

Friday, 18th May, 1917.

HALF-PAST TWO O'CLOCK P.M.

Prayers by the Rev. *H. A. Ireland*.

The House proceeded to the Orders of the Day.

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

Bill (No. 68) intituled "An Act respecting the Department of Labour."

Bill (No. 70) intituled "An Act to amend the 'Constitution Act.'"

Bill (No. 71) intituled "An Act to amend the 'Revenue Act.'"

Bill (No. 34) intituled "An Act to provide for the Collection of a Tax on Persons."

Bill (No. 61) intituled "An Act to amend the 'Municipal Act'" was again committed.
Progress reported.

Committee to sit again at the next sitting.

Bill (No. 69) intituled "An Act to borrow the Sum of Two million Dollars for the Purposes therein specified" was committed.

Reported without amendment.

Report adopted.

Third reading at the next sitting.

The Hon. the Premier presented the Report of the Provincial Fisheries Department for the Year ending 31st December, 1916, with Appendices.

The House resumed the adjourned debate on the second reading of Bill (No. 67) intituled "An Act to provide for auditing Public Accounts of the Province."

Bill read a second time and committed.

Reported without amendment.

Report adopted.

Third reading at the next sitting.

The following Bills were read a second time, and *Ordered* to be committed at the next sitting:—

Bill (No. 56) intituled "An Act to amend Chapter 35 of the Statutes of 1915."

Bill (No. 57) intituled "An Act to amend the 'Administration Act.'"

Bill (No. 66) intituled "An Act to amend the 'Municipal Elections Act.'"

Bill (No. 65) intituled "An Act to amend the 'Local Improvement Act.'"

Bill (No. 59) intituled "An Act to amend the 'Execution of Trusts (War Facilities) Act.'"

Bill (No. 76) intituled "An Act to amend the 'Drainage and Dyking Act.'"

On the second reading of Bill (No. 72) intituled "An Act to amend the 'Dyking Assessments Adjustment Act, 1905'" a debate arose, which was, on the motion of Mr. *Jones*, adjourned to the next sitting.

On the second reading of Bill (No. 74) intituled "An Act to provide for the Investigation of Methods of Taxation and for the Creation of a Permanent Board of Taxation" a debate arose, which was, on the motion of Mr. *Ross*, adjourned to the next sitting.

On the second reading of Bill (No. 75) intituled "An Act respecting the Semi-monthly Payment of Wages" a debate arose, which was, on the motion of Mr. *Pooley*, adjourned to the next sitting.

On the second reading of Bill (No. 73) intituled "An Act allowing Municipalities to adopt Proportional Representation in Municipal Elections" a debate arose, which was, on the motion of Mr. *Pooley* adjourned to the next sitting.

Bill (No. 60) intituled "An Act to amend the 'Mechanics' Lien Act'" was committed.
Reported with amendment.
Report to be considered at the next sitting.

Bill (No. 50) intituled "An Act to amend the 'Vancouver Incorporation Act, 1900'" was read a third time and passed.

Bill (No. 36) intituled "An Act to provide for the Collection of a Tax on Persons attending Places of Amusement" was again committed.
Reported with amendment.
Report to be considered at the next sitting.

Bill (No. 40) intituled "An Act respecting Dentistry" was again committed.
Progress reported.
Committee to sit again at the next sitting.

Resolved, That the House, at its rising, do stand adjourned until 8.30 o'clock p.m. to-night.

And then the House adjourned at 5.55 p.m.

Friday, 18th May, 1917.

HALF-PAST EIGHT O'CLOCK P.M.

The House proceeded to the Orders of the Day.

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

F. S. BARNARD,
Lieutenant-Governor.

The Lieutenant-Governor returns to the House Bill (No. 70) intituled "An Act to amend the 'Constitution Act,'" and recommends for the consideration of the Legislative Assembly the following amendments:—

"5. Section 68 of said chapter 44 is amended by adding thereto the following:—

"'Provided that, notwithstanding anything herein contained to the contrary, when a Session has continued for a period of thirty days or longer and is then adjourned over a period of thirty days or longer to a future date, the Clerk of the House shall on such adjournment pay each Member of the Legislative Assembly the Sessional allowance and mileage to which such Members are entitled under this Act; and the form of Declaration required by section 71 may be amended to meet the change necessitated by this amendment.'

"6. Section 72 of said chapter 44 is hereby amended by inserting after the word 'allowance,' in the fifth line thereof, the words 'and mileage.'"

Government House,
May 18th, 1917.

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

Pursuant to Order, the said Message and Bill were considered in Committee of the Whole.
Bill reported with amendments.

Report adopted.

To be read a third time at the next sitting.

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

Bill (No. 69) intituled "An Act to borrow the Sum of Two million Dollars for the Purposes therein specified."

Bill (No. 67) intituled "An Act to provide for auditing Public Accounts of the Province."

The Report on Bill (No. 36) intituled "An Act to provide for the Collection of a Tax on Persons attending Places of Amusement" was adopted.

Bill read a third time and passed.

Bill (No. 56) intituled "An Act to amend Chapter 35 of the Statutes of 1915" was committed.

Reported without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 57) intituled "An Act to amend the 'Administration Act'" was committed.

Reported without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 66) intituled "An Act to amend the 'Municipal Elections Act'" was committed.

Reported with amendments.

Report to be considered at the next sitting.

Bill (No. 65) intituled "An Act to amend the 'Local Improvement Act'" was committed.

Reported without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 59) intituled "An Act to amend the 'Execution of Trusts (War Facilities) Act'" was committed.

Reported without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 76) intituled "An Act to amend the 'Drainage and Dyking Act'" was committed.

Reported without amendment.

Report adopted.

Bill read a third time and passed.

The House resumed the adjourned debate on the second reading of Bill (No. 72) intituled "An Act to amend the 'Dyking Assessments Adjustment Act, 1905.'"

Bill read a second time and committed.

Reported with amendments.

Report to be considered at the next sitting.

Bill (No. 48) intituled "An Act to amend the 'War Relief Act'" was again committed.

Reported with amendments.

Report to be considered at the next sitting.

The House resumed the adjourned debate on the second reading of Bill (No. 74) intituled "An Act to provide for the Investigation of Methods of Taxation and for the Creation of a Permanent Board of Taxation."

Bill read a second time and committed.
 Reported without amendment.
 Report adopted.
 Bill to be read a third time at the next sitting.

The House resumed the adjourned debate on the second reading of Bill (No. 75) intituled "An Act respecting the Semi-monthly Payment of Wages."

Bill read a second time and committed.
 Reported with amendment.
 Report adopted.
 Third reading at the next sitting.

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

F. S. BARNARD,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to determine the Ownership of certain Placer-mining Property in the Cariboo District," and recommends the same to the Legislative Assembly.

Government House,
May 18th, 1917.

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

(IN THE COMMITTEE.)

Resolved, That the Committee rise and report to the House, recommending the introduction of a Bill (No. 77) intituled "An Act to determine the Ownership of certain Placer-mining Property in the Cariboo District," a draft of which is annexed to this Resolution.

Resolution and Bill reported and adopted.
 Bill introduced and read a first time.
 Second reading at the next sitting.

The House resumed the adjourned debate on the second reading of Bill (No. 73) intituled "An Act allowing Municipalities to adopt Proportional Representation in Municipal Elections."

Bill read a second time and committed.
 Reported without amendment.
 Report adopted.
 Bill read a third time and passed.

On the motion of Mr. *Whiteside*, Bill (No. 80) intituled "An Act to amend the 'Administration Act'" was introduced, read a first time, and *Ordered* to be read a second time to-morrow.

The House resumed the adjourned debate on the consideration of the Report on Bill (No. 21) intituled "An Act respecting a certain By-election holden in Vancouver City Electoral District on the Twenty-sixth Day of February, 1916."

Mr. *Bowser* moved to amend section 8, line 6, by inserting after the word "conducted" the words "and the conduct of all persons concerned therein."

Negatived.

The further consideration of the Report was adjourned to the next sitting.

The House resumed the adjourned debate on the second reading of Bill (No. 55) intituled "An Act respecting a certain Election holden at Fort George Electoral District on the Fourteenth Day of September, 1916."

Bill read a second time.
Ordered to be committed at the next sitting.

The House continued to sit after midnight.

SATURDAY, 19TH MAY.

Mr. Ross moved, second by Mr. Schofield,—

Whereas R. D. Thomas was committed to the custody of the Sergeant-at-Arms on April 18th, 1917, and has therefore been in custody for thirty days:

And whereas no fixed time has been stated by the House for the release of the said Thomas, and the duration thereof is indefinite and uncertain:

Therefore be it Resolved, That this House is of the opinion that thirty days' detention of the said Thomas is sufficient punishment for the offence for which the said Thomas was committed as aforesaid, and that he should be forthwith released and discharged, and the Sergeant-at-Arms is directed to release him accordingly.

A debate arose, which was, on the motion of Mr. Manson, adjourned to the next sitting.

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

F. S. BARNARD,

Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to provide for the Investigation of the Overseas Vote in connection with the 'British Columbia Prohibition Act,'" and recomemnds the same to the Legislative Assembly.

*Government House,
May 18th, 1917.*

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

(IN THE COMMITTEE.)

Resolved, That the Committee rise and report to the House, recommending the introduction of a Bill (No. 79) intituled "An Act to provide for the Investigation of the Overseas Vote in connection with the 'British Columbia Prohibition Act,'" a draft of which is annexed to this Resolution.

Resolution and Bill reported and adopted.

Bill introduced and read a first time.

Second reading at the next sitting.

And then the House adjourned at 12.25 a.m. to meet again at 10.30 a.m.

Saturday, 19th May, 1917.

HALF-PAST TEN O'CLOCK A.M.

The House proceeded to the Orders of the Day.

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

Bill (No. 74) intituled "An Act to provide for the Investigation of Methods of Taxation and for the Creation of a Permanent Board of Taxation."

Bill (No. 75) intituled "An Act respecting the Semi-monthly Payment of Wages."

The Report on Bill (No. 66) intituled "An Act to amend the 'Municipal Elections Act'" was adopted.

Bill read a third time and passed.

The Report on Bill (No. 72) intituled "An Act to amend the 'Dyking Assessments Adjustment Act, 1905'" was adopted.

Bill read a third time and passed.

The House resumed the consideration of the Report on Bill (No. 21) intituled "An Act respecting a certain By-election holden in Vancouver City Electoral District on the Twenty-sixth Day of February, 1916."

Mr. *Bowser* moved to amend section 9, line 25, by inserting after the word "same" the words "or for the purpose of inducing or enabling any witness as aforesaid to leave the Province of British Columbia and to remain thereout."

Negatived on the following division:—

YEAS—9.

Messieurs

<i>Pooley,</i>	<i>McDonald, A.,</i>	<i>Bowser,</i>	<i>Cowper,</i>
<i>Schofield,</i>	<i>Ross,</i>	<i>Rose,</i>	<i>McIntosh.</i>
<i>Jones,</i>			

NAYS—24.

Messieurs

<i>Anderson,</i>	<i>Brewster,</i>	<i>Sutherland,</i>	<i>Whiteside,</i>
<i>Bell,</i>	<i>Oliver,</i>	<i>Manson,</i>	<i>Walters,</i>
<i>Yorston,</i>	<i>King,</i>	<i>Thompson,</i>	<i>McGeer,</i>
<i>Buckham,</i>	<i>Keen,</i>	<i>MacLean,</i>	<i>Stewart,</i>
<i>Mobley,</i>	<i>Farris,</i>	<i>Pattullo,</i>	<i>Pauline,</i>
<i>Jackson,</i>	<i>Hart,</i>	<i>Sloan,</i>	<i>Hall.</i>

Report adopted.

Bill read a third time and passed.

Bill (No. 55) intituled "An Act respecting a certain Election holden in Fort George Electoral District on the Fourteenth Day of September, 1916" was committed.

Reported with amendments.

Report to be considered at the next sitting.

The House resumed the adjourned debate on the second reading of Bill (No. 54) intituled "An Act for the Establishment of Public Sampling and Concentrating Plants, Custom Smelters and Refineries, and to make Provision in Aid of the Treating or Buying of Ores."

Bill read a second time.

To be committed at the next sitting.

Resolved, That the House, at its rising, do stand adjourned until 2.30 o'clock p.m. to-day.

And then the House adjourned at 12.50 p.m.

Saturday, 19th May, 1917.

HALF-PAST TWO O'CLOCK P.M.

Prayers by the Rev. R. T. Archbold.

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

F. S. BARNARD,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to amend the 'Vancouver Island Settlers' Rights Act, 1904,'" and recommends the same to the Legislative Assembly.

Government House,
May 19th, 1917.

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

(IN THE COMMITTEE.)

Resolved, That the Committee rise and report to the House, recommending the introduction of a Bill (No. 78) intituled "An Act to amend the 'Vancouver Island Settlers' Rights Act, 1904,'" a draft of which is annexed to this Resolution.

Resolution and Bill reported and adopted.
Bill introduced and read a first time.
Second reading at the next sitting.

The House proceeded to the Orders of the Day.

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

F. S. BARNARD,
Lieutenant-Governor.

The Lieutenant-Governor recommends for the consideration of the Legislative Assembly the following amendments to Bill (No. 55) intituled "An Act respecting a certain Election holden in Fort George Electoral District on the Fourteenth Day of September, 1916":—

Section 6, subsection (1), line 8: Strike out the word "themselves," and insert in lieu thereof the word "himself."

Section 6, subsection (1), line 9: Strike out the word "them," and insert in lieu thereof the word "him."

Section 6, subsection (4), lines 2 and 3: Strike out the words "and any powers in relation thereto."

Section 13: Add the following as subsection (2):—

"(2.) The travelling and other expenses of the Commissioner shall be allowed on the like basis as the travelling allowance payable to Judges under the 'Judges Act,' chapter 138 of the 'Revised Statutes of Canada, 1906,' and Acts in amendment thereof; and the Lieutenant-Governor in Council may make an order for the payment of advances to the Commissioner from time to time on account of such expenses."

Section 14, line 4: Strike out the figure "9," and insert in lieu thereof the figure "8."

Government House,
May 19th, 1917.

Ordered, That the Order for the consideration of the Report on said Bill No. 55 be discharged and the Bill recommitted, and that the said Message and the amendments proposed therein be referred to the same Committee.

Bill and Message committed forthwith.

Bill reported with amendments.

Report adopted.

Third reading at the next sitting.

Bill (No. 61) intituled "An Act to amend the 'Municipal Act'" was again committed.

Reported with amendments.

Report to be considered at the next sitting.

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

F. S. BARNARD,

Lieutenant-Governor.

The Lieutenant-Governor returns herewith Bill (No. 35) intituled "An Act to increase the Revenues of the Crown for the Year ending Thirty-first December, 1917," for the purpose of amendment as follows:—

To insert in section 3, between the fourteenth and fifteenth lines of subsection (1), the following:—

"On Coal Land.

"Two per cent. upon the assessed value of all coal land within Class B, as defined in said section 9 of the 'Taxation Act,' being a surtax of two per cent.

"On Timber Land.

"One per cent. upon the assessed value, being a surtax of one per cent."

Government House,

May 17th, 1917.

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

Message and Bill committed.

Bill reported with amendments.

Report adopted.

Third reading at the next sitting.

Bill (No. 54) intituled "An Act for the Establishment of Public Sampling and Concentrating Plants, Custom Smelters and Refineries, and to make Provision in Aid of the Treating or Buying of Ores" was committed.

Reported without amendment.

Report adopted.

Third reading at the next sitting.

The House resumed the adjourned debate on the second reading of Bill (No. 49) intituled "An Act to amend the 'Companies Act.'"

Bill read a second time and committed.

Reported without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 79) intituled "An Act to provide for the Investigation of the Overseas Vote in connection with the 'British Columbia Prohibition Act'" was read a second time and committed.

Reported with amendments.

Report to be considered at the next sitting.

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

F. S. BARNARD,
Lieutenant-Governor.

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

Government House,
May 19th, 1917.

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

(IN THE COMMITTEE.)

Resolved, That the Committee rise and report to the House, recommending the introduction of a Bill (No. 81) intituled "An Act to amend the 'Public Inquiries Act,'" a draft of which is annexed to this Resolution.

Resolution and Bill reported and adopted.

Bill introduced and read a first time.

Second reading at the next sitting.

Mr. *Pooley* asked the Hon. the Provincial Secretary the following question:—

Is Mr. Edmond B. Kay, at present in the employment of the Workmen's Compensation Board at a salary of \$100 per month, the same person as Edmond B. Kay, late Secretary of the Victoria Liberal Association?

The Hon. Dr. *MacLean* replied as follows:—

"The Workmen's Compensation Board has no information on the above subject."

The Report on Bill (No. 60) intituled "An Act to amend the 'Mechanics' Lien Act'" was adopted.

Bill read a third time and passed.

Bill (No. 40) intituled "An Act respecting Dentistry" was again committed.

Reported with amendments.

Report to be considered at the next sitting.

Bill (No. 80) intituled "An Act to amend the 'Administration Act'" was read a second time and committed.

Reported without amendment.

Report adopted.

Bill read a third time and passed.

The House resumed the adjourned debate on the motion moved by Mr. *Thompson* on the 2nd instant, as follows:—

That the report of the Select Standing Committee on Mining, presented to the House on the 25th day of April, 1917, be adopted.

Resolution agreed to.

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

That the further report of the Select Committee to inquire into the construction of the Pacific Great Eastern Railway, received on May 1st, 1917, be adopted.

On the motion of Mr. *Pauline*, seconded by Mr. *Mobley*, it was *Resolved*,—

That the Third Report of the Standing Committee on Public Accounts, presented and received on the 10th instant, be adopted.

The Hon. the Minister of Lands presented a Return of: (a) All persons in the Permanent or Temporary Service who have resigned since the 14th September last; (b) all persons in the Permanent or Temporary Service whose services have been dispensed with since the 14th September last; (c) dates of their leaving the service; (d) their ages and length of time in the service; (e) reasons for their dismissals; (f) list of those appointed to take their places, their ages and residence in each case; (g) also names, ages, and residence of all other persons appointed, temporarily or otherwise, to either Permanent or Temporary Service since the 14th September last.

Mr. Hanes moved, seconded by Mr. Willson,—

Whereas it is in the interest of the Province that the Pacific Great Eastern Railway should be completed between Fort George and Vancouver, so that the revenue from local and trans-continental passenger and freight trains would go toward the payment of the interest and maintenance of the line, as well as opening up and developing a very large section of the Province:

And whereas the agreement between the Pacific Great Eastern Railway Company and Foley, Welch & Stewart with the Government has been violated, and the contract awarded to Mr. P. Welch, without tender, at high rates:

And whereas some of the directors were interested secretly in the said contract as well as in sub-contracts:

And whereas the contract of Mr. P. Welch with the Pacific Great Eastern Railway Company is illegal according to the findings of the Pacific Great Eastern Inquiry Committee:

And whereas upwards of \$5,000,000 in profits has been made by the contractors, which said money should have been applied towards the construction of the road:

And whereas the Provincial Government paid out moneys from the trust account in contravention of subsection (d) of section 9 of Schedule A of chapter 34, Statutes of British Columbia, 1912:

Therefore be it Resolved, That in the opinion of this House the Government should take into immediate consideration the advisability of introducing legislation:—

- (a.) To take over the entire property and assets of the Pacific Great Eastern Railway; Pacific Great Eastern Development Company, Limited; and the Pacific Great Eastern Equipment Company, Limited; and the \$400,000 in the Union Bank at Vancouver to the credit of Mr. Pat Welch as contractor:
- (b.) To bring action against Timothy Foley, Pat Welch, and J. W. Stewart and the firm of Foley, Welch & Stewart and the Pacific Great Eastern Railway for the recovery of all moneys paid out contrary to the Statutes:
- (c.) To bring action against Foley, Welch & Stewart and the Pacific Great Eastern Railway Company and Pat Welch for the return of all money paid out on wrongful classification or contrary to specifications:
- (d.) To bring action against the directors of the Pacific Great Eastern Railway Company for all profits made out of the contract or sub-contracts between themselves and the company:
- (e.) To amend the "Loan Act" so as to allow the \$5,000,000 remaining to be used towards the completion of the said line, including the portion between White Cliff and Squamish:
- (f.) To grant power to the Minister of Railways to operate the said line permanently or otherwise, pending any other arrangement which the Legislature may deem advisable at any time to make with any railway company:
- (g.) To proceed under the Criminal Code against all parties implicated in the above-mentioned transactions:
- (h.) To make application to the Dominion Government for a bonus of \$12,000 per mile (the same as granted the Canadian Northern Pacific Railway), or the sum of \$5,760,000:
- (i.) To arrange a new contract to carry on the construction of the said line, and a fair-wage clause inserted:
- (j.) That any returned soldiers capable of working at railway-construction be given the opportunity to secure employment under proper working conditions.

The Hon. Mr. *Oliver* objected to the motion, on the ground that it involved the expenditure of public money and dictated Government policy.

Mr. Speaker *Weart* sustained the objection and ruled the motion out of order.

The House resumed the adjourned debate on the motion moved by Mr. *Ross* on the 18th instant, as follows:—

Whereas R. D. Thomas was committed to the custody of the Sergeant-at-Arms on April 18th, 1917, and has therefore been in such custody for twenty-seven days:

And whereas no fixed time has been stated by the House for the release of the said Thomas, and the duration thereof is indefinite and uncertain:

Therefore be it Resolved, That this House is of the opinion that twenty-seven days' detention of the said Thomas is sufficient punishment for the offence for which the said Thomas was committed as aforesaid, and that he should be forthwith released and discharged, and the Sergeant-at-Arms is directed to release him accordingly.

Mr. *Hall* moved, seconded by Dr. *McIntosh*,—

To strike out the words "and discharged," and to substitute the following: "upon giving his undertaking to Mr. Speaker not to leave the Province for a period of six months and not to deal with in any way any books or documents in any way relating to the Pacific Great Eastern inquiry.

Ruled out of order.

The Hon. Mr. *Oliver* moved, seconded by the Hon. Mr. *Pattullo*,—

That all the words of the Resolution after the first word "That" be struck out, and the following substituted: "the said R. D. Thomas be discharged from custody."

Amendment agreed to.

Resolution as amended agreed to.

Resolved, That the House, at its rising, do stand adjourned until 8.30 o'clock p.m. to-night.

And then the House adjourned at 5.59 p.m.

Saturday, 19th May, 1917.

HALF-PAST EIGHT O'CLOCK P.M.

The House proceeded to the Orders of the Day.

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

Bill (No. 55) intituled "An Act respecting a certain Election holden at Fort George Electoral District on the Fourteenth Day of September, 1916."

Bill (No. 54) intituled "An Act for the Establishment of Public Sampling and Concentrating Plants, Custom Smelters and Refineries, and to make Provision in Aid of the Treating or Buying of Ores."

Bill (No. 35) intituled "An Act to increase the Revenues of the Crown for the Year ending Thirty-first December, 1917."

The Report on Bill (No. 48) intituled "An Act to amend the 'War Relief Act'" was adopted. Bill read a third time and passed.

The Report on Bill (No. 61) intituled "An Act to amend the 'Municipal Act'" was adopted. Bill read a third time and passed.

The Report on Bill (No. 79) intituled "An Act to provide for the Investigation of the Overseas Vote in connection with the 'British Columbia Prohibition Act'" was adopted.

Bill read a third time and passed.

Bill (No. 78) intituled "An Act to amend the 'Vancouver Island Settlers' Rights Act, 1904'" was read a second time and committed.

Reported without amendment.

Report adopted.

Bill read a third time and passed.

Bill (No. 81) intituled "An Act to amend the 'Public Inquiries Act'" was read a second time and committed.

Reported without amendment.

Report adopted.

Bill read a third time and passed.

The House resumed the adjourned debate on the motion moved by Mr. *Hanes* on the 7th instant, as follows:—

Whereas W. J. Bowser, a witness before the Select Committee to inquire into the construction of the Pacific Great Eastern Railway, and who on the 24th day of April, 1917, did refuse to answer questions put to him, by the Committee (which questions were asked in accordance with permission given to the Committee by a Resolution of the House on 16th April, 1917), that the Speaker do issue a subpoena to the said W. J. Bowser to personally appear at the Bar of the House, or rise in his place, forthwith to answer the said questions and to answer for his said conduct, and to be dealt with as the House may see fit.

The motion was negatived.

Mr. *Hanes* moved the following Resolution:—

Whereas it is desirable that an eight-hour law should be brought into effect in the Province pertaining to certain industries:

Therefore be it Resolved, That in the opinion of this House the Government should consider the advisability of bringing in legislation at the present Session dealing with this matter.

Ruled out of order.

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

1. Has R. T. Elliott, K.C., or the firm of Elliott, Maclean & Shandley, received any moneys from the Government since the 24th day of November last?

2. If so, what were the amounts?

3. What were the services for which said moneys were paid?

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

"1. R. T. Elliott, K.C., has received nothing personally, and nothing claimed by him or owing to him. Firm of Elliott, Maclean & Shandley has rendered legal services for two Departments; accounts rendered and paid amounting in all to \$30.

"2. Answered by No. 1.

"3. Answered by No. 1."

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

1. Did one McNeil apply for a liquor licence for an hotel at Aldermere towards the end of 1914, for the year 1915?

2. Did the said McNeil make a deposit in connection therewith?

3. Was the licence granted?

4. If so, upon what date?

5. If so, had the Department notice that the hotel had been closed prior to the granting of the licence?

6. Was the deposit returned?

7. If not, what disposition was made of it?

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

- "1. Yes; application dated October 17th, 1914.
- "2. Yes; \$125 paid as hotel licence fee for year ending December 31st, 1915.
- "3. Yes.
- "4. March 23rd, 1915.
- "5. Yes.
- "6. No.
- "7. Remitted to Treasury as revenue for month of October, 1914."

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

1. Has Simeon F. Reibin, of Koch Siding, been appointed a Notary Public?
2. Is he a Doukhobor?
3. Is he a naturalized British subject?
4. If not, is it the practice of the Government to appoint other than British subjects as Notaries Public?

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

- "1. Yes.
- "2. Yes.
- "3. No; he is a Russian. Am credibly informed that he had authority to act as a Commissioner in the Province of Saskatchewan.
- "4. No practice has been established. Reibin resides at Koch's Siding, on the Slocan Branch of the Columbia & Kootenay Railway. He is book-keeper and shipper for the sawmill at that point and his appointment was requested to facilitate business, there being no Justice of the Peace or other Notary available at that point."

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

1. Has the Government opened up offices in the six wards in Vancouver for the purpose of taking applications for the voters' lists?
2. Who are appointed at these different offices?
3. What remuneration are they receiving?
4. What authority is there for these payments?
5. Upon whose recommendation were these appointments made?
6. Are these appointees adherents of the Liberal party?
7. Have they ever held any position in the Liberal party?
8. If so, what were they?
9. Are there any returned soldiers employed in these offices?

The Hon. Dr. *MacLean* replied as follows:—

- "1. Yes.
- "2. L. A. Teitlebaum, W. H. Kelly, Robert Gordon, H. A. McIntyre, Hugh S. Stewart, Geo. Moir, E. V. Leyster, John Humberstone, James O'Reilly, Maurice Gomain, and Geo. Hill.
- "3. \$3 per diem with overtime.
- "4. Order in Council approved April 20th, 1917.
- "5. The Hon. the Provincial Secretary.
- "6, 7, 8, and 9. The Department has no information on the subject of any of these questions."

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

1. Has the Government opened up offices in the City of Victoria for the purpose of taking applications for the Victoria City voters' list?
2. Who are appointed in this office?
3. What remuneration are they receiving?
4. Under what authority are they being paid?
5. Upon whose recommendation were these appointments made?
6. Does Mr. George Mabon hold one of these offices; if so, what?
7. Is he now or has he ever been secretary of the Victoria Liberal Association?

8. Is Mr. E. S. Woodward occupying one of these positions?
 9. If so, is he the same person as E. S. Woodward, secretary of Ward 3 Liberal Association of the City of Victoria?
 10. Have any returned soldiers been offered any of these positions?
 11. If not, why not?

The Hon. Dr. *MacLean* replied as follows:—

- “1. Yes.
 “2. G. Mabon, J.P., and E. S. Woodward.
 “3. \$3 per diem and overtime.
 “4. No payments made.
 “5. The Hon. the Premier.
 “6. Yes; in charge of affairs.
 “7. Department has no information.
 “8. Yes.
 “9. Department understands that E. S. Woodward holds no position whatever in any Liberal Association.
 “10. No; only two required who have had experience.
 “11. Answered by No. 10.”

Mr. *Hanes* moved, seconded by Mr. *Cowper*,—

That in the opinion of this House the Government should take into immediate consideration the advisability of introducing legislation providing for a recall system, whereby the electors may recall any Member of the Legislature who in their opinion is not properly representing their district.

A debate arose, which was, on the motion of Mr. *Thompson*, adjourned to the next sitting.

Mr. *Hanes* moved, seconded by Dr. *McIntosh*,—

That in the opinion of this House the Government should take into consideration the advisability of bringing in an Act at the present Session to appoint a Commission to call for witnesses, papers, documents, etc., and investigate the following matters on oath:—

- (1.) The disposition of the \$500,000 received by Mr. D'Arcy Tate for promoting the Pacific Great Eastern Railway Company, and the names of the individuals to whom any portion of said money was paid, together with the amounts.
- (2.) The disposition of the \$15,000 paid by Dr. McKenzie to Mr. M. A. Macdonald, and to whom any portion of said money was paid, and the amounts.
- (3.) The disposition of all cheques and cash received by or paid out by Pacific Great Eastern Railway Company, Pacific Great Eastern Development Company, Limited, Pacific Great Eastern Equipment Company, Limited, Patrick Welch, J. W. Stewart, Donald McLeod, and Foley, Welch & Stewart, or any other person, and to whom any portion of said money was paid, and the amount received by each person; the following amounts to be part of the inquiry:—

Eight cheques for \$50,000 each issued on August 22nd, 1914, by P. Welch.

Four cheques for \$100,000 each issued on January 25th, 1915, to P. Welch.

Two cheques for \$100,000 each issued on October 10th, 1914, by P. Welch.

Three cheques for \$50,000 each issued by Foley, Welch & Stewart to D'Arcy Tate on August 1st, August 30th, and September 11th, 1916.

Three cheques for \$50,000 each issued by Foley, Welch & Stewart to P. Welch on August 3rd, August 31st, and September 13th, 1916.

One cheque for \$20,000 issued by P. Welch at the request of J. W. Stewart on February 21st, 1916.

One cheque for \$15,000 issued by the Pacific Great Eastern Railway Company to D'Arcy Tate on February 25th, 1916.

One cheque for \$15,000 issued by P. Welch to D'Arcy Tate on February 28th, 1916.

One cheque for \$56,000 issued by Foley, Welch & Stewart on June 30th, 1914.

Two cheques for \$50,000 each issued by P. Welch to D'Arcy Tate on January 16th, 1915.

One cheque for \$10,000 issued by P. Welch to D'Arcy Tate on January 28th, 1915.

One cheque for \$10,000 issued by P. Welch to D'Arcy Tate on June 21st, 1916.

One cheque for \$30,000 issued to P. Welch on February 16th, 1917.

- (4.) To call W. J. Bowser, R. D. Thomas, D'Arcy Tate, Pat Welch, Donald McLeod, Edward White, and any other person, and to compel them to answer as to their knowledge of the payments of any money whatsoever, whether mentioned above or not, and to whom any part of said amounts were paid, and for what purpose.
- (5.) With power to commit to the common gaol any person for contempt until such times as they answer any or all questions; and that R. D. Thomas and W. J. Bowser, or any other person who refused or refuses to answer the questions put to him by the Pacific Great Eastern Committee be turned over to the said Commission before the prorogation of the Legislature; and that warrants or subpoenas, issued by the Speaker, be continued until the said parties are produced before the Commission.

Mr. Speaker *Weart* ruled the motion out of order, on the following grounds:—

“That the House has already passed judgment to-day on the matters covered by paragraph (4).

“That nearly all the matters are the subject of litigation and awaiting the judgment or decision of the Courts.”

Mr. *Cowper* asked the Hon. the Minister of Lands the following questions:—

1. How many: (a) Crown grants; (b) timber leases; and (c) timber licences were in existence in the Vancouver watershed area on April 8th, 1905?

2. How many: (a) Crown grants; (b) timber leases; and (c) timber licences have been granted since April 8th, 1905, within the limits of the Vancouver watershed area?

3. What are the names of the: (a) Crown grantees; (b) timber lessees; and (c) licensees; and the dates upon which the said Crown grants, timber leases, and timber licences were entered into?

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

“1. (a) 58; (b) none; (c) 3.

“2. (a) 13; (b) none; (c) 13.

“3. (a) Lot 792, H. M. Burwell, Crown-granted April 8th, 1905; Lot 1242, Mary Rooney *et al.*, Crown-granted May 11th, 1905; Lot 874, G. G. MacKay, Crown-granted May 4th, 1891; Lot 875, G. G. MacKay, Crown-granted January 17th, 1891; Lots 1284, 1285, 1286, 1287, 1288, 1289, and 1290, G. G. MacKay *et al.*, Crown-granted January 14th, 1892; Lots 1291 and 1292, G. G. MacKay *et al.*, Crown-granted January 21st, 1892; Lot 1293, G. G. MacKay *et al.*, Crown-granted February 24th, 1915; Lots 1294 and 1295, G. G. MacKay *et al.*, Crown-granted January 21st, 1892; Lot 1532, H. Lewerk and J. F. McInnis, Crown-granted December 19th, 1892; Lot 1563, H. Mahlman *et al.*, Crown-granted January 20th, 1893; Lot 1016, A. Shelton and G. H. Mayne, Crown-granted July 3rd, 1896; Lot 804, H. Proctor, Crown-granted February 1st, 1892; Lot 998, T. W. Mayne, Jr., Crown-granted October 26th, 1899; Lot 1301, T. Mayne, Crown-granted Dec. 19th, 1892; Lot 1522, Jos. P. Turner, Crown-granted Dec. 28th, 1892; Lot 1464, W. Godfrey, Crown-granted July 25th, 1892; Lot 999, Wm. Desney and L. Anderson, Crown-granted October 9th, 1905; Lot 1363, City of North Vancouver, Crown-granted April 4th, 1914; Lot 858, John Storey, Crown-granted December 16th, 1892; Lot 859, J. A. Green, Crown-granted May 4th, 1891; Lot 860, D. V. Waite, Crown-granted May 12th, 1891; Lot 1465, Chas. C. Maddams, Crown-granted October 3rd, 1892; Lot 1413, City of North Vancouver, Crown-granted April 4th, 1914; Lot 1414, Chas. Stockwell, Crown-granted August 13th, 1892; Lot 1554, Atwell King, Crown-granted December 30th, 1892; Lot 1429, John McDowell, Crown-granted July 11th, 1892; Lot 1430, Z. Franks, Crown-granted July 20th, 1892; Lot 1431, Hy. Proctor, Crown-granted October 7th, 1892; Lot 1432, H. Washington, Crown-granted December 28th, 1892; Lot 1433, E. B. Bushell, Crown-granted December 23rd, 1892; Lot 1434, Anthony McLellan, Crown-granted July 11th, 1892; Lot 1567, T. J. Beatty, Crown-granted December 30th, 1892; Lot 899, City of Vancouver, Crown-granted April 26th, 1915; Lot 1470, N. Yerex, Crown-granted December 16th,

1892; Lot 923, Mark Kay *et al.*, Crown-granted August 7th, 1891; Lot 953, A. R. Rolls, Crown-granted July 6th, 1891; Lot 922, H. R. Jones, Crown-granted May 6th, 1891; Lot 962, L. Zimmer, Crown-granted April 1st, 1898; Lot 1502, Peter Righter, Crown-granted December 19th, 1892; Lot 1503, E. E. Austin, Crown-granted January 26th, 1893; Lot 957, A. E. Stevens, Crown-granted August 25th, 1906; Lot 955, J. F. Rolls, Crown-granted October 15th, 1902; Lot 956, Wm. H. Soule, Crown-granted January 19th, 1911; Lot 2625, Chas. Stewart, Crown-granted February 28th, 1911; Lot 1542, Ed. H. Dalton, Crown-granted December 28th, 1892; Lot 1601, Fredk. Reid, Crown-granted August 4th, 1893; Lot 1504, John Purdy, Crown-granted September 14th, 1892; Lot 960, E. E. Philip, Crown-granted January 25th, 1893; Lot 1598, Wm. S. McGowan, Crown-granted January 4th, 1909; Lot 961, B. T. Wintemate, Crown-granted August 3rd, 1893; Lot 1597, John Clough, Crown-granted July 19th, 1902; Lot 1441, Hy. Heffering, Crown-granted March 21st, 1910; Lot 901, John Flett, Crown-granted May 4th, 1891; Lot 864, R. Campbell, Crown-granted December 19th, 1892; Lot 1443, Josiah Frewer, Crown-granted May 30th, 1906; Lots 1444 and 1445, Alfred Whitaker, Crown-granted October 14th, 1892; Lot 1446, W. S. Shrapnel, Crown-granted January 17th, 1893; Lot 1447, Thos. Gregson, Crown-granted July 9th, 1892; Lot 1449, Catherine Gregson, Crown-granted July 9th, 1892; Lot 1450, James Creighton, Crown-granted May 31st, 1893; Lot 1451, Jas. W. Pike, Crown-granted December 31st, 1892; Lot 1578, Wm. H. Sisson (deceased), Crown-granted November 6th, 1894.

“(b) None.

“(c) T.L. 5737P, Wm. McPherson, March 1st, 1905; T.L. 6904P, Silas M. Giberson, March 17th, 1907; T.L. 6905P, J. T. Carroll, May 19th, 1903; T.L. 11929P and 11930P, Capilano Flume Co., Ltd., October 22nd, 1907; T.L. 8072P and 8073P, Ironsides, Rannie & Campbell, July 17th, 1905; T.L. 8075P, 8076P, 8077P, 8078P, and 8079P, Stanley W. Holland, August 11th, 1905; T.L. 6901P, Hastings Shingle Manufacturing Co., March 18th, 1906; T.L. 8375P, J. J. Nickson, August 27th, 1902; T.L. 42715 and 42716, Arthur G. Smith, March 16th, 1907.

“NOTE.—These timber licences have since been transferred with the exception of Nos. 11929-11930 and 6901, which are still held by the original licensees.

“NOTE.—The area on which the above lots and licences are situate is the watersheds of the Capilano, Seymour, and Lynn Creeks above the respective intakes.”

Mr. *Pauline* presented the Fourth Report from the Public Accounts Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,

MR. SPEAKER:

May 18th, 1917.

Your Select Standing Committee on Public Accounts begs leave to report as follows:—

The following facts as disclosed by their inquiry into the circumstances attending the collection and disposition of moneys by Augustus Carney, Collector of Timber Royalties in East Kootenay:—

1. That the evidence so far taken would appear to disclose that the sum of \$20,973.91 has been collected by the said A. Carney and not remitted to the Department during the years from 1905 to December, 1912.

2. That the said A. Carney is reported to admit a deficit in his accounts and, we understand, undertakes to make good such shortages to the Government, and we suggest that the matter be dealt with by the Attorney-General's Department.

3. That the said A. Carney is in receipt of a superannuation allowance of \$62.50 per month.

4. That the time at the disposal of the Committee has not been sufficient to enable them to examine Mr. Carney and other necessary witnesses, so that your Committee could make a thorough investigation, and suggest that this is a proper matter for further inquiry.

A transcript of the evidence so far taken is hereto attached.

All of which is respectfully submitted.

F. A. PAULINE, *Chairman.*

The report was received.

The Rules were suspended, and the report adopted.

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

1. Has the Government or any person on its behalf had any correspondence with the Federal Government or any other person relative to the protection of the south bank of Nicomen Island?

2. If so, what has been the result of said negotiations?
3. Will the Government table a copy of such correspondence?

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

- "1. Yes.
- "2. No definite result.
- "3. Yes, if required to do so."

On the motion of Mr. *Stewart*, seconded by Mr. *Pauline*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, praying that His Honour will cause to be transmitted to the Secretary of State the following Resolution:—

That in the opinion of this House immediate steps should be taken by the Federal Government to prevent the unnecessary increase in the cost of the necessaries of life caused by speculation in articles of food.

Mr. *Schofield* asked the Hon. the Minister of Public Works the following questions:—

1. Have any engineers been appointed in connection with the Public Works for this season?
2. What are their names?
3. What districts are they appointed for?
4. What salaries are they being paid?
5. Have any general road foremen or superintendents been appointed under said Resident Engineers?
6. If so, who are they?
7. What districts do they cover?
8. What salaries are they being paid?
9. Have any local road foremen been appointed?
10. If so, what districts are they appointed for?
11. What are their names?
12. What salaries are they being paid?
13. In any of these appointments have any old employees formerly working for the Public Works Department been appointed?

The Hon. Dr. *King* replied as follows:—

"1. Yes.

"2. H. L. Johnston, North Vancouver, South Vancouver, Richmond, Delta, Chilliwack, Yale; salary, \$200. P. Philip, Lillooet, Kamloops; salary, \$200. A. Stewart, North Okanagan, South Okanagan, Similkameen, Greenwood, Grand Forks; salary, \$200. F. L. Macpherson, Slocan, Richmond, Trail, Kaslo, Revelstoke; salary, \$200. J. G. Cummings, Cranbrook, Columbia, Fernie; salary, \$200. A. L. Carruthers, Prince Rupert, Omineca, Atlin; salary, \$200. A. Dixon, Fort George, Cariboo; salary, \$200. W. K. Gwyer, the Assistant Public Works Engineer, has the districts of Alberni, Comox, Cowichan, Esquimalt, The Islands, Nanaimo, Newcastle, Saanich; salary, \$250.

"3 and 4. Answered by No. 2.

"5. Yes.

"6. E. D. Todd, North Vancouver, South Vancouver, Richmond; salary, \$125. D. S. Barton, Delta, Chilliwack; salary, \$125. P. Wylie, Dedwney; salary, \$125. L. A. Teitlebaum, Yale; salary, \$125. J. K. More, Lillooet; salary, \$125. J. C. Dever, North Okanagan; salary, \$125. F. Fraser, Similkameen; salary, \$125. J. A. McCallum, Grand Forks; salary, \$125. J. D. Moore, Kaslo; salary, \$125. J. B. McKenzie, Revelstoke; salary, \$125. W. Ramsay, Fernie; salary, \$125. J. C. Brady, Columbia; salary, \$125. T. T. Dunlop, Omineca; salary, \$150. P. W. Anderson, Prince Rupert; salary, \$125. J. D. Smith, Cariboo; salary, \$125. H. E. Steven, Comox; salary, \$125. G. B. Whitehead, Alberni; salary, \$125. H. C. Mann, Cowichan, Nanaimo, Newcastle; salary, \$125. C. Helgeson, Esquimalt; salary, \$125. A. R. Trowsie, The Islands, Saanich; salary, \$125. No appointments made for the other districts not mentioned.

"7 and 8. Answered by No. 6.

"9, 10, 11, and 12. No definite appointments made.

"13. Yes."

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

1. What is the distance from Prince Rupert to Victoria?
2. How far did William Manson, late member for Skeena Riding, declare his residence at Prince Rupert to be distant from the City of Victoria in each of the years 1910, 1911, 1912, 1913, 1914, 1915, 1916, and 1917?

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

- “1. Canadian Pacific Railway, 563 miles; Grand Trunk Pacific Railway, 567 miles.
 “2. For the years 1910, 1911, 1912, 1913, 1914, 1915, and 1916, 700 miles in each case. Not a Member for the year 1917.”

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

How far did Dr. Kergin, late member for Skeena Riding, declare his residence at Prince Rupert to be distant from the City of Victoria in each of the years 1907, 1908, and 1909?

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

Dr. Kergin did not declare his residence as being at Prince Rupert at any time while a Member of the Legislature.

Mr. *Ross* asked the Hon. the Premier the following question:—

Is it the intention to introduce legislation at this Session of the Legislature adopting the principle of “direct legislation”?

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

“Matter is under consideration.”

The Report on Bill (No. 40) intituled “An Act respecting Dentistry” was considered.

Report adopted.

Bill read a third time and passed.

His Honour the Lieutenant-Governor having entered the House, and being seated in the Chair,

Thornton Fell, K.C., the Clerk of the House, read the titles to the following Bills:—

- (No. 2) An Act to amend the “British Columbia Railway Act.”
- (No. 7) An Act to amend the “Pharmacy Act.”
- (No. 9) An Act to amend the “Supreme Court Act.”
- (No. 10) An Act respecting the Dolly Varden Mines Railway.
- (No. 11) An Act to make Provision for a Mineral Survey of the Province of British Columbia and for the Development of the Mineral Resources of the said Province, including Provisions in Aid of Prospectors and Miners and for the Protection of Wage-earners and Investors.
- (No. 12) An Act respecting the Civil Service.
- (No. 13) An Act to amend the “Water Act, 1914.”
- (No. 14) An Act for the Better Protection of Sheep.
- (No. 15) An Act respecting the Marking of Cattle and Horses.
- (No. 17) An Act to amend the “Eggs Marks Act.”
- (No. 18) An Act to amend the Law relating to the Guardianship and Custody of Infants.
- (No. 20) An Act to amend the “Animals Act.”
- (No. 21) An Act respecting a certain By-election holden in Vancouver City Electoral District on the Twenty-sixth Day of February, 1916.
- (No. 22) An Act to amend the “Contagious Diseases (Animals) Act.”
- (No. 23) An Act to amend the “Succession Duty Act.”
- (No. 24) An Act to amend the “Complex Ore Process Aid Act.”
- (No. 26) An Act to amend the “Sale of Goods Act.”
- (No. 27) An Act to amend the “Assignment of Book Accounts Act.”
- (No. 28) An Act to amend the “Timber Royalty Act.”
- (No. 29) An Act to amend the “Forest Act Relief Act.”

- (No. 30) An Act to amend the "Forest Act."
(No. 31) An Act to amend the "Vancouver and Districts Joint Sewerage and Drainage Act."
(No. 32) An Act to amend the "Trust Companies Act."
(No. 33) An Act to amend the "Taxation Act."
(No. 34) An Act to provide for the Collection of a Tax on Persons.
(No. 35) An Act to increase the Revenues of the Crown for the Year ending Thirty-first December, 1917.
(No. 36) An Act to provide for the Collection of a Tax on Persons attending Places of Amusement.
(No. 37) An Act to promote Increased Agricultural Production.
(No. 38) An Act to amend the "Public Schools Act."
(No. 39) An Act to validate certain Sales of Land for Arrears of Taxes.
(No. 40) An Act respecting Dentistry.
(No. 41) An Act for enabling Bodies Corporate to hold Property in Joint Tenancy.
(No. 43) An Act to amend the "North Vancouver City Incorporation Act, 1906."
(No. 44) An Act to amend the "Vital Statistics Act."
(No. 45) An Act to authorize the Conveyance by the Crown of certain Lands for Public and Patriotic Purposes.
(No. 46) An Act to amend the "Fort George Incorporation Act."
(No. 47) An Act to amend the "Land Registry Act."
(No. 48) An Act to amend the "War Relief Act."
(No. 49) An Act to amend the "Companies Act."
(No. 50) An Act to amend the "Vancouver Incorporation Act, 1900."
(No. 52) An Act to amend the "Land Act."
(No. 54) An Act for the Establishment of Public Sampling and Concentrating Plants, Custom Smelters and Refineries, and to make Provision in Aid of the Treating or Buying of Ores.
(No. 55) An Act respecting a certain Election holden in Fort George Electoral District on the Fourteenth Day of September, 1916.
(No. 56) An Act to amend Chapter 35 of the Statutes of 1915.
(No. 57) An Act to amend the "Administration Act."
(No. 58) An Act to amend the "Agricultural Act, 1915."
(No. 59) An Act to amend the "Execution of Trusts (War Facilities) Act."
(No. 60) An Act to amend the "Mechanics' Lien Act."
(No. 61) An Act to amend the "Municipal Act."
(No. 63) An Act to amend the "Industrial Home for Girls Act."
(No. 64) An Act relating to the "Soldiers' Homestead Act."
(No. 65) An Act to amend the "Local Improvement Act."
(No. 66) An Act to amend the "Municipal Elections Act."
(No. 67) An Act to provide for auditing Public Accounts of the Province.
(No. 68) An Act respecting the Department of Labour.
(No. 69) An Act to borrow the Sum of Two million Dollars for the Purposes therein specified.
(No. 70) An Act to amend the "Constitution Act."
(No. 71) An Act to amend the "Revenue Act."
(No. 72) An Act to amend the "Dyking Assessments Adjustment Act, 1905."
(No. 73) An Act allowing Municipalities to adopt Proportional Representation in Municipal Elections.
(No. 74) An Act to provide for the Investigation of Methods of Taxation and for the Creation of a Permanent Board of Taxation.
(No. 75) An Act respecting the Semi-monthly Payment of Wages.
(No. 76) An Act to amend the "Drainage and Dyking Act."
(No. 78) An Act to amend the "Vancouver Island Settlers' Rights Act, 1904."
(No. 79) An Act to provide for the Investigation of the Overseas Vote in connection with the "British Columbia Prohibition Act."
(No. 80) An Act to amend the "Administration Act."
(No. 81) An Act to amend the "Public Inquiries Act."

His Honour was pleased, in His Majesty's name, to give assent to these Bills.

The said assent was announced by the Clerk of the House in the following words:—

“ In His Majesty's name, His Honour the Lieutenant-Governor doth assent to these Bills.”

Resolved, That the House, at its rising, do stand adjourned until 2.30 o'clock p.m. on Tuesday, the 14th day of August next.

And then the House adjourned at 10.45 p.m.

Tuesday, 14th August, 1917.

HALF-PAST TWO O'CLOCK P.M.

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

The Certificates of the Deputy Provincial Secretary of the result of the election of a Member to represent Vancouver City Electoral District and of a Member to represent Victoria City Electoral District were presented as follows:—

“ PROVINCIAL SECRETARY'S OFFICE,
“ 16th June, 1917.

“ Whereas a vacancy occurred in the Legislative Assembly by reason of the acceptance of office by the Honourable *John Wallace de Beque Farris*, one of the Members thereof for the Vancouver City Electoral District; and

“ Whereas on the 25th day of May, 1917, a Writ for the election of a Member to represent such Electoral District was duly issued to the Returning Officer of the Electoral District:

“ Now I do hereby certify that on the 16th day of June, 1917, the said Writ was returned to me by the Returning Officer, with his certificate endorsed thereon, whereby it appears that the electors of the said District have chosen the Honourable *John Wallace de Beque Farris* to represent the Vancouver City Electoral District in the Legislative Assembly.

“ A. CAMPBELL REDDIE,
“ *Deputy Provincial Secretary.*

“ *To the Clerk of the Legislative Assembly of British Columbia.*”

“ PROVINCIAL SECRETARY'S OFFICE,
“ 6th July, 1917.

“ Whereas a vacancy occurred in the Legislative Assembly by reason of the acceptance of office by the Honourable *John Hart*, one of the Members thereof for the Victoria City Electoral District; and

“ Whereas on the 11th day of June, 1917, a Writ for the election of a Member to represent such Electoral District was duly issued to the Returning Officer of the Electoral District:

“ Now I do hereby certify that on the 6th day of July, 1917, the said Writ was returned to me by the Returning Officer, with his certificate endorsed thereon, whereby it appears that the electors of the said District have chosen the Honourable *John Hart* to represent the Victoria City Electoral District in the Legislative Assembly.

“ A. CAMPBELL REDDIE,
“ *Deputy Provincial Secretary.*

“ *To the Clerk of the Legislative Assembly of British Columbia.*”

The Hon. *John Wallace de Beque Farris*, having been duly sworn, was introduced by the Hon. the Premier and *W. J. Bowser*, Esquire, and took his seat.

The Hon. *John Hart*, having been duly sworn, was introduced by the Hon. the Premier and *W. J. Bowser*, Esquire, and took his seat.

On the motion of the Hon. the Premier, seconded by Mr. *Bowser*, it was *Resolved*,—

That a message of condolence, expressing the sympathy of this House with Lady McBride and family on the death of Sir Richard McBride, be conveyed to Lady McBride in the form of a letter to be written and sent by the Clerk of the House.

Mr. Speaker informed the House that he had received the resignation of Hon. *Lytton Wilmot Shatford*, Member of the Electoral District of Similkameen.

Mr. *Whiteside* presented the report of the Commissioners appointed pursuant to Bill No. 79 of the Statutes of British Columbia, 1917, for the purpose of investigating the overseas vote in connection with the "British Columbia Prohibition Act," as follows:—

To the Honourable the Speaker and the Members of the Legislative Assembly of the Province of British Columbia:

Your Commissioners, appointed pursuant to Bill No. 79 of the Statutes of British Columbia, 1917, for the purpose of investigating the overseas vote in connection with the "British Columbia Prohibition Act," beg leave to report as follows:—

Your Commissioners, having first respectively taken before a Judge of the Supreme Court the oath prescribed by section 4 of the said Act, proceeded to the United Kingdom for the purpose of making the said investigation. Your Commissioners arrived at London on the 12th day of June, 1917, and after publication of a notice of their first meeting in three issues of the *London Times* newspaper, pursuant to subsection (2) of section 6 of the said Act, your Commissioners held their first session at British Columbia House, Nos. 1 and 2, Regent Street, London, on Monday, the 18th day of June, 1917.

Mr. Alfred Stone Hurst, barrister-at-law, of 2 Brick Court, Temple, London, England, was duly sworn as stenographer, pursuant to authority in that behalf set forth in section 8 of the said Act, and Mr. Stone Hurst acted as stenographer throughout all of the sittings of your Commission. Mr. Joseph Martin, K.C., M.P., appeared before the Commission as counsel and Mr. M. A. Tuck as agent for the Merchants' Protective Association. Mr. R. Lawson Coad appeared as legal adviser and Mr. W. D. Bayley as agent for the British Columbia Prohibition Movement.

The first witness examined was Mr. Ernest Alfred Helmore, of the firm of Helmore & Helmore, 88 Chancery Lane, London. Mr. Helmore is a chartered accountant and was appointed by Sir Richard McBride, Agent-General for British Columbia, under instructions from the Government of British Columbia, "To compare poll-books and military records available in England; ascertain if names in poll-books represent men from British Columbia entitled to vote, who were actually at the polling points on the day of polling; also numbers of repeaters (if any), including final count."

Mr. Helmore was examined at length by Mr. Coad and cross-examined by Mr. Martin. It appeared to your Commissioners from Mr. Helmore's evidence that he had not yet completed his examination of the military records relating to each of the voters on the Prohibition Referendum, and was then only in a position to give an interim report, so Mr. Helmore was requested to complete his examination of the records and appear before the Commission and give the substance of his findings at a later date. Further reference to Mr. Helmore's evidence will appear later on in this report.

In order that your Commissioners, as well as the counsel who appeared before them, might have an opportunity of examining the records of the Canadian soldiers, kept at the Military Records Office, and of forming an opinion as to the reliability of findings based on these records, your Commissioners held a session at the Canadian Military Records Office in London on Saturday, the 24th day of June, 1917.

Mr. Helmore had prepared a poll-book containing the names of all soldiers who had voted on the Prohibition Referendum and whose votes had been counted by the Agent-General. From this poll-book a card-index relating to each voter was prepared, and these card-indexes so

prepared were compared by Mr. Helmore and his staff of assistants with the card-indexes and ledger-sheets relating to the soldiers who had voted that were on file in the Military Records Office.

When these card-indexes were sorted out in alphabetical order, it became apparent that many soldiers had voted, or were made to appear as having voted, two, three, or four times, and these duplicate, triplicate, and quadruplicate votes were made the subject of special investigation by Mr. Helmore. Certain cards out of those prepared by Mr. Helmore were selected by your Commissioners for comparison with the original military records, and these cards were in every case found to bear out the conclusions arrived at by Mr. Helmore.

The evidence taken at the Military Records Office will be found in the stenographer's report of the fourth day's proceedings of the Commission. For convenience, however, we refer to one or two examples of what appeared to be fraudulent voting. The first card selected for examination was that of William Brillat, No. 155063; Brillat is supposed to have voted at Crowborough on the 22nd December, 1916, whereas the military records show that Brillat deserted on the 16th September, 1916, and had not since been reported. The second card selected was that of Arthur Bacon, No. 429173; the military record showed No. 429173 to belong to Albert Alfred Bacon. In the one case the residence of A. A. Bacon is given at Vancouver and that of Arthur Bacon at Victoria. Captain Sellon produced the military record of Albert Alfred Bacon, No. 429173, which showed that this man went to France on February 3rd, 1916. Another card selected for examination was that of Alfred John Knight; it appears that four votes had been cast in this man's name, and in each case the number is given as 707244; the records show Alfred John Knight, No. 707245, 103rd Battalion, and Mr. Helmore's cards, prepared from the poll-books, show that he was a resident of Victoria on three of the occasions when he was supposed to have voted, and on the fourth occasion a resident of Vancouver. In each case the votes were cast at Epsom Convalescent Hospital, three times under the name of Lonergan, Presiding Officer, and once under the name of H. A. Douglas as Presiding Officer. The correct number of Alfred John Knight was 707245; the only other A. J. Knight on the records was No. 80, and he belonged to the C.A.M.C.

Another example of a fraudulent vote was found in the case of Oscar Edward Hawes, No. 487388; he was returned as having voted at Crowborough on the 22nd December, 1916; the records show that Otho Ewart Hawes, No. 487388, was killed in action on the 8th October, 1916. Another case of illegal voting was that of a man who voted as Walter Lyness and William Lyness respectively, and in the one case the number is given as 183060 and in the other case no number is given. In one instance the residence is given at Vancouver and the other at Alberni. He is supposed to have voted at Hastings on December 15th, 1916, and at Crowborough on December 21st, 1916. The records show only one man of the name of Lyness, and his number is 183060, but his name is Wilbert Lyness, belonging to the 7th Battalion, who was reported missing on the 12th October, 1916.

Several other cards were examined in the presence of counsel, and reference to them will be found in the report of the fourth day's proceedings. According to the evidence of Mr. W. D. Bayley, the scrutineer on behalf of the Prohibition Party, clause 3 of the Order in Council of 24th August, 1916, was in many cases ignored by the Presiding Officers appointed by the Agent-General to take the vote in certain parts of England and France. The said clause 3 is as follows:—

“All scrutineers and deputy scrutineers present at the time any poll is closed and the receptacles prepared to be forwarded to the Deputy Provincial Secretary or Agent-General, as the case may be, shall be allowed to place their own private seals upon the receptacles, in addition to the seal of the Presiding Officer or Deputy Presiding Officer.”

Out of the total number of 132 parcels of votes, the following in England were taken without any notice to the scrutineers acting for the Prohibition Party, and were therefore not sealed by the Prohibition scrutineers: Parcels Nos. 25, 26, 27, 31 to 41 (inclusive), 47, 48, 49, 50, 51, 52, 53 to 80 (inclusive), and 82. In France the parcels of votes taken without notice to the Prohibition scrutineers were as follows: 83 to 89 (inclusive), 95, 98, 99, 100, 107, 115, 117, 120, 121, 124, 125, 126, 128, and 131. According to Mr. Bayley's evidence, the voting in France was in charge of Regt. Sergt.-Major H. A. Douglas and Sergt. Pyle. Douglas did not, while he was in France, have any proper receptacle to put the ballots in as they were polled by the voters,

but he and his Deputy Returning Officers appear to have carried them around with them from place to place, and finally deposited them with the Agent-General in London on January 12th, 1917, in proper cardboard receptacles.

It would further appear that, although Bayley requested Douglas to allow him to put his seal on all parcels of votes which he had, that he (Douglas) did not allow him to do so, and also that a large number of polls were held in France, of which the scrutineers of the Prohibition Party had no notice, or such short notice that it was impossible for the scrutineers to arrange to be present at the polls, either personally or by deputy.

From our own personal experience in visiting military camps in France, we think there was no legitimate reason why such notice of every poll held in France could not have been given as would have enabled the scrutineers for both parties to be present at the taking of every poll.

In connection with the taking of the vote in France between December 14th and December 31st, it is worthy of note that, in a letter from General Headquarters by the Adjutant-General for the Commander-in-Chief of the British Armies in France, dated the 25th November, 1916, a statement appears to the effect that at that time the number of men who had not then voted was estimated at 2,533. The votes purporting to be taken in France between the dates mentioned numbered 4,131, according to report made by Douglas.

On the 27th June, 1917, your Commission met at the Woodcote Convalescent Hospital, Epsom, in the presence of counsel representing both parties.

A number of witnesses were called before the Commission and examined.

The first witness was Pte. Carl Henry, No. 154254, C.A.M.C. He stated his residence to be Vancouver, B.C., and that he had voted twice. He understood one was an election and the other a by-election. He was not positive whether he had voted on Prohibition the first time, but was definite as to voting on Prohibition a second time, at what he believed to be a by-election.

The next witness was Pte. Leith Gordon, No. 22058, of Winnipeg, Man. He testified that, while he had signed some papers, he had not taken any oath whatever, but that he had marked a ballot. This witness stated that he had been told by some one in the camp that any man who had resided in British Columbia could vote.

“Q.—When did you reside in British Columbia? A.—I resided there six or seven years ago.”

Sergt.-Major George Parker Cruikshank, No. 54014, testified that he belonged to the 18th Battalion of London, Ont., and that he had enlisted in Galt, Ont., his place of residence at time of enlistment; that he had never lived in British Columbia. Cruikshank stated that he had argued the point with his senior as to his voting, and was informed “that it does not matter whether you have lived there or not, so long as you have been there.” Cruikshank swore that he had just signed an envelope and had not marked any ballot-paper.

Sergt. John Beauchamp Daly, No. 432441, gave evidence that his place of residence was Edmonton, and that he had only been in British Columbia on two occasions, once in Vancouver for three days and once in Fort George for a day or two. This witness stated that he had voted against Prohibition. He was asked the question: “How did you know about the poll?”

He answered: “I was coming in the gate off pass and was called into the orderly-room just inside the gate; they said: ‘Have you ever been in British Columbia?’ I said: ‘Yes, I was in Fort George once and Vancouver another time.’ They said: ‘That is all right then—you are entitled to vote.’ They gave me a form and I voted.”

Pte. Cecil Everard William Reginald Durden, No. 147890, 78th Battalion, Winnipeg, Canada. Pte. Durden states he signed an envelope, but did not mark a ballot.

Sergt. Lee Bernard Cogan, No. 6316, stated that his residence was Detroit, Michigan, and that he had never been in British Columbia and did not vote, though his name appears in Lonergan's poll-book as having voted.

Pte. Edgar Field, 8th Battalion, No. 45, gave his residence as Winnipeg, Man., and stated that he had not actually voted, but that he had signed an envelope on the outside.

Pte. John Gage, 2nd Battalion, Eastern Ontario, No. 401017, stated his place of residence was Detroit, Michigan; that he had voted, but did not know on what question; he signed an envelope which had not been read over to him.

Sergt. Cecil A. Hamilton, No. 13106, 5th Battalion, gave his residence as Saskatchewan. He said that he had voted at the polling at Epsom Camp in the fall of the year. He signed the affidavit form, but did not take an oath.

Corporal Frank Taylor Harrop, No. 108274, stated that his residence was No. 1146 Yuill Street, Medicine Hat, Canada. He voted at the election, but stated that some one marked his ballot for him.

Pte. Vivian Potter, Battleford, Saskatchewan, stated that he had signed an envelope at the time of the polling at Epsom, but had not voted, nor was he sworn. He had not resided in British Columbia with the exception of six months in the winter of 1909-10.

Sergt. William Henry Bradley, No. 13081, 5th Battalion, stated his residence to be Saskatoon, Canada. He had been in British Columbia from the winter of 1911 until July, 1912, but not since that time. He signed his name to an envelope, but did not take an oath.

Corporal Ralph Percy Biggs, No. 12968, 5th Battalion, stated his residence to be Swift Current, Saskatchewan. Some one asked him if he would vote for a wet Province. He signed his envelope and marked his ballot.

Pte. Samuel Egginton Hodgkins, No. 464666, Manitoba Hotel, Yates Street, Victoria, swore to having voted twice on the Prohibition Referendum, once in London and once at Epsom. He stated that Sergt.-Major Lonergan, the Presiding Officer, told him that the first voting was off and he was to vote a second time.

On the 3rd day of July, 1917, your Commission proceeded to Seaford, and the following witnesses gave evidence:—

Major Pringle, Senior Chaplain at Shoreham Camp, said that he notified Sergt. Trim that he had been appointed scrutineer for the Prohibition Party, and to notify him when the vote was to be taken. Major Pringle asserts that he received no notice, and Sergt. Trim admits that he gave none. Major Pringle was in a position to act at any poll held by Trim, had the latter given him notice.

Corporal William Harrison Welsh, No. 703426, 102nd Battalion, said that his residence was Vancouver, B.C., and that he had voted for the second time on the British Columbia Prohibition Referendum at Epsom during the first week in January, 1917. He stated that the man who took his vote at that time was Regt. Sergt.-Major Lonergan. He told Lonergan that he had voted before at Bramshott at the end of July, or the first week in August, 1916. He was informed at Epsom by Lonergan that they were only holding the Prohibition by-election as the votes before were not good—they had been ruled out or something.

Asked how he fixed the date of his second vote as the first week in January, 1917, he replied: "I left Irmstone Hospital at Eastbourne on the 30th day of December, and it was not till 8 or 9 o'clock that night that we got into Epsom Convalescent Camp, and it was about four or five days after that that I went out and voted."

On being asked the following question by the Chairman: "Were there many voted at the same time that you did?" the witness replied: "There was a big line-up; they voted there three or four days."

This witness was asked by Mr. Pauline the following question: "You were absolutely sure it was in January?" His answer was: "Positive, because I did not get there until the night of December 30th, and the next day I was not up in that vicinity at all. It was three or four days after that I went up." They said: "There were so many British Columbia men came in just then that they would have to vote."

This witness was cross-examined by Mr. Martin, and among other questions was asked the following: "You got your ballot from one of the officers and put it in at another, did you not?"

His answer was: "The morning I went down there, we went down and there was a big line-up; they were going around just as fast as they could, and you would walk past the one desk and they would hand you an envelope and two tickets, and you would go up to the other desk and give it up."

Asked by Mr. Bayley: "Was any inducement held out to you to go to vote?"

His answer was: "I noticed that they had several cases of beer, and as soon as anybody voted they could have a bottle of beer if they wished."

Lance-Corporal James Owen, No. 75543, 29th Battalion, residence Mount Lehman, B.C., stated that he had voted on the Prohibition Referendum once near Albert, in France, in September, 1916, and a second time at Epsom in December, 1916.

He told the Sergt.-Major in charge of the voting at Epsom that he had voted before. The Sergt.-Major replied: "That is all right; it does not matter."

Pte. Henry Ashdown, No. 706108, 103rd Battalion, residence 950 North Park Street, Victoria, swore that he had voted twice on the Prohibition Referendum, once in September at Bramshott and once in December, 1916, at Seaford.

At Seaford he informed the Sergeant that he had already voted at Bramshott. The Sergeant replied: "That does not matter, the voting is being taken over again."

Corporal Harold J. Cowherd, No. 706880, 103rd Battalion, residence Victoria, also voted twice, once at Bramshott and once at Seaford in December, 1916. This witness gave as a reason for voting the second time the following: "It seemed they came around and told us that the vote was cast out, or irregular. We naturally thought it was in order."

Pte. Arthur Leadbetter, No. 706995, 103rd Battalion, 1211 Pembroke Street, Victoria, voted once at Bramshott, and stated: "When we came down again they said there was something the matter with the election, so they called a parade again and we all voted."

The following questions and answers are excerpted from Leadbetter's evidence:—

"Q.—What time in December was it? A.—I can scarcely recollect the dates. It was some two months after the first one.

"Q.—Were there many voted at that time? A.—Yes, all of the 16th Reserve; most of them are in France now. They were all paraded. I think it was one Saturday. It was in the Cinema at the time. It was the same kind of vote we had at Seaford.

"Q.—Had any of them voted, do you know, before? A.—Yes.

"Q.—How many do you think voted the second time that had voted before? A.—I should think more than one hundred, anyway."

Pte. Arthur Page, No. 707235, Victoria, voted once at Bramshott on the Prohibition Referendum, and voted again at Seaford in December, 1916, on the same question.

He was asked the following question:—

"Q.—Would you mind explaining to the Commission how you came to vote a second time? A.—We were given to understand that the first vote was no good."

Major Daniels, the Adjutant at Seaford, was then called to give evidence as to the limit of Shoreham Camp. His evidence was as follows:—

He testified that "the limits of Shoreham Camp I could hardly describe in terms, but it would simply mean the area, practically, bounded by the hutments, and of course there is a little land all round. For instance, taking this camp here, the borders of the camp itself would be from the corner of the hutments up there just to the outside of the hutments there, bounded down here. (Indicating, outside the house in which the Commission was sitting.) It does not include any of the streets or anything of that description."

The Chairman: It would not take in Crowborough or Hastings?

Major Daniels: No, nothing at all there. It is very local.

At a sitting of the Commission held at British Columbia House on July 4th, 1917, Sergt. Frederick George Pyle stated that he was on November 11th, 1916, appointed Presiding Officer for Kent, Surrey, and Sussex, and sent in his resignation for Kent, Surrey, and Sussex on or about the 5th of December, and was appointed a Deputy Presiding Officer for France by Sergt.-Major H. A. Douglas, who was the Presiding Officer for France.

Sergt. Pyle stated that, on leaving England for France, he was asked by Captain Tuck to appoint Staff-Sergt. Trim to take up the district that he had resigned, but in the hurry he went off to France and forgot all about it. When he returned to England from France about the 13th of January, 1917, he wrote out an appointment for Sergt. Trim and predated the appointment.

This predated appointment, if such it can be called, appears to have been the only authority that Sergt. Trim had for holding various polls outside of Shoreham Camp, such as Hastings, Crowborough, Seaford, and Buxton. Referring to a poll taken by him at 3rd Echelon Headquarters, France, where he had taken quite a large number of votes, he stated that on going out of the door there were ten or twelve men talking over the matter. Sergt. Pyle said: "They asked me if this was the same poll that had been held in British Columbia some time in July and August." I told them "Yes." They said that the majority of them had voted before at Vernon, B.C. Sergt. Pyle reported this to Sergt.-Major Douglas, and the latter replied: "Oh, never mind; the majority of the votes were that way, anyway."

Sergt. Pyle stated that when taking votes in France in September, 1916, there was always a scrutineer present at the polls he took, but there was not always a scrutineer present during the polling in December.

Sergt. Pyle stated that he had no receptacles for placing envelopes in—that he simply tied the envelopes up with tape or string and sealed them with wax. He was unaware of the regulations of the British Columbia Government authorizing the Presiding Officer to ask the voter for evidence of his identity.

Lieut. Alexander Duncan McRae, of the 27th Battalion, France, gave evidence before the Commission that he acted as scrutineer at Sheffield, Buxton, and Manchester in November and December, 1916, at polls presided over by Sergt.-Major Douglas. The latter took votes at hospitals in Buxton and Sheffield.

Lieut. McRae stated at Sheffield and Buxton they took between thirty and forty votes, but, in any event, not over fifty. Only a few of the voters at these two places availed themselves of the facilities for a secret ballot. Very often they would simply put the ballot-paper down on the table and mark it, not caring whether any one saw the ballot or not.

Lieut. McRae kept a record of the votes which he actually saw, and of the aggregate, twelve were dry and a slightly greater number were wet.

Lieut. McRae stated that on returning from the poll Sergt.-Major Douglas and himself agreed that the result of the poll they took at Sheffield and Buxton would break about even as between wet and dry votes.

Mr. W. D. Bayley, who attended the count of the votes before Sir R. McBride on behalf of the Prohibition Party, swore that parcels Nos. 29 and 30 (which contained the votes taken by Sergt. H. A. Douglas at the various hospitals in the northern half of England, including Sheffield and Buxton) contained no ballots marked in favour of Prohibition.

On the 7th July, 1917, Mr. E. A. Helmore again appeared before the Commission and stated that he had completed his examination of the 8,488 votes cast for or against Prohibition, including 200 votes rejected at the count made by Sir R. McBride. These votes were all taken since the 14th September, 1916. The votes polled prior to September 14th in France and England were not inquired into by your Commission, both parties having expressed themselves as satisfied with the taking of the vote prior to and including September 14th.

We have already noted the method by which Mr. Helmore proceeded to investigate the *bona fides* or otherwise of the votes cast after September 14th, 1916.

Mr. Helmore has divided the votes into the following classifications:—

No. 1. Classified as correct	3,290
No. 2. Men belonging to Imperial Regiments and not investigated ...	130
No. 3. Commissioned officers not investigated	102
No. 4. Names in poll-books of men in whose names votes were cast, though as shown by the records either killed or missing at the date of polling	58
No. 5. Names of men who appear twice in the poll-books account for	698
No. 6. Names of men appearing three and four times account for	52
No. 7. Special cases: These are largely made up of names of men described as privates, yet who at the date of polling actually held commissioned rank, and one instance of a man who was drowned before the date of polling	9
No. 8. Under this classification have been placed the names of 651 men who are supposed to have voted in England, when the records show they were at the time of polling in France. In relation to classification No. 8, your Commissioners think it only fair to note the suggestions of Messrs. Martin and Tuck that these men may have been in England "on leave" at the time of the voting. The military records in London do not always disclose the dates when men have leave, but as nearly all of the 651 names set forth under this heading are said to have been taken at Crowborough by Sergt.-Major Trim, the Commissioners doubt their validity. Crowborough is a training camp, and men who have been enduring the privations of war and the hard grind of military duty would scarcely be found in such large numbers spending any portion of their precious ten days' leave at such a place	651

- No. 9. Classification No. 9 refers to 227 votes of men who were in England at the date of the poll, who apparently voted at places other than where they were stationed. It is noteworthy, however, that the Auditor points out that about 45 per cent. of these votes were returned by the same Presiding Officer who had a similar percentage in No. 8. The Presiding Officer referred to is undoubtedly
Sergt.-Major Trim 227
- No. 10. This classification refers to 1,266 votes supposed to have been polled by men who cannot be traced anywhere in the Canadian military records 1,266
- No. 11. Refers to cases where, though the identification number is given, the names do not agree with the record or else the numbers given had never been allotted. It is noted by the Auditor that more than half of these 532 cases were polled at Epsom Convalescent Hospital 532
- No. 12. Classification No. 12 refers to 848 votes supposed to have been polled by men who, so far as can be seen by the records, had no connection with British Columbia, either through themselves or their relatives. These were very largely returned from Epsom Convalescent Hospital 848
- No. 13. Refers to 591 votes given by men who did not give any details, either as to residence or battalion, by which they could be identified 591
- No. 14. Refers to 116 names of men who voted but whose record-sheets could not be found. These names the Auditor suggests may be correct 116

In the opinion of the Commissioners Mr. Helmore's work was very accurately done. It is true, as Mr. Helmore states and as Mr. Martin comments upon in his cross-examination, all of this work was not done by Mr. Helmore personally, but a portion of it by members of his staff, working in conjunction with him and under his supervision and instruction.

Mr. Helmore was subjected to a very severe and searching cross-examination by Mr. Martin, who did not offer any evidence to refute Mr. Helmore's conclusions.

In view of the fact that the ballots have all been counted and taken out of the envelopes in which they were placed, it is practically impossible now to say what the result of the polling between September 14th and December 31st actually was, but, taking the 8,488 votes dealt with by Mr. Helmore into consideration, your Commissioners think that classifications Nos. 1, 2, and 3, and eight out of the nine votes in classification No. 7, and classifications Nos. 9 and 14, or a total of 3,796 votes, might fairly be accepted as legitimate. But it is clear that classifications Nos. 4 and 5, together with one vote out of classification No. 7, and classifications Nos. 8, 10, 11, 12, and 13, or a total of 4,697 votes, should be rejected.

In the foregoing analysis careful consideration has been given to the evidence of Mr. Helmore, as well as to the evidence given by the numerous witnesses who appeared before the Commission. All of which clearly indicated that grave frauds and irregularities were committed and that the regulations laid down for the taking of the vote were in many instances not observed.

While the estimate now made is necessarily not entirely accurate, it is believed that an examination of the soldiers' votes cast in Canada prior to the 14th September would still further reduce the total of votes herein accepted as good.

Acknowledgments are due to: The High Commissioner, Sir George Perley; Lieut.-General Sir A. W. Currie, K.C.B.; Major-General Sir R. E. Turner, K.C.B., and their respective staffs for assistance rendered and courtesies extended.

All of which is respectfully submitted.

D. WHITESIDE,

Chairman.

F. A. PAULINE.

C. F. NELSON.

On motion "That the report be received and adopted," a question of order arose, on which Mr. Speaker *Weart* ruled that the motion contained two motions. That Members might be

willing to vote to receive the report who were opposed to adopting it and they could not vote at all on the motion as put. A motion to receive the report is in order; a motion to adopt it requires notice (*see* Rule 48). That the report must be printed before a motion to adopt same is in order.

The Hon. the Premier appealed from the ruling of the Chair—"That the report must be printed before a motion to adopt same is in order."

The Chair was not sustained.

Motion put—"That the report be received and adopted."

On the motion of Mr. *Pooley*, the debate was adjourned until the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 2.30 o'clock to-morrow.

And then the House adjourned at 5 p.m.

Wednesday, 15th August, 1917.

HALF-PAST TWO O'CLOCK P.M.

Prayers by the Rev. *A. B. Osterhout*.

The adjourned debate on the motion to receive and adopt the report of the Commissioners appointed pursuant to Bill No. 79 of the Statutes of British Columbia, 1917, for the purpose of investigating the overseas vote in connection with the "British Columbia Prohibition Act," was resumed.

Resolution agreed to.

Resolved, That the House, at its rising, do stand adjourned until 2.30 o'clock to-morrow.

And then the House adjourned at 3 p.m.

Thursday, 16th August, 1917.

HALF-PAST TWO O'CLOCK P.M.

Prayers by the Rev. *Ernest G. Miller*.

On the motion of Mr. *Hanes*, Bill (No. 84) intituled "An Act to amend the 'Municipal Act'" was introduced, read a first time, and *Ordered* to be read a second time at the next sitting.

Mr. *Manson* moved, seconded by Mr. *Sutherland*,—

That Rule 48 of the Rules of this House be suspended for the remainder of this Session of the House, in so far as may be necessary to facilitate the action of the House in connection with any Bill, Resolution, or Address founded upon or arising out of the report of the Commission appointed under the "Prohibition Overseas Vote Investigation Act," and that any Bill arising in the said connection be deemed an urgent Bill within the meaning of the last sentence of Rule 64, and the occasion of its being dealt with an extraordinary one within the meaning of said Rule 64.

The Resolution was agreed to on the following division:—

YEAS—26.

Messieurs

<i>Anderson,</i>	<i>Willson,</i>	<i>Hart,</i>	<i>Whiteside,</i>
<i>Bell,</i>	<i>Macdonald, M. A.,</i>	<i>Sutherland,</i>	<i>Walters,</i>
<i>Yorston,</i>	<i>Brewster,</i>	<i>Manson,</i>	<i>Barrow,</i>
<i>Buckham,</i>	<i>Oliver,</i>	<i>MacLean,</i>	<i>Stewart,</i>
<i>Fisher,</i>	<i>King,</i>	<i>Pattullo,</i>	<i>Pauline,</i>
<i>Macdonald, K. C.,</i>	<i>Keen,</i>	<i>Sloan,</i>	<i>Hall.</i>
<i>Mobley,</i>	<i>Farris,</i>		

NAYS—8.

Messieurs

<i>Pooley,</i>	<i>Jones,</i>	<i>Ross,</i>	<i>Rose,</i>
<i>Schofield,</i>	<i>McDonald, A.,</i>	<i>Bowser,</i>	<i>Couper.</i>

On the motion of the Hon. Mr. *Farris*, seconded by the Hon. Dr. *MacLean*, it was *Resolved*,—

That the House forthwith resolve itself into a Committee of the Whole to consider the following Resolution:—

Whereas His Honour the Lieutenant-Governor did, on the 23rd day of May, 1916, transmit by Message to the Legislative Assembly a Bill intituled the "British Columbia Prohibition Act," and did recommend the said Bill to the Legislative Assembly:

And whereas the said Bill was enacted by the Legislative Assembly of British Columbia, and was assented to by His Honour the Lieutenant-Governor on the 31st day of May, 1916:

And whereas it was provided by the "Prohibition and Woman Suffrage Referendum Act" that if a majority of votes were given in favour of bringing into force the "British Columbia Prohibition Act," such Act should be brought into force under the provisions of section 61 of the "British Columbia Prohibition Act":

And whereas it was alleged that frauds, irregularities, and improper proceedings had occurred in respect to the overseas vote taken under the provisions of the "Prohibition and Woman Suffrage Referendum Act" and of the "Military Forces Voting Act":

And whereas on account of allegations made this Legislative Assembly did, on the 16th day of May last, unanimously pass the following motion:—

"That whereas His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, did enact chapter 49 of the Statutes of 1916, being an Act intituled the 'British Columbia Prohibition Act':

"And whereas section 61 of the said chapter 49, 1916, enacted that the said Act should come into force on the first day of July, 1917, pursuant to the provisions of the 'Prohibition and Woman Suffrage Referendum Act,' being chapter 50 of the Statutes of 1916:

"And whereas section 11 of the said chapter 50 enacted that, if it appeared that a majority of votes were given in favour of bringing into force the said 'British Columbia Prohibition Act,' the said Lieutenant-Governor in Council shall forthwith order the issue and publication of a Proclamation bringing the said 'British Columbia Prohibition Act' into force throughout the Province on the first day of July, 1917:

"And whereas under the provisions of chapter 41, Statutes of 1916, provision was made for the taking of the votes of Volunteers overseas:

"And whereas it is alleged that very serious irregularities and frauds took place in connection with such overseas voting:

"And whereas the majority of votes given against the 'British Columbia Prohibition Act' is said to have been 822:

"And whereas it is alleged that of the votes counted against the 'Prohibition Act' numbers largely in excess of the said 822 votes were irregularly and fraudulently recorded:

"And whereas it is desirable to cause the fullest investigation possible to be made in respect of such irregularities and frauds, to the end that the true intent of the majority of the voters may be given effect to:

"Therefore be it Resolved, That an humble Address be presented to His Honour the Lieutenant-Governor praying that he will cause to be placed before this House for its consideration a Bill which will provide for a full investigation into the matter of the alleged or any frauds or irregularities in connection with the taking of the vote overseas on the question of the 'British Columbia Prohibition Act,' to the end that the true decision of the voters thereon may be ascertained and made effective, and that the facts found upon such investigation and the evidence adduced thereon be submitted to the Legislature at an adjourned meeting thereof to be convened not later than the 15th day of August, 1917":

And whereas the Address before mentioned was presented to His Honour the Lieutenant-Governor:

And whereas on account of such allegations and the presentment of such Address His Honour the Lieutenant-Governor did, on the 19th day of May, 1917, transmit to the Legislative Assembly Bill (No. 79) intituled "An Act to provide for the Investigation of the Overseas Vote in connection with the 'British Columbia Prohibition Act,'" and did recommend the same to the Legislative Assembly:

And whereas the Legislative Assembly did enact and the Lieutenant-Governor did assent to the said Bill No. 79:

And whereas under the provisions of the said last-mentioned Act a Commission was appointed, and did proceed to Great Britain and France, and did inquire into the matters and things referred to them under the provisions of the last-mentioned Act:

And whereas the report of the said Commission is to the effect that fraud, irregularities, and improper proceedings did occur in the taking of the overseas vote to such an extent that a majority of the votes cast appeared to be against bringing into force the "British Columbia Prohibition Act," whilst, as a matter of fact, there was a majority of several thousands of legitimate votes cast in favour of bringing the "British Columbia Prohibition Act" into force:

And whereas the report of the Commission before mentioned has been placed before the Legislative Assembly and has by it been unanimously adopted:

And whereas it is necessary and expedient to give effect to the true wishes and intent of the duly qualified voters as expressed at the polls in favour of bringing into effect the "British Columbia Prohibition Act":

Therefore be it Resolved, That an humble Address be presented to His Honour the Lieutenant-Governor praying that he will cause to be submitted for the consideration of this Assembly a Bill declaring that a majority of the votes cast by duly qualified voters was in favour of bringing into force the "British Columbia Prohibition Act," and further providing for bringing the said "British Columbia Prohibition Act" into force on the first day of October, 1917.

And further be it Resolved, That such Address to His Honour the Lieutenant-Governor be prepared by such Members as are of the Executive Council, and that it be presented to His Honour by the Premier.

(IN THE COMMITTEE.)

Resolved, Whereas His Honour the Lieutenant-Governor did, on the 23rd day of May, 1916, transmit by Message to the Legislative Assembly a Bill intituled the "British Columbia Prohibition Act," and did recommend the said Bill to the Legislative Assembly:

And whereas the said Bill was enacted by the Legislative Assembly of British Columbia, and was assented to by His Honour the Lieutenant-Governor on the 31st day of May, 1916:

And whereas it was provided by the "Prohibition and Woman Suffrage Referendum Act" that if a majority of votes were given in favour of bringing into force the "British Columbia Prohibition Act," such Act should be brought into force under the provisions of section 61 of the "British Columbia Prohibition Act":

And whereas it was alleged that frauds, irregularities, and improper proceedings had occurred in respect to the overseas vote taken under the provisions of the "Prohibition and Woman Suffrage Referendum Act" and of the "Military Forces Voting Act":

And whereas on account of allegations made this Legislative Assembly did, on the 16th day of May last, unanimously pass the following motion:—

"That whereas His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, did enact chapter 49 of the Statutes of 1916, being an Act intituled the 'British Columbia Prohibition Act':

"And whereas section 61 of the said chapter 49, 1916, enacted that the said Act should come into force on the first day of July, 1917, pursuant to the provisions of the 'Prohibition and Woman Suffrage Referendum Act,' being chapter 50 of the Statutes of 1916:

"And whereas section 11 of the said chapter 50 enacted that, if it appeared that a majority of votes were given in favour of bringing into force the said 'British Columbia Prohibition Act,' the said Lieutenant-Governor in Council shall forthwith order the issue and publication of a Proclamation bringing the said 'British Columbia Prohibition Act' into force throughout the Province on the first day of July, 1917:

"And whereas under the provisions of chapter 41, Statutes of 1916, provision was made for the taking of the votes of Volunteers overseas:

"And whereas it is alleged that very serious irregularities and frauds took place in connection with such overseas voting:

"And whereas the majority of votes given against the 'British Columbia Prohibition Act' is said to have been 822:

"And whereas it is alleged that of the votes counted against the 'Prohibition Act' numbers largely in excess of the said 822 votes were irregularly and fraudulently recorded:

"And whereas it is desirable to cause the fullest investigation possible to be made in respect of such irregularities and frauds, to the end that the true intent of the majority of the voters may be given effect to:

"Therefore be it Resolved, That an humble Address be presented to His Honour the Lieutenant-Governor praying that he will cause to be placed before this House for its consideration a Bill which will provide for a full investigation into the matter of the alleged or any frauds or irregularities in connection with the taking of the vote overseas on the question of the 'British Columbia Prohibition Act,' to the end that the true decision of the voters thereon may be ascertained and made effective, and that the facts found upon such investigation and the evidence adduced thereon be submitted to the Legislature at an adjourned meeting thereof to be convened not later than the 15th day of August, 1917":

And whereas the Address before mentioned was presented to His Honour the Lieutenant-Governor:

And whereas on account of such allegations and the presentment of such Address His Honour the Lieutenant-Governor did, on the 19th day of May, 1917, transmit to the Legislative Assembly Bill (No. 79) intitled "An Act to provide for the Investigation of the Overseas Vote in connection with the 'British Columbia Prohibition Act,'" and did recommend the same to the Legislative Assembly:

And whereas the Legislative Assembly did enact and the Lieutenant-Governor did assent to the said Bill No. 79:

And whereas under the provisions of the said last-mentioned Act a Commission was appointed, and did proceed to Great Britain and France, and did inquire into the matters and things referred to them under the provisions of the last-mentioned Act:

And whereas the report of the said Commission is to the effect that fraud, irregularities, and improper proceedings did occur in the taking of the overseas vote to such an extent that a majority of the votes cast appeared to be against bringing into force the "British Columbia Prohibition Act," whilst, as a matter of fact, there was a majority of several thousands of legitimate votes cast in favour of bringing the "British Columbia Prohibition Act" into force:

And whereas the report of the Commission before mentioned has been placed before the Legislative Assembly and has by it been unanimously adopted:

And whereas it is necessary and expedient to give effect to the true wishes and intent of the duly qualified voters as expressed at the polls in favour of bringing into effect the "British Columbia Prohibition Act":

Therefore be it Resolved, That an humble Address be presented to His Honour the Lieutenant-Governor praying that he will cause to be submitted for the consideration of this Assembly a Bill declaring that a majority of the votes cast by duly qualified voters was in favour of bringing into force the "British Columbia Prohibition Act," and further providing for bringing the said "British Columbia Prohibition Act" into force on the first day of October, 1917.

And further be it Resolved, That such Address to His Honour the Lieutenant-Governor be prepared by such Members as are of the Executive Council, and that it be presented to His Honour by the Premier.

Resolved, That the Committee rise and report the Resolution.

Resolution reported and adopted.

Resolved, That the House, at its rising, do stand adjourned until 8.30 o'clock p.m. to-day.

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

1. Have any representations been made to the Department regarding the use in metalliferous mines of the stope-drill known to miners as "The Widow Maker"?
2. If so, by whom?
3. If so, has the Department taken any action in the matter as yet?
4. If not, is it the intention to take action at an early date?
5. If so, when?

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

"1. Yes.

"2. By the Hon. the Provincial Secretary.

"3. The Department asked for and obtained reports from Inspectors of Mines McGregor, Williams, and Johnstone, who reported that respirators were in use where necessary, and while no complaints were heard of miners' phthisis or other injurious effects from the use of the stope-drill known as "The Widow Maker" it is still the subject of further investigation.

"4. Answered by No. 3.

"5. Answered by No. 3."

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

F. S. BARNARD,

Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to remove Doubts as to the Validity of certain Acts enacted by the Legislative Assembly of British Columbia," and recommends the same to the Legislative Assembly.

Government House,

August 16th, 1917.

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

(IN THE COMMITTEE.)

Resolved, That the Committee rise and report to the House, recommending the introduction of a Bill (No. 82) intituled "An Act to remove Doubts as to the Validity of certain Acts enacted by the Legislative Assembly of British Columbia," a draft of which is annexed to this Resolution.

Resolution and Bill reported and adopted.

Bill introduced and read a first time.

Second reading at the next sitting.

And then the House adjourned at 4.45 p.m.

Thursday, 16th August, 1917.

HALF-PAST EIGHT O'CLOCK P.M.

The Hon. the Minister of Railways presented a copy of the Statement of Claims in the Supreme Court action between His Majesty's Attorney-General in and for the Province of British Columbia and the Hon. the Minister of Finance in and for the Province of British Columbia, plaintiffs; and Timothy Foley, Patrick Welch, John W. Stewart, Pacific Great Eastern Railway Company, D'Arcy Tate, E. F. White, F. Wilson, Pacific Great Eastern Development Company, Limited, and Pacific Great Eastern Equipment Company, Limited, defendants.

Mr. *Pooley* presented a petition from A. Hagg, D. W. Cross, and many others *re* prohibition.

Bill (No. S2) intituled "An Act to remove Doubts as to the Validity of certain Acts enacted by the Legislative Assembly of British Columbia" was read a second time.

To be committed at the next sitting.

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

F. S. BARNARD,

Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to bring into Force the 'British Columbia Prohibition Act,'" and recommends the same to the Legislative Assembly.

Government House,
August 15th, 1917.

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

(IN THE COMMITTEE.)

Resolved, That the Committee rise and report to the House, recommending the introduction of a Bill (No. S3) intituled "An Act to bring into Force the 'British Columbia Prohibition Act,'" a draft of which is annexed to this Resolution.

Resolution and Bill reported and adopted.

Bill introduced and read a first time.

On the second reading a debate arose.

Bill read a second time and committed forthwith.

Progress reported.

Committee to sit again at the next sitting.

Mr. *Hanes* asked the Hon. the Minister of Railways the following question:—

Did Donald McLeod, of Vancouver, withdraw \$120,000, more or less, from the funds or account of P. Welch, or Foley, Welch & Stewart, about the date when he left Vancouver for the United States when called upon to attend before the P.G.E. Railway Inquiry Committee?

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

"The Department of Railways has no knowledge of any withdrawal from the funds mentioned."

Resolved, That the House, at its rising, do stand adjourned until 2.30 o'clock p.m. to-morrow.

And then the House adjourned at 10.20 p.m.