

Monday, 14th January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Ven. Archdeacon *Scriven*.

The Petition from the Cariboo Hydraulic Mining Company, asking amendments to the Victoria Hydraulic Mining Company's Bill, now before the House, was received and *Ordered* to be printed.

Mr. *McPherson* presented a Report from the Select Committee appointed to enquire into the subject-matter of the Petition of *William Cartwright*.

The Report was received and, together with the evidence submitted therewith, *Ordered* to be printed.

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

LEGISLATIVE COMMITTEE ROOM,
14th January, 1895.

MR. SPEAKER :

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

The preambles proved of two Bills intituled "An Act to amend the 'New Westminster Act, 1888,'" and "The Corporation of the City of Nanaimo Water-works Act, 1895," and the Bills complete with amendments.

D. M. EBERTS,
Chairman.

The Report was received.

Mr. *Smith* presented the Second Report from the Select Standing Committee on Mining, as follows:—

LEGISLATIVE COMMITTEE ROOM,
14th January, 1895.

MR. SPEAKER :

Your Committee on Mining beg to report as follows:—

A Bill intituled "An Act to authorize the granting of a prospecting license over, and a lease of, certain lands in Cariboo District," and recommend the same to the House.

A. W. SMITH,
Chairman.

The Report was received.

The Honourable Mr. *Turner* asked leave to introduce a Bill (No. 50) intituled "An Act to amend the 'Revenue Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

The Honourable Mr. *Davie* asked leave to introduce a Bill (No. 51) 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 to-morrow.

Mr. *Helmcken* asked leave to introduce a Bill (No. 52) intituled "An Act for the benefit of Mechanics and Labourers."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

The Honourable Mr. *Turner* asked leave to introduce a Bill (No. 53) intituled "An Act for the Incorporation of Cheese and Butter Associations."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

The Honourable Mr. *Turner* asked leave to introduce a Bill (No. 54) intituled "An Act to provide against frauds in the supplying of Milk to Cheese and Butter Manufactories."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

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

That an Order of this House be granted for all correspondence between any member of the Government and any other person, in relation to the appointment of Resident Physician for the Provincial Asylum for Insane at *New Westminster*, as successor to Dr. *Bentley*. Also, such correspondence relating to applications for the position of such Resident Physician, or recommending any applicant therefor.

The Honourable Colonel *Baker* asked leave to introduce a Bill (No. 55) intituled "An Act to Incorporate the British Columbia Society for the Prevention of Cruelty to Animals."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

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

That an Order of the House be granted for a Return of all correspondence relating to the absconding of one *Burton*, Official Stenographer, who had been appointed by Mr. Justice *Crease* receiver of the bindery department of the "News-Advertiser," with a statement of any securities given by him.

Mr. *Helmcken* asked the Hon. the Minister of Agriculture the following questions:—

1. Whether tuberculin is an infallible test of the presence of tuberculosis in animals?
2. Whether tuberculin may not cause the same action as in cattle not affected by tuberculosis?
3. Whether the injection of tuberculin may not cause tuberculosis in cattle not previously affected?
4. By what authority is it proposed to order the destruction of animals in quarantine?
5. Who pays the cost of the various men in charge of animals now in quarantine?
6. Who pays for the feed of animals while in quarantine?
7. Will the whole cost of maintaining animals in quarantine (including the cost of keeping man in charge and feed of animals) be ultimately borne by the owner of such animals?
8. Is it the intention of the Government to appoint a representative, other than the Inspector, to be present at the slaughter of any animal while in quarantine?

Mr. Speaker ruled questions 1, 2 and 3 out of order.

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

"Question 4.—The Government does not order the destruction of animals in quarantine.

"Questions 5, 6, 7, 8.—The subject-matter of these questions will receive the consideration of the Government."

The adjourned debate on the second reading of Bill (No. 34) intituled "An Act to provide Four Hundred and Twenty Thousand Pounds for the public purposes of the Province," was resumed.

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

YEAS :

Messieurs

<i>Smith,</i>	<i>Davie,</i>	<i>Booth,</i>	<i>Rogers,</i>
<i>Kellie,</i>	<i>Martin,</i>	<i>Walkem,</i>	<i>Hunter,</i>
<i>Mutter,</i>	<i>Eberts,</i>	<i>Pooley,</i>	<i>Irving,</i>
<i>Helmcken,</i>	<i>Rieth,</i>	<i>Turner,</i>	<i>Braden,</i>
<i>Baker,</i>	<i>Adams,</i>	<i>Bryden,</i>	<i>McGregor—20.</i>

NAYS :

Messieurs

<i>Kennedy,</i>	<i>McPherson,</i>	<i>Williams,</i>	<i>Prentice,</i>
<i>Hume,</i>	<i>Kidd,</i>	<i>Semlin,</i>	<i>Graham—11.</i>
<i>Forster,</i>	<i>Sword,</i>	<i>Cotton,</i>	

Bill committed, with Mr. *Eberts* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered to-morrow.

Bill (No. 40) intituled "An Act to amend the law relating to Bills of Sale," was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 48) intituled "An Act to authorize the transfer of certain property of the Alexandra Hospital (for women and children and training school for nurses) to the Alexandra Non-sectarian Orphanage and Children's Home of Vancouver," 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.

Mr. Speaker gave the following decision :—

The point referred to me is as to the power of the House to confer power on the Nanaimo Water-Works Company to deal with the rights of the Crown, supposing there to be any unappropriated land or water that would be affected by the Bill.

The matter is very fully dealt with in a ruling made by me on the 12th April, 1892 (page 67, Speakers' Decisions), in which I stated that, unless expressly excepted, the water rights passed with the Crown grant of the land (*see* The Queen *v.* Robertson, Canada S. C. Decisions, and *Hale's* and *Kent's* Commentaries). In the Session of 1892, an Act (Chap. 47, Sec. 3) was passed by this Legislature, which provides that "after the passing of this Act, no right to the permanent diversion or to the exclusive use of the water in any river, water-course, lake, or stream shall be acquired by any riparian owner, or by any other person, by length of use or otherwise than as the same may be acquired or conferred under the provisions of this Act, or of some existing or future Act of Parliament."

It follows, therefore, that, prior to the passage of the Act of 1892, water rights, not being expressly excepted, went with the land. Since the passage of that Act, water rights are not conveyed by a Crown grant, unless mention is made thereof in the grant.

I therefore rule that, if the land bordering on the water rights proposed to be conveyed by the "Nanaimo Water-Works Amendment Act, 1894," was alienated by the Crown prior to the Act of 1892, the proprietorship of the water is vested in the present holders of the land. If the land is still held by the Crown, or if it were alienated subsequent to the Act of 1892 without the water having been conveyed with the land, the water right is still vested in the Crown, and the consent of the Crown must be obtained before water running through land so held will be available for the purposes of the promoters of the Bill now before the House.

I think that the amendment offered in Committee by the Member for Delta would be in order if moved by a Member of the Government, as the custody of the rights affected is vested in the Crown, whose consent as to alienation of the water rights of the Crown will be necessary before the Bill can become law.

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

Tuesday, 15th January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Ven. Archdeacon *Scriven*.

Mr. *Sword* asked leave to introduce a Bill (No. 56) intituled "An Act to amend the 'Drainage, Dyking and Irrigation Act, 1894.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Thursday next.

Bill (No. 47) intituled "An Act to amend the 'Provincial Voters' Act,' " was again committed, with Mr. *Smith* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered to-morrow.

The Report on Bill (No. 34) intituled "An Act to provide Four Hundred and Twenty Thousand Pounds for the public purposes of the Province," was considered.

Mr. *Sword* raised objection to the Bill, as exceeding the scope of the Bill as submitted by Message.

Mr. Speaker ruled as follows:—

The point advanced by the Hon. Member for Dewdney, that Bill No. 34, as reported from the Committee of the Whole, had been amended so as to enlarge the scope of the Bill as transmitted to the House by the Lieutenant-Governor, is, in my opinion, not tenable. The amendment of section 2 of the Bill does not confer power beyond that contemplated by the Bill as originally laid before the House.

D. W. HIGGINS,

Speaker.

Report adopted.

Bill read a third time and passed.

Bill (No. 43) intituled "An Act to secure to Wives and Children the benefit of Life Insurance," was committed, with Mr. *Hume* in the Chair.

The Committee reported progress and asked leave to sit again.

Leave granted for Friday next.

The Honourable Colonel *Baker* presented a Return to an Order of the House for all correspondence between any member of the Government and any other person, in relation to the appointment of Resident Physician for the Provincial Asylum for Insane at *New Westminster*, as successor to Dr. *Bentley*. Also, such correspondence relating to applications for the position of such Resident Physician, or recommending any applicant therefor.

Bill (No. 40) intituled "An Act to amend the law relating to Bills of Sale," was committed, with Mr. *McGregor* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered to-morrow.

Bill (No. 48) intituled "An Act to authorize the transfer of certain property of the Alexandra Hospital (for women and children and training school for nurses) to the Alexandra Non-sectarian Orphanage and Children's Home of Vancouver," was committed, with Mr. *Graham* in the Chair.

Bill reported complete without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 38) intituled "An Act to amend the 'Companies Act,'" was read a third time and passed.

The Report on Bill (No. 36) intituled "An Act respecting Police and Constables," was considered and adopted.

Bill read a third time and passed.

On the second reading of Bill (No. 51) intituled "An Act to amend the 'Companies' Act, 1890," a debate arose, which was adjourned until to-morrow.

Bill (No. 50) intituled "An Act to amend the 'Revenue Act,'" was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 53) intituled "An Act for the Incorporation of Cheese and Butter Associations," was read a second time and *Ordered* to be committed to-morrow.

Bill (No. 54) intituled "An Act to provide against frauds in the supplying of Milk to Cheese and Butter Manufactories," was read a second time.

Ordered to be committed to-morrow.

Bill (No. 55) intituled "An Act to Incorporate the British Columbia Society for the Prevention of Cruelty to Animals," was 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 5:30 o'clock, p. m.

Wednesday, 16th January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Ven. Archdeacon *Scriven*.

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

That a respectful Address be presented to His Honour the Lieutenant-Governor, asking him to cause to be laid before this House the evidence taken before Mr. Justice *Crease*, as Commissioner under the Royal Commission on charges preferred against Captain *N. Fitzstubs*.

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

That an Order of the House be granted for a Return of any correspondence between the Treasury Department and the Canadian Pacific Railway Company in regard to their assessment under the Act of 1894; also any correspondence on the same subject with any local Assessors or others.

The Honourable Colonel *Baker* asked leave to introduce a Bill (No. 57) intituled "An Act to authorize the granting of a license to prospect for Gold over certain Lands in the Cariboo District, with a Contingent Lease for a portion of the said Lands."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

The Honourable Colonel *Baker* asked leave to introduce a Bill (No. 58) intituled "An Act to amend the 'Graveyard Act' and amending Act."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

Bill (No. 14) intituled "An Act to amend the 'Burrard Inlet Railway and Ferry Company Incorporation Act, 1891,'" was read a second time.

Ordered to be committed to-morrow.

Bill (No. 28) intituled "An Act to Incorporate 'The Victoria Hydraulic Consolidated Mining Company, Limited,'" was read a second time.

Ordered to be committed to-morrow.

Bill (No. 27) intituled "An Act to amend the 'North Vancouver Electric Company's Incorporation Act, 1895,'" was committed, with Mr. *Adams* in the Chair.

Bill reported complete without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 29) intituled "An Act to amend the 'Columbia and Kootenay Railway and Navigation Company Act, 1890,' and the 'Columbia and Kootenay Railway Extension Act, 1892,'" was committed, with Mr. *Smith* in the Chair.

The Bill was reported complete without amendment.

Report *Ordered* to be considered to-morrow.

Mr. *Cotton* moved—"That Bill (No. 23) intituled 'An Act respecting the Vancouver Incorporation Act and Amendment Acts,' be read a second time now."

A debate arose, which was adjourned until this afternoon.

Bill (No. 30) intituled "An Act respecting the amendment of the 'Nanaimo Water-Works Act, 1885,' and amending Acts," was again committed, with Mr. *Bryden* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered to-morrow.

The adjourned debate on the second reading of Bill (No. 22) intituled "An Act to amend the 'Red Mountain Railway Company Act, 1893,'" was resumed.

The debate was further adjourned until Monday next.

The Order for the second reading of New Westminster City Bill (No. 31) having been called, the Speaker said:—"The failure of the promoters of this Bill to comply with Rule 59 of the Standing Orders has thrown an odious and disagreeable duty on me. I ought, in the strict line of my duty, to rule this Bill out. The published notices of intention were so vaguely framed that they were calculated to deceive parties interested. Such is not the desire or intention of the House, and may not be of the promoters; and although the Bill is clearly out of order, I will not rule it out unless an Honourable Member shall call my attention to the fact that it is irregularly before the House. These irregularities occur every Session, and the Speaker has often corrected them. The line must be drawn some time, and if I am in this Chair next Session I shall rule out every Bill that shall come before the House irregularly. These remarks will apply to the Vancouver City Act Amendment Bill (No. 23), as well as to Bill No. 31."

Bill (No. 31) intituled "An Act to further amend the 'New Westminster Act, 1888,'" was read a second time.

Ordered to be committed on Monday next.

Bill (No. 23) intituled "An Act respecting the Vancouver Incorporation Act and Amendment Acts," was read a second time.

Ordered to be committed on Monday next.

The Report on Bill (No. 47) intituled "An Act to amend the 'Provincial Voters' Act,'" was adopted.

Bill read a third time and passed.

The Report on Bill (No. 40) intituled "An Act to amend the law relating to Bills of Sale," was considered.

On motion of Mr. *Williams*, section 7 was amended in line 8, by striking out the word "this," between the words "to" and "Act," and inserting in lieu thereof the word "said."

Report, as amended, adopted.

Bill read a third time and passed.

Bill (No. 50) intituled "An Act to amend the 'Revenue Act,'" was committed, with Mr. *Eberts* in the Chair.

Bill reported complete without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 53) intituled "An Act for the Incorporation of Cheese and Butter Associations," was committed, with Mr. *Rithet* in the Chair.

Bill reported complete with amendments.

Report *Ordered* to be considered to-morrow.

The Report on Bill (No. 26) intituled "An Act to amend the 'Cattle Act,'" was adopted.

Bill read a third time and passed.

Bill (No. 55) intituled "An Act to Incorporate the British Columbia Society for the Prevention of Cruelty to Animals," was committed, with Mr. *Booth* in the Chair.

Bill reported complete without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 49) intituled "An Act to amend the 'Public School Act Amendment Act, 1893,'" was read a second time and committed, with Mr. *Kellie* in the Chair.

Bill reported complete without amendment.

Report *Ordered* to be considered to-morrow.

The Report on Bill (No. 12) intituled "The Woodman's Lien for Wages Act," was further considered.

The Honourable Mr. *Davie* moved to amend section 6 by adding thereto the words: "excepting sawn timber sold in the ordinary course of business."

Carried.

Report, as amended, adopted.

Bill read a third time and passed.

Bill (No. 52) intituled "An Act for the benefit of Mechanics and Labourers," was read a second time.

Ordered to be committed to-morrow.

The Order for the second reading of Bill (No. 42) intituled "An Act to prohibit aliens from being employed on Provincial or Municipal Works, and to provide for the establishment of a legal working day of eight hours," was discharged.

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

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

Friday, 18th January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Ven. Archdeacon *Scriven*.

Mr. *Williams* presented a Report from the Select Committee appointed to enquire into matters relating to the Parliament Buildings contract, as follows:—

LEGISLATIVE COMMITTEE ROOM,
January 17th, 1895.

MR. SPEAKER:

Your Select Committee on New Parliament Buildings beg leave to submit this their Second Report.

Mr. Frederick Adams, the Contractor for the New Parliament Buildings, appeared before your Committee, in pursuance of summons issued by the Chairman of your Committee, requiring his attendance for the purpose of giving evidence before your Committee.

Upon being requested to be sworn, he (Adams) refused, alleging your Committee had not the power to administer an oath to a witness, nor to compel a witness to take the oath, and that if he consented, other witnesses whom he desired to have examined before your Committee might refuse the same. He intimated his willingness to give his evidence under oath, provided others can be compelled to do so.

Your Committee, therefore, recommend that your Honourable Body do instruct the Speaker to issue his subpoena, or warrant, compelling the said Frederick Adams to attend the said Committee and give his evidence under oath.

All of which is respectfully submitted.

A. WILLIAMS,
Chairman.

The Report was received and adopted.

Mr. *Helmcken* asked leave to introduce a Bill (No. 59) intituled "An Act respecting the Law of Landlord and Tenant."

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. 60) intituled "An Act to amend the 'Election Regulation Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Monday next.

Mr. *Helmcken* presented a Petition from the "Local Council of Women of Victoria and Vancouver Island (*re* female representation on School Boards).

Laid on the table.

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

That in the opinion of this House the Government of this Province should not, directly or indirectly, employ or pay for any alien labour on Government works, and that a clause to this effect should be inserted in all Government contracts, and that any contractor employing alien labour should not have any claim for the same against the Government.

The Honourable Mr. *Martin* moved, in amendment, to add—

"But in the event of any alien having resided in this Province for twelve months, and having taken out his papers declaring his intention of becoming a British subject, or if he shall have taken up land under the provisions of the 'Land Act,' he shall not be considered an alien in the sense of this Resolution."

Amendment put and carried.

Resolution, as amended, put and carried.

Mr. *Braden* moved, seconded by Mr. *Irving*,—

Whereas by the Report of a Committee adopted along with a Minority Report on the 27th April, 1888, it was respectfully recommended to the Government to take into their earnest consideration the advisability of issuing a Crown grant of the land comprised in pre-emption 1,003 to Mr. *Samuel Green*, or take such other steps as may be proper to secure Mr. *Green's* title to the land;

And whereas the Government afterwards granted a Petition of Right in respect of the said claim, but the matter appears to be of such a nature that the rights of the claimant cannot be enforced upon Petition of Right, and it also appears that the land in question has been granted by the Government to other parties;

Be it therefore Resolved, That in the opinion of this House, the case is one for the Government to take into their consideration.

A debate arose, which was adjourned to Monday next.

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

Is it the intention of the Government to comply with the Resolution of this House, "that the Government should introduce legislation for the purpose of enforcing the residence of a Supreme Court Judge at *Vancouver*?" If so, when will such legislation be introduced?

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

"The Bill—notice of introduction of which has been given—'An Act to further amend the Supreme Court Act,' is to comply with the Resolution."

Mr. *Kennedy* asked the Honourable the Attorney-General the following questions:—

Have section 158 of the "Municipal Act," and section 210 of the "Municipal Act Amendment Act, 1892," been declared unconstitutional by some of the Judges? If so, does the Government intend to bring in any measure this Session dealing with Clubs and Club Licenses?

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

"I am not aware that it has been declared to be unconstitutional, nor do I think it is unconstitutional."

The report on Bill (No. 53) intituled "An Act for the Incorporation of Cheese and Butter Associations," was considered and adopted.

Bill read a third time and passed.

Bill (No. 54) intituled "An Act to provide against frauds in the supplying of Milk to Cheese and Butter Manufactories," was committed, with Mr. *Irving* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered on Monday next.

Bill (No. 58) intituled "An Act to amend the 'Graveyard Act' and amending Act," was read a second time.

Ordered to be committed on Monday next.

Bill (No. 57) intituled "An Act to authorize the granting of a license to prospect for Gold over certain Lands in the Cariboo District, with a Contingent Lease for a portion of the said Lands," was read a second time.

Ordered to be committed on Monday next.

Bill (No. 14) intituled "An Act to amend the 'Burrard Inlet Railway and Ferry Company Incorporation Act, 1891,'" was committed, with Mr. *McGregor* in the Chair.

Bill reported complete with amendments.

Report *Ordered* to be considered on Monday next.

Bill (No. 33) intituled "An Act to make valid an Official Map or Survey of the City of Nanaimo," was read a second time.

Ordered to be committed on Monday next.

The Report on Bill (No. 30) intituled "An Act respecting the amendment of the 'Nanaimo Water-Works Act, 1885,' and amending Acts," was considered and adopted.

Bill read a third time and passed.

Bill (No. 28) intituled "An Act to Incorporate 'The Victoria Hydraulic Consolidated Mining Company, Limited,'" was committed, with Major *Mutter* in the Chair.

Bill reported complete with amendments.

Report *Ordered* to be considered on Monday next.

Bill (No. 44) intituled "An Act for the Supply of Water to the City of Nanaimo," was read a second time.

Ordered to be committed to-morrow.

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

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

Monday, 21st January, 1895.

TWO O'CLOCK, P. M.

Mr. *Kennedy* asked leave to introduce a Bill (No. 63) intituled "The Sunday Observance Act."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Wednesday next.

Mr. *McGregor* asked leave to introduce a Bill (No. 64) intituled "An Act to amend the 'Coal Mines Regulation Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time on Wednesday next.

The Petition from the "Local Council of Women of Victoria and Vancouver Island (*re* female representation on School Boards) was received and *Ordered* to be printed.

Mr. *Smith* presented the Third Report from the Select Standing Committee on Mining, as follows:—

LEGISLATIVE COMMITTEE ROOM,
21st January, 1895.

MR. SPEAKER :

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

The provisions of a Bill to amend the "Placer Mining Act, 1891," and recommend the same to the House.

A. W. SMITH,
Chairman.

The Report was received.

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

That Bill (No. 23) intituled "An Act respecting the Vancouver Incorporation Act and amending Acts," be referred back to the Committee on Standing Orders and Private Bills, to consider and report upon the advisability of suspending the Rules and Orders so as to permit the Bill to come before this House, notwithstanding any irregularity in the manner in which the said Bill was brought in.

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

That Bill (No. 31) intituled “An Act to further amend the ‘New Westminster Act, 1888,’” be referred back to the Committee on Standing Orders and Private Bills, to consider and report upon the advisability of suspending the Rules and Orders so as to permit the Bill to come before this House, notwithstanding any irregularity in the manner in which the said Bill was brought in.

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

That an Order of the House be granted for a Return shewing the expenditures of the members of the Board of Horticulture and the Inspector of Fruit Pests under the “Horticultural Board Act, 1892,” since 30th June, 1894, to present time.

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

Whereas *Thomas James Beatty*, of the *City of Vancouver*, Prospector, *James Augustus Wood*, of the same place, Capitalist, and *Charles David Rand*, of the same place, Real Estate Agent, have petitioned the House for a Bill to be incorporated as a Joint Stock Company :

And whereas the said Petition was presented to the House on the 10th day of December, 1894, and received :

And whereas an error was made by the promoters in the computation of the time within which Private Bills should be presented :

And whereas the objects of the said Bill are of great public utility to the Province of British Columbia :

Be it therefore Resolved, That the Standing Committee on Standing Orders and Private Bills be instructed to consider the statements contained in the preamble hereof, and report to the House as to the propriety of suspending the Standing Rules and Orders, so as to permit the Petition and Bill to come before this House.

Mr. *Williams* asked the Honourable the Attorney-General the following question :—

Is it the intention of the Government to introduce legislation at the present Session relating to the transfer of real estate and to the registration of titles to land ?

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

“It is the intention to introduce no further legislation upon this subject during the present Session than is now before the House.”

The Honourable Mr. *Davie* asked leave to introduce a Bill (No. 61) intituled “An Act respecting the Territorial Division of British Columbia for Judicial and other purposes.”

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

The Report on Bill (No. 54) intituled “An Act to provide against frauds in the supplying of Milk to Cheese and Butter Manufactories,” was adopted.

Bill read a third time and passed.

Bill (No. 58) intituled “An Act to amend the ‘Graveyard Act’ and amending Act,” was committed, with Mr. *Booth* in the Chair.

Bill reported complete without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 57) intituled “An Act to authorize the granting of a license to prospect for Gold over certain Lands in the Cariboo District, with a Contingent Lease for a portion of the said Lands,” was committed, with Mr. *Braden* in the Chair.

Bill reported complete with amendments.

Report *Ordered* to be considered to-morrow.

The adjourned debate on the motion of Mr. *Eberts*—"That Bill (No. 22) intituled 'An Act to amend the Red Mountain Railway Company Act, 1893,' be read a second time now," was resumed.

Mr. *Forster* moved, in amendment, to leave out the word "now" and insert in lieu thereof the words "this day six months."

Amendment put and carried on the following division:—

YEAS :

Messieurs

<i>Kitchen,</i>	<i>Williams,</i>	<i>Smith,</i>	<i>Martin,</i>
<i>Hume,</i>	<i>Sem'ln,</i>	<i>Kellie,</i>	<i>Booth,</i>
<i>Forster,</i>	<i>Cotton,</i>	<i>Mutter,</i>	<i>Walkem,</i>
<i>Kidd,</i>	<i>Graham,</i>	<i>Baker,</i>	<i>Irving—16.</i>

NAYS :

Messieurs

<i>Kennedy,</i>	<i>Helmcken,</i>	<i>Adams,</i>	<i>Rogers,</i>
<i>McPherson,</i>	<i>Davie,</i>	<i>Pooley,</i>	<i>Hunter,</i>
<i>Sword,</i>	<i>Eberts,</i>	<i>Turner,</i>	<i>McGregor—15.</i>
<i>Prentice,</i>	<i>Rithet,</i>	<i>Bryden,</i>	

The Report on Bill (No. 14) intituled "An Act to amend the 'Burrard Inlet Railway and Ferry Company Incorporation Act, 1891,'" was adopted.

Bill read a third time and passed.

The Honourable Mr. *Davie* asked leave to introduce a Bill (No. 62) intituled "An Act to further amend the 'Supreme Court Act.'" "An Act to further amend the 'Supreme Court Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

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

And then the House adjourned at 5:40 o'clock, p. m.

Tuesday, 22nd January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Rev. *S. Cleaver*.

Mr. *Sword* presented a Petition from "The Mission City Board of Trade" and others (opposing Private Bill to appropriate water from *Slave River*).

Laid on the table.

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

LEGISLATIVE COMMITTEE ROOM,
22nd January, 1895.

MR. SPEAKER :

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

That the Standing Orders in connection with the under-mentioned Petition have been complied with:—

(13.) The Petition of James Beatty and others.

Your Committee recommend that the Standing Orders be suspended so that the Petition may be reported and the Bill introduced and referred to this Committee to consider and report after posting.

Your Committee, on a reconsideration of the Petitions of the Cities of Vancouver and New Westminster, beg leave to report that in neither case have the Standing Orders been complied with, in that the notice contemplated by Rule 59 of the Rules and Orders of this House did not clearly and distinctly specify the nature and objects of the applications.

Your Committee, by way of explanation in reference to these Petitions, desire to report that on application to prove compliance with the Standing Orders attention was drawn to the fact that the notices were insufficient.

Your Committee then ordered the promoters to publish a synopsis of the proposed amendments for five consecutive days in the daily papers published in Vancouver and New Westminster respectively, which was done to the satisfaction of your Committee. The Bills then came on regularly for consideration, were opposed and reported to this House as amended.

Your Committee recommend that, notwithstanding any irregularity in the notices, the Standing Orders be suspended, and that the Reports of this Committee of the 11th January, 1895, and the 14th January, 1895, be adopted, and that the Bills be restored on the Orders of the Day to the position they were in prior to the reference to Your Committee.

D. M. EBERTS,

Chairman.

The Report was received.

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

Mr. *Rithet* presented the Third Report from the Select Standing Committee on Public Accounts.

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

The Honourable Mr. *Davie* asked leave to introduce a Bill (No. 65) intituled "An Act to amend the 'Provincial Home Act, 1893.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

The Honourable Mr. *Davie* asked leave to introduce a Bill (No. 66) intituled "An Act to amend the 'Fire Insurance Policy Act, 1893.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

The Honourable Mr. *Davie* asked leave to introduce a Bill (No. 67) intituled "An Act to amend the 'Land Registry Act.'"

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

On the motion of Mr. *Forster*, seconded by Mr. *McPherson*, it was *Resolved*,—

That an Order of the House be granted for a Return showing—

(a.) The total amount of fines collected by Justices of the Peace and paid in to the Treasury in the two years ending 30th June, 1894.

(b.) A list of the fines so collected and paid by each Justice of the Peace, with the names of the parties fined, and the dates and offences.

The Order for the House to again consider Bill (No. 19) intituled "An Act relating to the Government of Cities," in Committee of the Whole, was discharged.

The Report on Bill (No. 57) intituled "An Act to authorize the granting of a license to prospect for Gold over certain Lands in the Cariboo District, with a Contingent Lease for a portion of the said Lands," was adopted.

Bill read a third time and passed.

Bill (No. 61) intituled "An Act respecting the Territorial Division of British Columbia for Judicial and other purposes," was read a second time.

Ordered to be committed to-morrow.

Bill (No. 33) intituled "An Act to make valid an Official Map or Survey of the City of Nanaimo," was committed, with Mr. *Smith* in the Chair.

Bill reported complete without amendment.

Report *Ordered* to be considered to-morrow.

The Report on Bill (No. 29) intituled "An Act to amend the 'Columbia and Kootenay Railway and Navigation Company Act, 1890,' and the 'Columbia and Kootenay Railway Extension Act, 1892,'" was adopted.

Bill read a third time and passed.

Bill (No. 44) intituled "An Act for the Supply of Water to the City of Nanaimo," was committed, with Mr. *Irving* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered to-morrow.

Bill (No. 17) intituled "An Act to further amend the 'Pharmacy Act, 1891,'" was read a second time.

Ordered to be committed to-morrow.

The Report on Bill (No. 49) intituled "An Act to amend the 'Public School Act Amendment Act, 1893,'" was considered.

Mr. *Helmcken* moved to add the following as a new clause:—

"3. The term 'actual resident,' in section 2 of the 'Public School Act Amendment Act, 1894,' shall include any person who either actually dwells or has his place of business within the School District."

Carried.

The Honourable Colonel *Baker* moved to add the following as a new clause:—

"Section 9 of the 'Public School Act Amendment Act, 1892,'" is hereby repealed, and the following enacted in lieu thereof:—

"9. Any person being a householder or freeholder in the School District, of the full age of twenty-one years, and otherwise qualified by this Act to vote at an election of School Trustees in the said School District, shall be eligible to be elected or to serve as a School Trustee in a School District."

Carried on the following division:—

YEAS :

Messieurs

<i>Kitchen,</i>	<i>Sword,</i>	<i>Graham,</i>	<i>Booth,</i>
<i>Kennedy,</i>	<i>Williams,</i>	<i>Mutter,</i>	<i>Turner,</i>
<i>Forster,</i>	<i>Semlin,</i>	<i>Baker,</i>	<i>Bryden,</i>
<i>McPherson,</i>	<i>Cotton,</i>	<i>Davie,</i>	<i>Rogers—18.</i>
<i>Kidd,</i>	<i>Prentice,</i>		

NAYS :

Messieurs

<i>Hume,</i>	<i>Helmcken,</i>	<i>Walkem,</i>	<i>Braden—5.</i>
<i>Smith,</i>			

Report *Ordered* to be considered on Friday next.

The Honourable Mr. *Martin* asked leave to introduce a Bill (No. 68) intituled "An Act to amend the 'Land Act' and amending Acts."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

Bill (No. 52) intituled "An Act for the benefit of Mechanics and Labourers," was committed, with Mr. *Prentice* in the Chair.

The Committee reported progress and asked leave to sit again.

Leave granted for to-morrow.

On the motion of the Honourable Mr. *Davis*, it was *Resolved*,—

That the Order for committal of Bill (No. 52) intituled "An Act for the benefit of Mechanics and Labourers," be discharged, and the Bill, together with Bill (No. 45) intituled "An Act to make better provision for securing the payment of Money due to Contractors and Workmen, and for other purposes," be referred to a Select Committee, to consist of the Honourable the Attorney-General, the Honourables the senior and second Members for *Vancouver*, the Honourable the third Member for *Victoria City*, the Honourable Member for *South Victoria*, and the Honourable Member for *Delta*, with power to report a suitable Bill to the House.

Mr. *Helmcken* asked leave to introduce a Private Bill (No. 69) intituled "An Act respecting the Incorporation of 'The Stave River Electric and Power Company, Limited Liability.'"

Leave granted.

Bill introduced and read a first time.

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

The Honourable Mr. *Davis* asked leave to introduce a Bill (No. 70) intituled "An Act relating to Corporations for Religious, Charitable, and other purposes."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time 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.

Wednesday, 23rd January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Rev. *S. Cleaver*.

The Petition from "The Mission City Board of Trade" and others (opposing Private Bill to appropriate water from *Stave River*) was received and *Ordered* to be printed.

Mr. *Sword* presented a Petition from *E. M. Johnson* (complaining of the official actions of the Honourable Attorney-General).

Laid on the table.

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

(1.) What was the date of Mr. *Planta's* appointment as Official Administrator of Intestate Estates?

(2.) What securities, and for what amount, did Mr. *Planta* provide for the due performance of the duties of his office, as provided by clause 4, chap. 36, Stat. 1890, and the date on which these securities were deposited with the Hon. Provincial Secretary?

The Honourable Colonel *Baker* replied as follows :—

"1. Mr. *J. P. Planta* was appointed Official Administrator for the Nanaimo County Court District on the 13th day of November, 1890.

"2. The security furnished under section 4 of the 'Official Administrators' Act' is a bond in the sum of \$2,000, with one surety liable for a similar amount.

"The security was deposited on the 10th day of January, 1891, and duly renewed, as required by the said section."

Mr. *Walkem* asked the Honourable the Attorney-General the following question :—

When will the particulars of the terms of settlement of the long-pending dispute with reference to the lands in railway belt be laid before this House, as promised in His Honour the Lieutenant-Governor's Speech?

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

"The death of the Right Honourable Sir *John Thompson* has delayed the negotiations, but I hope to be able to submit a measure to the House during the Session."

Bill (No. 31) intituled "An Act to further amend the 'New Westminster Act, 1888,'" was committed, with Mr. *Hume* in the Chair.

The Committee reported progress and asked leave to sit again.

Leave granted for to-morrow.

The Report on Bill (No. 28) intituled "An Act to Incorporate 'The Victoria Hydraulic Consolidated Mining Company, Limited,'" was considered.

Mr. *Kidd* moved to add to section 17 the words :—

"And also a covenant that no Chinese or Japanese person shall be employed by the Company or their agents, or by any contractor for them, or sub-contractor for any such contractor, in or about or on the property demised, or on any part thereof, or on the work in connection therewith, under a sufficient penalty to enforce the observance of the covenant, and a further provision that any employment of such Chinese or Japanese person continued after notice given by the Gold Commissioner or Government Agent shall constitute a sufficient cause for the Lieutenant-Governor in Council to cancel such lease."

Négatived on the following division :—

YEAS :

Messieurs

<i>Kitchen,</i>	<i>Forster,</i>	<i>Sword,</i>	<i>Graham,</i>
<i>Kennedy,</i>	<i>McPherson,</i>	<i>Semlin,</i>	<i>Walkem,</i>
<i>Hume,</i>	<i>Kidd,</i>	<i>Cotton,</i>	<i>McGregor—12.</i>

NAYS :

Messieurs

<i>Prentice,</i>	<i>Baker,</i>	<i>Adams,</i>	<i>Bryden,</i>
<i>Smith,</i>	<i>Davie,</i>	<i>Booth,</i>	<i>Rogers,</i>
<i>Mutter,</i>	<i>Martin,</i>	<i>Pooley,</i>	<i>Hunter,</i>
<i>Helmcken</i>	<i>Rithet,</i>	<i>Turner,</i>	<i>Irving—16.</i>

Mr. *Rogers* moved the following amendment :—

Section 1, sub-sec. (a), line 6—Strike out all words after "whatsoever," and insert in lieu thereof the words "held or acquired by them respectively."

Carried.

Mr. *Rogers* moved to amend section 8, line 1, by striking out the words "and Duncan E. Campbell, Chemist, and William D. McGregor, Gentleman, both of Victoria, British Columbia."

Carried.

Mr. *Rogers* moved to amend section 11, line 10, after the word "and," by striking out "one of their number Secretary-Treasurer" and inserting in lieu thereof "shall also elect a Secretary-Treasurer, who need not be a Director."

Carried.

Mr. *Rogers* moved to add the following to section 12: "The Directors may act and vote by proxy, such proxy to be held by a Director only, and no Director shall hold more than two such proxies, nor shall any meeting of Directors be competent to transact business unless at least two Directors are present in person."

Carried.

The further consideration of the Report was adjourned until to-morrow.

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

Whereas there are several Chinese who have retail liquor licenses in the *District of Cariboo*;

And whereas it is reported that, through those Chinese holding liquor licenses, there are large quantities of liquor from time to time getting into the hands of Indians, to the serious detriment of business generally and frequently disturbing the peace to a very great extent;

Therefore, be it *Resolved*, That it is the opinion of this House that it would be in the interest of the *Cariboo District* generally if the Government were to institute an inquiry into the matter, and take such steps as they may deem advisable to remedy the evil.

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

That an Order of the House be granted for a detailed statement of all moneys expended for improvement of the road from *Agassiz* to *Harrison Hot Springs*, within the year ending January 1st, 1895.

Bill (No. 43) intituled "An Act to secure to Wives and Children the benefit of Life Insurance," was again committed, with Mr. *Hume* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered to-morrow.

Bill (No. 51) intituled "An Act to amend the 'Companies' Act, 1890," was read a second time.

Ordered to be committed to-morrow.

Bill (No. 61), intituled "An Act respecting the Territorial Division of British Columbia for Judicial and other purposes," was committed, with Mr. *McGregor* in the Chair.

The Bill was reported complete without amendment.

Report *Ordered* to be considered to-morrow.

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

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

Thursday, 24th January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Rev. *S. Cleaver*.

The Petition of *E. M. Johnson* (complaining of the official actions of the Honourable Attorney-General) was read.

Mr. *Sword* moved that the Petition be received.

A debate arose, which was adjourned to Monday next.

Mr. *Smith* presented the Fourth Report from the Select Standing Committee on Mining, as follows:—

LEGISLATIVE COMMITTEE ROOM,
24th January, 1895.

MR. SPEAKER :

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

The provisions of a Bill to amend the "Mineral Act, 1891," and recommend the same to the House.

Your Committee also recommend :

(a.) That the Government take into consideration the advisability of providing for the proper inspection, working and ventilation of mineral claims or mines :

(b.) The advisability of introducing a validating clause to the Mineral Act, applying to mineral claims, the title to which may be rendered invalid by proof of some irregularity, such as lapse of free miner's certificate, etc.

A. W. SMITH,
Chairman.

The Report was received.

On the motion of Mr. *Prentice*, seconded by Mr. *Adams*, it was *Resolved*,—

That an Order of the House be granted for a Return of all correspondence with the Horsefly Hydraulic Mining Co., the Government Agent at *Clinton*, Road Superintendent, *East Lillooet*, and any other person in connection with the building of the road from *108-Mile House* to *Horsefly*, and with the payment of \$3,000 to said Company on account of said road.—(See vote 182, page 119, Public Accounts to 30th June, 1894.)

The Honourable Mr. *Davie* asked leave to introduce a Bill (No. 71) intituled "An Act respecting Retail Liquor Licenses."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

Mr. *Walkem* ask leave to introduce a Bill (No. 72) intituled "An Act to amend the 'Homestead Act' and amending Acts."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

Mr. *Sword* asked leave to introduce a Bill (No. 73) intituled "An Act to repeal the 'Pharmacy Act, 1891,' and amending Acts."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

Bill (No. 21) intituled "An Act to amend and consolidate the 'Act to regulate the practice of Dentistry in the Province of British Columbia,'" was read a second time.

Ordered to be committed to-morrow.

The Report on Bill (No. 24) intituled "An Act to amend the 'County Courts Act,'" was considered.

Mr. *Walkem* moved to add the following as a new clause:—

3. Section 19 of the "County Courts Amendment Act, 1893," is hereby repealed and the following substituted therefor:—

"19. In any attachment of any debt due or accruing to a judgment debtor, the Judge before whom the case is tried is hereby empowered to allow to the judgment debtor such sum or sums of money as the said Judge shall deem necessary and sufficient to maintain and support the judgment debtor, and any person or persons dependent upon him for support; but such allowance shall only be made when the Judge is satisfied that the judgment debtor has no

other means than the debt attached for his maintenance and support, or that of the person or persons dependent on him for support, nor shall such allowance exceed, in any one case, more than one month's maintenance; but in no case shall such allowance exceed forty dollars."

Carried.

The further consideration of the Report was adjourned until to-morrow.

Bill (No. 41) intituled "An Act to amend the 'Election Regulation Act' and amending Acts," was committed, with Mr. *Kellie* in the Chair.

The Committee rose without report.

Mr. *Walkem* moved—"That Bill (No. 46) intituled 'An Act to regulate the practice of Veterinary Medicine and Surgery in the Province of British Columbia,' be read a second time now."

Mr. *Booth* moved, in amendment, to strike out the word "now" and insert in lieu thereof the words "this day six months."

Amendment put and carried on the following division:—

YEAS :

Messieurs

<i>Kitchen,</i>	<i>Sword,</i>	<i>Smith,</i>	<i>Booth,</i>
<i>Kennedy,</i>	<i>Semlin,</i>	<i>Mutter,</i>	<i>Poo'ey,</i>
<i>Hume,</i>	<i>Cotton,</i>	<i>Baker,</i>	<i>Turner,</i>
<i>Forster,</i>	<i>Prentice,</i>	<i>Adams,</i>	<i>Bryden,—18.</i>
<i>Kidd,</i>	<i>Graham,</i>		

NAYS :

Messieurs

<i>Helmcken,</i>	<i>Rithet,</i>	<i>Rogers,</i>	<i>Braden,</i>
<i>Martin,</i>	<i>Walkem,</i>	<i>Hunter,</i>	<i>McGregor,—9.</i>
<i>Eberts,</i>			

Original question, as amended, put and carried.

Bill (No. 56) intituled "An Act to amend the 'Drainage, Dyking, and Irrigation Act, 1894,'" was read a second time.

Ordered to be committed to-morrow.

Mr. *Sword* moved—"That Bill (No. 60) intituled 'An Act to amend the Election Regulation Act and amending Acts,' be read a second time now."

Mr. *Walkem* moved, in amendment, to strike out the word "now" and insert in lieu thereof the words "this day six months."

Amendment put and carried on the following division:—

YEAS :

Messieurs

<i>Graham,</i>	<i>Baker,</i>	<i>Booth,</i>	<i>Bryden,</i>
<i>Smith,</i>	<i>Davie,</i>	<i>Walkem,</i>	<i>Rogers,</i>
<i>Kellie,</i>	<i>Eberts,</i>	<i>Poo'ey,</i>	<i>Hunter,</i>
<i>Mutter,</i>	<i>Rithet,</i>	<i>Turner,</i>	<i>Braden,—18.</i>
<i>Helmcken,</i>	<i>Adams,</i>		

NAYS :

Messieurs

<i>Kitchen,</i>	<i>McPherson,</i>	<i>Williams,</i>	<i>Prentice,</i>
<i>Kennedy,</i>	<i>Kidd,</i>	<i>Semlin,</i>	<i>Martin,</i>
<i>Forster,</i>	<i>Sword,</i>	<i>Cotton,</i>	<i>McGregor,—12.</i>

Original question, as amended, put and carried.

The adjourned debate on the motion moved by Mr. *Braden*, as follows:—

Whereas by the Report of a Committee adopted along with a Minority Report on the 27th April, 1888, it was respectfully recommended to the Government to take into their earnest consideration the advisability of issuing a Crown grant of the land comprised in pre-emption 1,003 to Mr. *Samuel Greer*, or take such other steps as may be proper to secure Mr. *Greer's* title to the land;

And whereas the Government afterwards granted a Petition of Right in respect of the said claim, but the matter appears to be of such a nature that the rights of the claimant cannot be enforced upon Petition of Right, and it also appears that the land in question has been granted by the Government to other parties;

Be it therefore Resolved, That in the opinion of this House, the case is one for the Government to take into their consideration—
was resumed.

The motion was negatived on the following division:—

YEAS:

Messieurs

<i>Smith,</i>	<i>Eberts,</i>	<i>Booth,</i>	<i>Hunter,</i>
<i>Kellie,</i>	<i>Ritchie,</i>	<i>Walkem,</i>	<i>Braden,</i>
<i>Helmcken,</i>	<i>Adams,</i>	<i>Rogers,</i>	<i>McGregor—13.</i>
<i>Davie,</i>			

NAYS:

Messieurs

<i>Kitchen,</i>	<i>McPherson,</i>	<i>Cotton,</i>	<i>Baker,</i>
<i>Kennedy,</i>	<i>Sword,</i>	<i>Graham,</i>	<i>Martin,</i>
<i>Hume,</i>	<i>Williams,</i>	<i>Mutter,</i>	<i>Pooley—14.</i>
<i>Forster,</i>	<i>Semlin,</i>		

Mr. *Kennedy* moved—"That Bill (No. 63) intituled 'The Sunday Observance Act,' be read a second time now."

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

The Honourable Mr. *Turner* presented a Return of the Intestate Estates, as required by section 13 of the "Official Administrators' Act."

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, 25th January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Rev. *S. Cleaver*.

Mr. *Williams* presented a Petition from "The Bank of British Columbia" (opposing Stave River Bill).

Received and *Ordered* to be printed.

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

That whereas it is essentially necessary, for the proper and effective development of the fishing industries of this Province, that steps should be immediately taken to locate the various fishing banks, under the superintendence of a properly qualified person in a properly equipped

vessel provided for the purpose, and that a thorough enquiry and report should be made of the different species of fish, commercially valuable, which may be found to inhabit *British Columbia* waters ;

Be it therefore Resolved, That an humble Address be presented to His Honour the Lieutenant-Governor, asking him to communicate with His Excellency the Governor-General, with a view to having the necessary steps, as contained in this Resolution, carried into effect without delay.

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

That an Order of the House be granted for a Return of any written comment on, or reply to, the Report of the Commissioners who held the late investigation into the affairs of the Provincial Asylum, by the late Superintendent of said Asylum.

Mr. *McPherson* moved, seconded by Mr. *Kidd*,—

Whereas the Report of the Select Committee appointed to enquire into the case of *William Cartwright* shows that a Crown grant was issued to *W. H. Curran* for a piece of land properly pre-empted by the said *William Cartwright*, he having obtained a certificate of improvement which allowed absence from the claim without any forfeiture of his right ;

Be it therefore Resolved, That in the opinion of this House, the case is one for the Government to take into their consideration.

The motion was negatived on the following division :—

YEAS :

Messieurs

<i>Kennedy,</i>	<i>Forster,</i>	<i>Kidd,</i>	<i>Semlin,</i>
<i>Hume,</i>	<i>McPherson,</i>	<i>Williams,</i>	<i>Graham—8.</i>

NAYS :

Messieurs

<i>Kitchen,</i>	<i>Helmcken,</i>	<i>Rieth,</i>	<i>Turner,</i>
<i>Prentice,</i>	<i>Baker,</i>	<i>Adams,</i>	<i>Bryden,</i>
<i>Smith,</i>	<i>Davie,</i>	<i>Booth,</i>	<i>Hunter,</i>
<i>Kellie,</i>	<i>Martin,</i>	<i>Walkem,</i>	<i>Braden,</i>
<i>Mutter,</i>	<i>Eberts,</i>	<i>Pooley,</i>	<i>McGregor—20.</i>

The Order for the second reading of Bill (No. 39) intituled “An Act to amend the ‘Assessment Act,’” was discharged.

Bill (No. 51) intituled “An Act to amend the ‘Companies Act, 1890,’” was committed, with Mr. *Smith* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered to-morrow.

The Report on Bill (No. 61) intituled “An Act respecting the Territorial Division of British Columbia for Judicial and other purposes,” was considered and adopted.

Bill read a third time and passed.

Bill (No. 62) intituled “An Act to further amend the ‘Supreme Court Act,’” was read a second time on the following division :—

YEAS :

Messieurs

<i>Kitchen,</i>	<i>McPherson,</i>	<i>Semlin,</i>	<i>Davie,</i>
<i>Kennedy,</i>	<i>Kidd,</i>	<i>Prentice,</i>	<i>Martin,</i>
<i>Hume,</i>	<i>Sword,</i>	<i>Graham,</i>	<i>McGregor—15.</i>
<i>Forster,</i>	<i>Williams,</i>	<i>Smith,</i>	

NAYS :

Messieurs

<i>Mutter,</i>	<i>Rithet,</i>	<i>Pooley,</i>	<i>Rogers,</i>
<i>Helmcken,</i>	<i>Adams,</i>	<i>Turner,</i>	<i>Hunter,</i>
<i>Baker,</i>	<i>Booth,</i>	<i>Bryden,</i>	<i>Irving—14.</i>
<i>Eberts,</i>	<i>Walkem,</i>		

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 :—

E. DEWDNEY,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill (No. 74) intituled “An Act to amend the ‘Assessment Act,’” and recommends the same to the Legislative Assembly.

Government House,
25th January, 1895.

Ordered, That the said Message, and the Bill transmitted therewith, be referred to a Committee of the Whole 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 5:45 o'clock, p. m.

Monday, 28th January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Rev. *P. McF. Macleod.*

Mr. *Williams* presented a Petition from *J. M. Browning* and others, residents of *Vancouver* (asking legislation to encourage ship-building).

Ruled out of order.

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

LEGISLATIVE COMMITTEE ROOM,
28th January, 1895.

MR. SPEAKER :

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

The preamble proved of an Act intituled “The Stave River Electric and Power Company's Incorporation Act, 1895,” and the Bill complete as amended.

D. M. EBERTS,
Chairman.

The Report was received.

The House proceeded to the Orders of the Day.

The adjourned debate on the motion to receive the Petition of *E. M. Johnson* was resumed.

Question proposed—"That the Petition be received?"

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

To strike out all the words after "That" and substitute the following:—

"inasmuch as the Petition of *Edward Mainwaring Johnson* relates exclusively to matters either already adjudicated upon or in the course of litigation, and the entertaining of such Petition by this House would tend to thwart a due enquiry into matters in litigation between certain parties and the petitioner by the duly constituted tribunal of the country;

"Be it Resolved, That such Petition be rejected by this House."

Amendment put and carried.

Original question, as amended, put and carried.

Pursuant to Order, the House resolved itself into a Committee of the Whole, with Mr. *Eberts* in the Chair, on the Message of His Honour the Lieutenant-Governor transmitting Bill (No. 74) intituled "An Act to amend the 'Assessment Act.'"

(IN THE COMMITTEE.)

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

That the Committee rise and report to the House a Bill (No. 74) intituled "An Act to amend the 'Assessment Act,'" and recommend the introduction of the same.

Report received and adopted.

On the motion of the Honourable Mr. *Turner*,—

Bill (No. 74) intituled "An Act to amend the 'Assessment Act,'" was read a first time. *Ordered* to be read a second time to-morrow.

The Honourable Colonel *Baker* presented a Return of any written comment on, or reply to, the Report of the Commissioners who held the late investigation into the affairs of the Provincial Asylum, by the late Superintendent of the Asylum.

The Report on Bill (No. 51) intituled "An Act to amend the 'Companies' Act, 1890," was considered.

The Honourable Mr. *Turner* moved to insert the following as section 2:—

"2. Any company incorporated under the 'Companies' Act, 1890,' may, by complying with the provisions herein contained, extend the objects and purposes of the company to any additional business of a similar nature to that provided for in its articles of association, if such purpose or object come within any of the classes of subjects in respect of which companies may be formed under said 'Companies' Act.'"

Carried on the following division:—

YEAS :

Messieurs

<i>Smith,</i>	<i>Martin,</i>	<i>Walkem,</i>	<i>Rogers,</i>
<i>Mutter,</i>	<i>Eberts,</i>	<i>Pooley,</i>	<i>Hunter,</i>
<i>Baker,</i>	<i>Booth,</i>	<i>Turner,</i>	<i>McGregor—13.</i>
<i>Davie,</i>			

NAYS :

Messieurs

<i>Kitchen,</i>	<i>Forster,</i>	<i>Sword,</i>	<i>Graham,</i>
<i>Kennedy,</i>	<i>McPherson,</i>	<i>Williams,</i>	<i>Adams—11.</i>
<i>Hume,</i>	<i>Kidd,</i>	<i>Semin,</i>	

The further consideration of the Report was adjourned until to-morrow.

Mr. Speaker gave the following reserved decision *re* Bill No. 63 :—

A motion for the second Reading of Bill (No. 63) intituled “An Act for the Better Observance of Sunday,” has been objected to by the Hon. Member for Cassiar, who urges that the Bill is *ultra vires* of this Legislature.

The Hon. Member relies on section 91, sub-section (10), and section 92, sub-section (10), B. N. A. Act, and on Rule 43 of the Rules and Orders of this House.

I do not think that the Bill impinges on the powers of the Dominion Parliament, in so far as those powers relate to the ordinary business of navigation and shipping, and to the ordinary traffic of railways, telegraphs, canals, etc.; nor does it appear to be intended to interfere with trade and commerce, as it is provided that only the carriage of excursionists shall be prohibited on the Lord’s Day. Ordinary traffic is expressly allowed; and as for section 2 of the Bill, which prohibits Sunday trading, “except the selling of drugs and medicines and other works of necessity and charity,” it does not appear to be an alteration of the laws of trade.

In this connection attention is drawn to the fact that similar laws have been enacted by the Legislatures of other Provinces, and have been allowed by the Dominion Government.

The powers of Provincial Legislatures are already too limited, and it is not desirable that a ruling should emanate from this House that would further curtail privileges to legislate which have been claimed by and conceded to the other Provinces.

Chap. 108, Consolidated Statutes, British Columbia, “An Act respecting the Observance of Sunday,” is further evidence that this Province has successfully maintained, since Confederation, the right which it possessed before Confederation to enact a Sunday law.

D. W. HIGGINS,
Speaker.

The Honourable Colonel *Baker* asked leave to introduce a Bill (No. 75) intituled “An Act to amend the ‘Placer Mining Act, 1891.’”

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

The Honourable Colonel *Baker* asked leave to introduce a Bill (No. 76) intituled “An Act to amend the ‘Mineral Act, 1891.’”

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

The Honourable Colonel *Baker* asked leave to introduce a Bill (No. 77) intituled “An Act to amend the ‘Licenses Act.’”

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

Bill (No. 65) intituled “An Act to amend the ‘Provincial Home Act, 1893,’” was read a second time.

Ordered to be committed to-morrow.

Bill (No. 67) intituled “An Act to amend the ‘Land Registry Act,’” was read a second time.

Ordered to be committed to-morrow.

Bill (No. 66) intituled “An Act to amend the ‘Fire Insurance Policy Act, 1893,’” was 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 5:50 o’clock, p. m.

Tuesday, 29th January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Rev. *P. McF. Macleod*.

Bill (No. 65) intituled "An Act to amend the 'Provincial Home Act, 1893,'" was committed, with Mr. *Booth* in the Chair.

Bill reported complete without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 67) intituled "An Act to amend the 'Land Registry Act,'" was committed, with Mr. *Graham* in the Chair.

The Bill was reported complete with amendments.

Report *Ordered* to be considered to-morrow.

Bill (No. 66) intituled "An Act to amend the 'Fire Insurance Policy Act, 1893,'" was committed, with Mr. *Walkem* in the Chair.

Bill reported complete with amendments.

Report *Ordered* to be considered to-morrow.

The Honourable Colonel *Baker* moved—"That Bill (No. 76) intituled 'An Act to amend the Mineral Act, 1891,' be read a second time now."

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

The Order for the second reading of Bill (No. 77) intituled "An Act to amend the 'Licenses Act,'" was discharged.

The Standing Rules and Orders were suspended, and then the House resolved itself into a Committee of the Whole to consider a Resolution to amend the "Licenses Act," with Mr. *Booth* in the Chair.

(IN THE COMMITTEE.)

On the motion of the Honourable Colonel *Baker*, it was *Resolved*,—

That the Committee rise and report to the House a Bill intituled "An Act to amend the 'Licenses Act,'" and recommend the introduction of the same.

Report adopted.

Bill read a first and second times and committed forthwith, with Mr. *Booth* in the Chair.

Bill reported complete without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 62) intituled "An Act to further amend the 'Supreme Court Act,'" was committed, with Mr. *Forster* in the Chair.

The Bill was reported complete without amendment.

Report *Ordered* to be considered to-morrow.

Bill (No. 68) intituled "An Act to amend the 'Land Act' and amending Acts," was 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 5 o'clock, p. m.

Wednesday, 30th January, 1895.

TWO O'CLOCK, P. M.

Prayers by the Rev. *P. McF. Macleod*.

Mr. *Eberts* asked leave to introduce a Bill (No. 78) intituled "An Act to amend and consolidate the Acts for the protection of certain Animals, Birds, and Fishes."

Leave granted.

Bill introduced and read a first time.

Ordered to be read a second time to-morrow.

On the motion of Mr. *Kidd*, seconded by Mr. *McPherson*, it was *Resolved*,—

That an Order of the House be granted for a Return showing:—

1st. The extent and boundaries of all timber leases granted to mill companies or other parties between *Secheldt* and *Gower Point*, *Howe Sound*; the date or dates on which such were granted; the amounts paid and when paid on the same, and the amounts, if any, now due thereon.

2nd. Also the dates of applications, with which plans of survey were submitted, for leases for timber limits, if any, in the said locality, the extent of the same, and the date of the withdrawal thereof, or the refusal to grant such leases.

3rd. Also a statement showing the pre-emption claims which have been recorded on areas included within such timber limits covered by lease, or applied for and surveyed, and to whom such pre-emption records were granted.

4th. Also for all correspondence in respect to or in connection with such leases, timber limits, and pre-emption claims.

Bill (No. 31) intituled "An Act to further amend the 'New Westminster Act, 1888.'" was again committed, with Mr. *Hume* in the Chair.

The Committee reported progress and asked leave to sit again.

Leave granted for to-morrow.

The Report on Bill (No. 28) intituled "An Act to Incorporate 'The Victoria Consolidated Hydraulic Mining Company, Limited,'" was considered.

Mr. *Rogers* moved to amend section 13 by adding thereto the following:—

"Save and except paragraph (a) of the first part of the First Schedule thereto, in so far as it conflicts with paragraph (a) of Schedule A to this Act."

Carried.

Report, as amended, adopted.

Ordered to be read a third time to-morrow.

The Report on Bill (No. 33) intituled "An Act to make valid an Official Map or Survey of the City of Nanaimo," was adopted.

Bill read a third time and passed.

The Report on Bill (No. 44) intituled "An Act for the supply of Water to the City of Nanaimo," was considered.

After some debate, the further consideration of the Report was adjourned until to-morrow.

Bill (No. 69) intituled "An Act respecting the Incorporation of 'The Stave River Electric and Power Company, Limited Liability,'" was 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 5:30 o'clock, p. m.