religious Institutions Act,'" was read a second time.

Ordered to be committed to-morrow.

By leave of the House the adjourned debate on the motion for the second reading of Bill (No. 58) intituled "An Act to amend the 'Graveyard Act,'" was resumed.

Bill read a second time.

Ordered to be committed to-morrow.

Bill (No. 23) intituled "An Act to incorporate the Burrard Inlet and Fraser Valley Railway Company," was committed, with Mr. *Forster* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered on Friday next.

Bill (No. 32) intituled "An Act to incorporate the Chilliwack Railway Company," was committed, with Mr. *Keith* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered to-morrow.

Bill (No. 30) intituled "An Act to incorporate the Vernon and Okanagan Railway Company," was committed, with Mr. *Croft* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered on Friday next.

Bill (No. 29) intituled "An Act to incorporate the Vernon and Nelson Telephone Company," was read a second time and *Ordered* to be committed on Friday next.

The Report on Bill (No. 19) intituled "An Act to incorporate the Order of the Oblates of Mary Immaculate in the Province of British Columbia," was considered and adopted.

Bill read a third time and passed.

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

And then the House adjourned at 10:30 o'clock, p. m.

 Thursday, 5th March, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *Percival Jenns.*

Mr. *Kellie* presented a Petition from *Robert Smith* and 45 others, praying that the House will favourably consider the application of the "Nicola, Kamloops and Similkameen Railway Company."

Mr. *Martin* presented the Fifteenth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

5th March, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg to recommend that Messrs. *Sword* and *Rogers* be added to the Committee on Private Bills and Standing Orders.

GEO. B. MARTIN,
Chairman.

The Report was received and adopted.

Colonel *Baker* presented the Eighth Report from the Select Standing Committee on Railways, as follows:—

5th March, 1891.

MR. SPEAKER:

Your Select Standing Committee on Railways has the honour to report the preambles proved of the following Bills, intituled

“An Act to incorporate the Liverpool and Canoe Pass Railway Company;”

“An Act to incorporate the Vancouver and Lulu Island Railway Company;”
and the Bills complete with amendments.

JAMES BAKER,
Chairman.

The Report was received and adopted.

Mr. *Eberts* asked leave to introduce a Bill (No. 65) intituled “An Act to amend the ‘British Columbia University Act, 1890.’”

Ordered, That leave be granted.

Bill introduced and read a first time.

Ordered, That the Bill be read a second time on Monday next.

Bill (No. 42) intituled “An Act to amend the ‘Supreme Court Act,’” was again considered in Committee of the Whole, with Mr. *Stoddart* in the Chair.

The Committee reported progress and asked leave to sit again.

Leave granted for to-morrow.

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

And then the House adjourned at 2:45 o'clock, p. m.

Friday, 6th March, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *Percival Jenns*.

The Petition from *Robert Smith* and 45 others, praying that the House will favourably consider the application of “The Nicola, Kamloops, and Similkameen Railway Company,” was read and received and *Ordered* to be printed.

Mr. *Semlin* presented the Sixteenth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

6th March, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that they considered the following Bills, viz.:—

1. The Hot Springs and Goat River Tramway Company;

2. The Vancouver and Lulu Island Electrical Railway and Improvement Company;
found the preambles proved, and beg to report the two Bills with amendments.

CHAS. A. SEMLIN,
Chairman, pro tem.

The Report was received and adopted.

Colonel *Baker* presented the Ninth Report from the Select Standing Committee on Railways, as follows:—

6th March, 1891.

MR. SPEAKER:

Your Select Standing Committee on Railways has the honour to report the preamble proved of an Act intituled "An Act to incorporate the Nicola, Kamloops, and Similkameen Coal and Railway Company," complete with amendments.

JAMES BAKER,
Chairman.

The report was received and adopted.

On the motion of the Honourable Mr. *Turner*, seconded by the Honourable Mr. *Pooley*, it was *Resolved*,—

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

Bill (No. 42) intituled "An Act to amend the 'Supreme Court Act,'" was again considered in Committee of the Whole, with Mr. *Stoddart* in the Chair.

The Committee rose without report.

The Honourable Mr. *Robson* presented, by command of His Honour the Lieutenant-Governor, the Annual Report of the Minister of Mines for the year ending 31st Decr., 1890.

The Honourable Mr. *Robson* presented a Petition from the Presbytery of Columbia of the Presbyterian Church in Canada.

Laid on the table.

The Order for the House to again consider Bill (No. 9) intituled "An Act to amend the 'Jurors' Act,'" was discharged.

The adjourned debate on the motion for the second reading of Bill (No. 40) intituled "An Act to amend the 'Land Act,'" was resumed.

The debate was further adjourned until Monday next.

Bill (No. 61) intituled "An Act to amend the 'Religious Institutions Act,'" was committed, with Mr. *Nason* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered on Monday next.

Mr. Speaker left the Chair at 6 o'clock, p. m.

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

Bill (No. 62) intituled "An Act to make valid the Jurors' Books, Rolls, and Lists for the New Westminster Jury District for the year 1891," was read a second time.

Ordered to be committed forthwith.

Bill Committed, with Colonel *Baker* in the Chair.

The Committee reported the Bill complete without amendment

Report adopted.

Bill read a third time and passed.

Bill (No. 60) intituled "An Act to amend the 'Railway Aid Act, 1890,'" was read a second time.

Ordered to be committed on Monday next.

The Honourable Mr. *Turner* presented 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:—

HUGH NELSON.

The Lieutenant-Governor transmits herewith a Bill intituled the "Assessment Act Amendment Act, 1891," and recommends the same to the Legislative Assembly.

Government House,
6th March, 1891.

Ordered, That the said Message and the Bill accompanying the same be referred to a Committee of the Whole on Monday next.

The Honourable Mr. *Turner* moved—That Bill (No. 35) intituled “An Act to amend ‘An Act to provide for the Collection of a Tax on Persons,’” be read a second time now.

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

Bill (No. 20) “An Act respecting the Westminster and Vancouver Tramway Company and the Westminster Street Railway Company,” was read a third time and passed.

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

And then the House adjourned at 9:55 o'clock, p. m.

Monday, 9th March, 1891.

TWO O'CLOCK, P. M.

Prayers by the Right Rev. Bishop *Cridge*.

Colonel *Baker* presented the Tenth Report from the Select Standing Committee on Railways, as follows:—

9th March, 1891.

MR. SPEAKER:

Your Select Standing Committee on Railways has the honour to report the preamble proved of an Act intituled “An Act to incorporate the Vancouver, Northern, Peace River and Alaska Railway and Navigation Company,” and the Bill complete with amendments.

JAMES BAKER,
Chairman.

The Report was received and adopted.

The Petition from the Presbytery of Columbia of the Presbyterian Church in Canada, was read and received and *Ordered* to be printed.

Mr. *Keith* asked leave to introduce a Bill (No. 67) intituled “An Act to further amend the ‘Coal Mines Regulation Act.’”

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Thursday next.

On the motion of Mr. *Hall*, seconded by Mr. *Keith*, it was *Resolved*,—

That a respectful Address be presented to His Honour the Lieutenant-Governor, praying His Honour that he will cause to be pointed out to the Dominion Government the very urgent necessity which exists for the providing of an efficient mail service on what is known as the Northern Coast route of this Province, by steamers of good speed and accommodation, equal in all respects to the American mail steamers plying to *Alaska*.

The present requirements are as hereunder, viz.:—*Victoria* to *Port Simpson*, *Naas River*, and way ports. Mails to leave *Victoria* on the 1st and 15th of each month, calling at *Masset* and *Skidegate*, on *Queen Charlotte Islands*, on alternate trips.

The Hon. Mr. *Robson* asked leave to introduce a Bill (No. 68) intituled “An Act relating to Placer Mines.”

Leave granted.

Bill introduced and read a first time.

Ordered to be referred to the Select Standing Committee on Mines.

Mr. *Kellie* asked leave to introduce a Bill (No. 69) intituled "An Act respecting the creation of Advisory Boards in Mining Districts."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Monday next.

The Honourable Mr. *Davie* asked leave to introduce a Bill (No. 70) intituled "An Act to amend the 'Supreme Court Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Wednesday next.

The Report on Bill (No. 38) intituled "An Act to incorporate the Nelson and Fort Sheppard Railway Company," was considered.

Mr. *Beaven* moved to insert the following as a new section:—

Sec. . This Act is passed upon the express understanding that no Chinese, either directly or indirectly, shall be employed in, or about, or concerning any work or services authorized by this Act or required by the Company to be done or performed. In the event of any Chinese being employed by the Company, the Company shall be liable, upon summary conviction before any two Justices of the Peace or functionary having the power of two Justices of the Peace, upon the oath or affirmation of one or more credible witness or witnesses, to a penalty not exceeding twenty-five dollars, or less than ten dollars, for every Chinese employed; and in default of immediate payment of the penalty, the same may be levied by distress and sale of the goods and chattels of the Company. And in the event of any Chinese being employed by any of the Company's contractors or sub-contractors contrary to the provisions of this Act, then any such contractor or sub-contractor shall be liable, upon summary conviction as aforesaid, to a penalty not exceeding twenty-five dollars, nor less than ten dollars, for every Chinese employed; and in case of default in immediate payment of such last-mentioned penalty, the same may be recovered by distress and sale of the goods and chattels of the offender; and in default of sufficient distress, the offender may be committed to any gaol or place of confinement situate within the territorial jurisdiction of the convicting Justices, and there imprisoned for any term not exceeding thirty days; and any director or officer of the Company who causes or procures any Chinese to be employed, contrary to the provisions of this Act, or permits or connives at such employment, shall be liable, upon summary conviction as aforesaid, to the like penalties as hereinbefore in this section provided, recoverable in manner secondly hereinbefore mentioned.

The motion was negatived on the following division:—

YEAS:

Messieurs

<i>Semlin,</i>	<i>Cotton,</i>	<i>Beaven,</i>	<i>Stoddart,</i>
<i>Grant,</i>	<i>Kellie,</i>	<i>Brown,</i>	<i>Martin—11.</i>
<i>Kitchen,</i>	<i>Milne,</i>	<i>Keith,</i>	

NAYS:

Messieurs

<i>Sword,</i>	<i>Robson,</i>	<i>Hall,</i>	<i>Croft,</i>
<i>Smith,</i>	<i>Davie,</i>	<i>Nason,</i>	<i>Hunter,</i>
<i>Forster,</i>	<i>Vernon,</i>	<i>Pooley,</i>	<i>Rogers,</i>
<i>Baker,</i>	<i>Eberts,</i>	<i>Turner,</i>	<i>Anderson—16.</i>

Mr. *Kellie* moved, seconded by Colonel *Baker*, to add the following as a new clause:—

"17. The provisions of the 'British Columbia Railway Act,' except in so far as they are inconsistent with or repugnant to the express provisions hereof, shall be incorporated with this Act."

Carried.

The Report, as amended, was adopted.

Ordered to be read a third time on Wednesday next.

The Report on Bill (No. 32) intituled "An Act to incorporate the Chilliwack Railway Company," was considered.

Mr. *Beaven* moved to add as a new section (the Chinese clause same as moved to the previous Bill, No. 38).

The motion was negatived on the following division:—

YEAS:

Messieurs

<i>Semlin,</i>	<i>Beaven,</i>	<i>Forster,</i>	<i>Stoddart,</i>
<i>Cotton,</i>	<i>Brown,</i>	<i>Keith,</i>	<i>Martin—9.</i>
<i>Milne,</i>			

NAYS:

Messieurs

<i>Grant,</i>	<i>Baker,</i>	<i>Booth,</i>	<i>Turner,</i>
<i>Sword,</i>	<i>Robson,</i>	<i>Hall,</i>	<i>Croft,</i>
<i>Kitchen,</i>	<i>Davie,</i>	<i>Nason,</i>	<i>Hunter,</i>
<i>Kellie,</i>	<i>Vernon,</i>	<i>Pooley,</i>	<i>Anderson—18.</i>
<i>Smith,</i>	<i>Eberts,</i>		

Report adopted.

Bill *Ordered* to be read a third time to-morrow.

The Report on Bill (No. 34) intituled "An Act to prohibit the sale or gift of Tobacco to Minors in certain cases," was considered.

Mr. *Brown* moved, seconded by Mr. *Forster*, to strike out clause three.

Carried.

Report adopted as amended.

Ordered to be read a third time to-morrow.

The Report on Bill (No. 26) intituled "An Act to amend the 'Crow's Nest and Kootenay Lake Railway Company Act, 1888,'" was considered.

Mr. *Beaven* moved to add as a new clause (the Chinese clause same as moved on consideration of the Reports on Bills Nos. 38 and 32).

Colonel *Baker* moved the "previous question," which was carried.

The motion was negatived on the following division:—

YEAS:

Messieurs

<i>Semlin,</i>	<i>Milne,</i>	<i>Forster,</i>	<i>Stoddart,</i>
<i>Cotton,</i>	<i>Beaven,</i>	<i>Keith,</i>	<i>Martin.—8.</i>

NAYS:

Messieurs

<i>Grant,</i>	<i>Brown,</i>	<i>Eberts,</i>	<i>Croft,</i>
<i>Sword,</i>	<i>Robson,</i>	<i>Hall,</i>	<i>Hunter,</i>
<i>Kitchen,</i>	<i>Davie,</i>	<i>Nason,</i>	<i>Anderson—15.</i>
<i>Smith,</i>	<i>Vernon,</i>	<i>Turner,</i>	

Mr. *Martin* moved, seconded by Mr. *Semlin*, to add the following as a new clause;—

"That this Act shall not come into force until such time as the Dominion Government have placed a duty on the exportation of ores from British Columbia."

The motion was negatived on the following division:—

YEAS:

Messieurs

<i>Semlin,</i>	<i>Martin—2.</i>
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NAYS:

Messieurs

<i>Grant,</i>	<i>Beaven,</i>	<i>Davie,</i>	<i>Nason,</i>
<i>Sword,</i>	<i>Smith,</i>	<i>Vernon,</i>	<i>Pooley,</i>
<i>Kitchen,</i>	<i>Brown,</i>	<i>Eberts,</i>	<i>Turner,</i>
<i>Cotton,</i>	<i>Forster,</i>	<i>Stoddart,</i>	<i>Croft,</i>
<i>Kellie,</i>	<i>Keith,</i>	<i>Booth,</i>	<i>Hunter,</i>
<i>Milne,</i>	<i>Robson,</i>	<i>Hall,</i>	<i>Anderson—24.</i>

Report adopted.

Bill *Ordered* to be read a third time to-morrow.

The Report on Bill (No. 23) intituled "An Act to incorporate the Burrard Inlet and Fraser Valley Railway Company," was considered.

Mr. *Beaven* moved to add as a new clause (the Chinese clause same as moved on the consideration of the Reports on Bills Nos. 38, 32, and 26).

The motion was negatived on the following division:—

YEAS:

Messieurs

<i>Semlin,</i>	<i>Milne,</i>	<i>Forster,</i>	<i>Stoddart,</i>
<i>Cotton,</i>	<i>Beaven,</i>	<i>Keith,</i>	<i>Martin—8.</i>

NAYS:

Messieurs

<i>Grant,</i>	<i>Brown,</i>	<i>Eberts,</i>	<i>Turner,</i>
<i>Sword,</i>	<i>Baker,</i>	<i>Hall,</i>	<i>Croft,</i>
<i>Kitchen,</i>	<i>Robson,</i>	<i>Nason,</i>	<i>Hunter,</i>
<i>Kellie,</i>	<i>Davie,</i>	<i>Pooley,</i>	<i>Anderson—18.</i>
<i>Smith,</i>	<i>Vernon,</i>		

Report adopted.

Bill *Ordered* to be read a third time to-morrow.

The Report on Bill (No. 30) intituled "An Act to incorporate the Vernon and Okanagan Railway Company," was considered.

Mr. *Beaven* moved to add as a new clause (the Chinese clause same as moved on the consideration of the Reports on Bills Nos. 38, 32, 26, and 23).

The motion was negatived on the following division:—

YEAS:

Messieurs

<i>Semlin,</i>	<i>Milne,</i>	<i>Stoddart,</i>	<i>Martin—6.</i>
<i>Cotton,</i>	<i>Beaven,</i>		

NAYS:

Messieurs

<i>Grant,</i>	<i>Baker,</i>	<i>Eberts,</i>	<i>Turner,</i>
<i>Kitchen,</i>	<i>Robson,</i>	<i>Hall,</i>	<i>Croft,</i>
<i>Kellie,</i>	<i>Davie,</i>	<i>Nason,</i>	<i>Hunter,</i>
<i>Smith,</i>	<i>Vernon,</i>	<i>Pooley,</i>	<i>Anderson—16.</i>

Report adopted.

Bill *Ordered* to be read a third time to-morrow.

The Report on Bill (No. 61) intituled "An Act to amend the 'Religious Institutions Act,'" was considered and adopted.

Bill read a third time and passed.

Bill (No. 33) intituled "An Act respecting the Public Schools," was again considered in Committee of the Whole, with Mr. *Keith* in the Chair.

The Committee reported progress and asked leave to sit again.
Leave granted for this evening.

Mr. Speaker left the Chair at 6 o'clock, p. m.

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

The House again went into Committee of the Whole on Bill (No. 33) intituled "An Act respecting the Public Schools," with Mr. *Keith* in the Chair.

The Committee reported progress and asked leave to sit again.
Leave granted for the next sitting of the House.

The House continued to sit after midnight.

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

And then the House adjourned at 2:12 o'clock, a. m. on Tuesday, 10th March.

Tuesday, 10th March, 1891.

TWO O'CLOCK, P. M.

Prayers by the Right Rev. Bishop *Cridge*.

Mr. *Martin* presented the Seventeenth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

10th March, 1891.

MR. SPEAKER:

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

Your Committee having been appointed a Select Committee by resolution of the House on February 4th, and having been engaged as such for two sittings, and with every apparent probability of many more sittings, has, consequently, delayed the consideration of several important Private Bills.

Your Committee, therefore, recommend the suspension of the Standing Orders for one week, to allow them to report.

GEO. B. MARTIN,
Chairman.

The Report was received.

On the motion of Mr. *Martin*, the Standing Orders were suspended and the Report adopted.

Pursuant to Order, the House resolved itself into a Committee of the Whole to consider the motion—"That a Supply be granted to Her Majesty."

(IN THE COMMITTEE.)

On the motion of the Honourable Mr. *Turner*, seconded by the Honourable Mr. *Robson*,—

Resolved, That a Supply be granted to Her Majesty.

Resolved, That the Committee rise and report the Resolution.

Upon Mr. Speaker resuming the Chair, Mr. *Martin*, Chairman of the Committee, reported the Resolution.

Report *Ordered* to be considered forthwith.

Resolved, That a Supply be granted to Her Majesty.

Resolved, That this House will, on Tuesday next, resolve itself into a Committee of Supply.

Pursuant to Order, the House resolved itself into Committee of the Whole, with Mr. *Martin* in the Chair, to consider the Message of His Honour the Lieutenant-Governor of the 6th March, inst., enclosing a Bill intituled "An Act to amend the 'Assessment Act.'"

(IN THE COMMITTEE.)

On the motion of the Honourable Mr. *Turner*, seconded by the Honourable Mr. *Robson*, it was *Resolved*,—

That the Committee report to the House a Bill intituled "An Act to amend the 'Assessment Act.'"

The Committee reported the Resolution and the Bill.
Report received and adopted.

Bill (No. 66) intituled "An Act to amend the 'Assessment Act,'" was then read a first time.

Ordered to be read a second time on Thursday next.

The adjourned debate on the motion for the second reading of Bill (No. 40) intituled "An Act to amend the 'Land Act,'" was resumed.

Bill read a second time on the following division:—

YEAS :

Messieurs

<i>Smith,</i>	<i>Vernon,</i>	<i>Nason,</i>	<i>Croft,</i>
<i>Baker,</i>	<i>Eberts,</i>	<i>Pooley,</i>	<i>Hunter,</i>
<i>Robson,</i>	<i>Stoddart,</i>	<i>Turner,</i>	<i>Rogers,</i>
<i>Davie,</i>	<i>Hall,</i>	<i>Martin,</i>	<i>Anderson—16.</i>

NAYS :

Messieurs

<i>Semlin,</i>	<i>Sword,</i>	<i>Cotton,</i>	<i>Beaven,</i>
<i>Grant,</i>	<i>Kitchen,</i>	<i>Milne,</i>	<i>Brown—9.</i>
<i>McKenzie,</i>			

Ordered to be committed to-morrow.

Bill (No. 57) intituled "An Act respecting Land Surveyors," was committed, with Mr. *Grant* in the Chair.

The Committee reported progress and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

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

(a.) By what authority, or under what Act, was the annexed order made?—

"All moneys paid into Court, whether the Supreme or County Court, must be paid by the party paying the same to the Bank of B. C. in New Westminster, and to the credit of the cause. Forms to be obtained on application to the Registrar. And see *Archbold's* "Prac.: edn. 1862, p. 1353, and edn. of 1879, p. 1090.

"Dated 19th day of February, 1890. (Signed) "J. F. MCCREIGHT,
" "W. NORMAN BOLE."

(b.) Is the order valid or binding upon either practitioners or Registrars?

(c.) If not, will the Department instruct the Registrars to disregard it?

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

"(a.) The document set out is not an Order of Court, but is a reference to the practice and procedure of the Court, and a direction to obey the same; the authority is that quoted in the reference.

"(b.) In my opinion the practice quoted is valid and binding, both on practitioners and Registrars.

"(c.) The Department of the Attorney-General will not instruct Registrars to disregard the directions of the Court."

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

Have any complaints been made to the Department, or is the Department aware, of suitors having suffered delay or expense, or both, by the refusal of any Judge of the Supreme Court to make orders for payment out of moneys in Court?

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

“If any delay, expense, or injustice has been occasioned to suitors by the refusal of any Judge of the Supreme Court to make orders for the payment of moneys out of Court, the parties considering themselves aggrieved have their right of appeal to the Divisional Court or to the Full Court, failing the taking of which they have no ground of complaint.”

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

And then the House adjourned at 5:55 o'clock, p. m.

Wednesday, 11th March, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *John Reid*, D. D.

Mr. *Kellie* presented a Petition from *William Hunter* and others (re granting charter to Nelson and Fort Sheppard Railway Company).

Laid on the table.

On the motion of Mr. *Croft*, seconded by Mr. *Anderson*, it was *Resolved*—

That a Select Committee, composed of Messrs. *Anderson*, *Baker*, *Smith*, and the mover, be appointed to enquire into all the circumstances connected with the attack made by a number of persons upon the funeral procession of the late *Ellis Roberts*, of *Wellington*, on the 4th inst., with power to call for persons, papers, and to examine witnesses in connection therewith, and to report to the House.

Mr. *Kellie* asked the Honourable the Provincial Secretary the following questions:—

1. Would the Government be willing to expend the sum of \$300 on each of the mining districts of *East and West Kootenay*, *Cariboo*, *Lillooet* and *Cassiar* for the purpose of collecting specimens of from five to twenty pounds weight from each of the promising mines in such districts?

2. Would the Government be willing to pay the freight charges and duty (if any) incurred by sending such specimens to the Provincial Museum here, to *London*, to *New York*, to *Amsterdam*, to *San Francisco*, to *Glasgow*, and to *Chicago*?

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

“It is the intention of the Government to take steps for securing mineral specimens from the mining districts, for exhibition where they will do the most good, but I am not yet in a position to state what amount will be expended, or to name the places where such specimens will be exhibited.”

Bill (No. 26) intituled “An Act to amend the ‘Crow’s Nest and Kootenay Lake Railway Company Act, 1888,’” was read a third time and passed.

Bill (No. 23) intituled “An Act to incorporate the Burrard Inlet and Fraser Valley Railway Company,” was read a third time and passed.

Bill (No. 30) intituled “An Act to incorporate the Vernon and Okanagan Railway Company,” was read a third time and passed.

Bill (No. 53) intituled "An Act respecting damages done to stock," was again considered in Committee of the Whole, with Mr. *Hall* in the Chair.

The Committee reported progress and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

Bill (No. 36) intituled "Act to amend the 'Vancouver Water-works Act, 1886,'" was committed, with Mr. *Nason* in the Chair.

The Committee reported the Bill complete with amendments.

Report *Ordered* to be considered to-morrow.

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

Bill (No. 38) intituled "An Act to incorporate the Nelson and Fort Sheppard Railway Company," was read a third time and passed.

And then the House adjourned at 5:50 o'clock, p. m.

Thursday, 12th March, 1891.

TWO O'CLOCK, P. M.

Prayers by the Rev. *John Reid*, D. D.

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

Mr. *Smith* presented a Petition from *John Miller* and others, residents of *Lillooet District*, (*re* residence of resident Physician).

Laid on the table.

The Petition from *William Hunter* and others (*re* granting charter to Nelson and Fort Sheppard Railway Company), was read and received.

The Honourable Mr. *Robson* presented, by command of His Honour the Lieutenant-Governor, a Return to an Address for copies of all correspondence between the Bishop of New Westminster and the Department of Lands and Works, relative to a certain reserve situated in suburban block XII., in the City of *New Westminster*, together with copies of Orders in Council (if any) relating thereto, and a tracing of the part of *New Westminster* suburbs in which said reserve is situated, as shown on the map attached to the field-notes of the original survey of *New Westminster* City and suburbs, and a tracing of the said field-notes, including the said reserve.

The Honourable Mr. *Davie* presented 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:—

HUGH NELSON.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to further amend the 'Jurors' Act,'" and recommends the same to the Legislative Assembly.

Government House,
11th March, 1891.

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

The House accordingly resolved itself into a Committee of the Whole, with Mr. *McKenzie* in the Chair.

(IN THE COMMITTEE.)

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

That the Committee rise and report to the House “An Act to further amend the ‘Jurors’ Act.’”

The Committee reported the Resolution and the Bill.
Report adopted.

The Honourable Mr. *Davie* then asked leave to introduce a Bill (No. 71) intituled “An Act to further amend the ‘Jurors’ Act.’”

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Friday next.

Mr. *Martin* presented the Eighteenth Report from the Select Standing Committee on Standing Orders and Private Bills, as follows:—

12th March, 1891.

MR. SPEAKER:

Your Committee on Private Bills and Standing Orders beg leave to report that they considered the following Bill, viz.:—“An Act to incorporate the Toad Mountain and Nelson Tramway Company,” and found the preamble proved, and beg to submit the Bill with amendments.

GEO. B. MARTIN,
Chairman.

The Report was received and adopted.

Colonel *Baker* presented the Eleventh Report from the Select Standing Committee on Railways, as follows:—

12th March, 1891.

MR. SPEAKER:

Your Select Standing Committee on Railways has the honour to request your Honourable House to allow the Standing Orders to be suspended in order that a Bill intituled “An Act to incorporate the Nicola, Kamloops, and Similkameen Railway” be re-committed, as it is believed that important evidence which may effect the interests of the public can be submitted for the consideration of your Committee.

JAMES BAKER,
Chairman.

The Report was received and adopted.

Bill (No. 40) intituled “An Act to amend the ‘Land Act,’” was committed, with Mr. *Kitchen* in the Chair.

The Committee reported progress and asked leave to sit again.

Leave granted for to-morrow.

The Honourable Mr. *Robson* presented, by command of His Honour the Lieutenant-Governor, a Return of all correspondence and telegrams concerning the intestate estate of the late *D. McMartin*, who died in *Lillooet District* about the month of October, 1889; specifying therein whether the property was sold by private sale or public auction; the total amount realized by such sale; the expenses incurred by the Government in connection with the estate, and what disposition has been made of the balance, if any.

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