

JOURNALS
OF THE
LEGISLATIVE ASSEMBLY
OF THE PROVINCE OF
BRITISH COLUMBIA

SPECIAL SESSION, 1940

Wednesday, May 8th, 1940.

THREE O'CLOCK P.M.

This being the first day of the fourth meeting of the Nineteenth Parliament or Legislative Assembly of the Province of British Columbia for the dispatch of business, pursuant to a Proclamation of the Honourable ERIC WERGE HAMBER, Lieutenant-Governor of the Province, dated the 30th day of April, 1940,

His Honour ERIC WERGE HAMBER, Lieutenant-Governor of the Province, having entered the House, took his seat on the Throne, and was pleased to deliver the following gracious Speech:—

Mr. Speaker and Members of the Legislative Assembly:

You have been called together in special Session consequent upon a serious situation which arose respecting the sale and distribution of gasoline and petroleum products in our Province.

With the approval of my Government, the Board appointed under the "Coal and Petroleum Products Control Board Act" established prices above which gasoline should not be sold. The oil companies, in protest, referred the matter to the Courts. The validity of the above Act, however, was recently upheld by the Supreme Court of Canada.

The Order of the Board, therefore, automatically came into effect.

The companies thereupon refused to sell gasoline to certain sections of the community, supplying only what the companies, in their own judgment, designated as essential services.

This situation was prejudicial to the public interest and my Government will submit to you measures which it is hoped may meet the situation in future, and will ensure that a repetition of such a condition of affairs will not recur.

I feel sure that you will give your most careful thought and consideration to such measures as may be submitted to you.

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

Prayers by the Rev. G. A. Reynolds.

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

On the motion of the Hon. Mr. Wismer, Bill (No. 1) intituled "An Act to amend the 'Mortgagors' and Purchasers' Relief Act, 1934'" was introduced, read a first time, and *Ordered* to be read a second time at the next sitting.

On the motion of the Hon. Mr. Pattullo, seconded by the Hon. Mr. Hart, it was *Resolved*,—

That the Speech of His Honour the Lieutenant-Governor be taken into consideration forthwith, and that this Order have precedence over all other business, except the introduction of Bills, until disposed of.

On the motion of the Hon. Mr. *Pattullo*, seconded by the Hon. Mr. *Hart*, it was *Resolved*,—
That the following address be presented to His Honour the Lieutenant-Governor:—

“ We, His Majesty’s most dutiful and loyal subjects, the Legislative Assembly of British Columbia, in Session assembled, beg leave to thank Your Honour for the gracious speech which Your Honour has addressed to us at the opening of the present Session.”

On the motion of the Hon. Mr. *Weir*, seconded by the Hon. Mr. *Gray*, it was *Resolved*,—

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

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

E. W. HAMBER,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled “ An Act to confer upon the Lieutenant-Governor in Council certain Authority in Relation to the Petroleum Industry in British Columbia,” and recommends the same to the Legislative Assembly.

Government House,
May 8th, 1940.

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. 2) intituled “ An Act to confer upon the Lieutenant-Governor in Council certain Authority in Relation to the Petroleum Industry in British Columbia,” a draft of which is annexed to this Resolution.

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

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

E. W. HAMBER,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled “ An Act to amend the ‘ Coal and Petroleum Products Control Board Act,’ ” and recommends the same to the Legislative Assembly.

Government House,
May 8th, 1940.

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. 3) intituled “ An Act to amend the ‘ Coal and Petroleum Products Control Board Act,’ ” a draft of which is annexed to this Resolution.

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

On the motion of the Hon. Mr. *Pattullo*, seconded by Mr. *Maitland*, it was *Resolved*,—

That this House expresses its sincere regret at the death of John Melvin Bryan, who was a Member for the Electoral District of Mackenzie, and that the Clerk do convey to Mrs. Bryan and the family of the late Mr. Bryan the condolences and sincere sympathy of the members of the Legislative Assembly.

At the request of Mr. Speaker, the House expressed its approval of the motion by a standing silent vote.

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 3.47 p.m.

Thursday, May 9th, 1940.

HALF-PAST TWO O'CLOCK P.M.

Prayers by Mr. Speaker.

On the motion of the Hon. Mr. *Pattullo*, the House proceeded to the Orders of the Day, "Public Bills and Orders."

On the motion of the Hon. Mr. *Pattullo* that Bill (No. 2) intituled "An Act to confer upon the Lieutenant-Governor in Council certain Authority in Relation to the Petroleum Industry in British Columbia" be now read a second time, a debate arose.

On the motion of Mr. *Hunter*, the debate was adjourned to the next sitting of the House.

On the motion of the Hon. Mr. *Pattullo*, seconded by the Hon. Mr. *Asselstine*, it was *Resolved*,—

That *Herbert Anscomb*, one of the members of the Legislative Assembly of this Province for the Victoria City Electoral District; *Macgregor Fullarton Macintosh*, a member of said Assembly for The Islands Electoral District; and *Frank Putnam*, a member of said Assembly for the Nelson-Creston Electoral District, be permitted during the whole of this Session of said Assembly to absent themselves from attendance at the said Assembly.

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

And then the House adjourned at 5.50 p.m.

Thursday, May 9th, 1940.

HALF-PAST EIGHT O'CLOCK P.M.

On the motion of the Hon. Mr. *Pattullo*, the House proceeded to the Orders of the Day, "Public Bills and Orders."

The House resumed the adjourned debate on the motion that Bill (No. 2) intituled "An Act to confer upon the Lieutenant-Governor in Council certain Authority in Relation to the Petroleum Industry in British Columbia" be now read a second time.

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

That the word "now" be struck out and the words "six months hence" added.

Question proposed—"Shall the word proposed to be struck out stand part of the question?"

Resolved in the affirmative on the following division:—

YEAS—33.

Messieurs

<i>McGrath</i>	<i>Bull</i>	<i>Carson</i>	<i>Strachan</i>
<i>Braden</i>	<i>Straith</i>	<i>Gillis</i>	<i>Forester</i>
<i>Johnston</i>	<i>Uphill</i>	<i>Smith, Mrs.</i>	<i>Connelly</i>
<i>Guthrie</i>	<i>Telford</i>	<i>MacDonald</i>	<i>Murray</i>
<i>Cameron</i>	<i>Steeves, Mrs.</i>	<i>Hart</i>	<i>Tupper</i>
<i>Shepherd</i>	<i>Winch, H. E.</i>	<i>Pattullo</i>	<i>Asselstine</i>
<i>Jamieson, Mrs.</i>	<i>Kenney</i>	<i>Wismer</i>	<i>Pearson</i>
<i>Winch, E. E.</i>	<i>Burns</i>	<i>Weir</i>	<i>Gray</i>
<i>King</i>			

NAYS—9.

Messieurs

<i>Hunter</i>	<i>LeBourdais</i>	<i>Bruhn</i>	<i>Perry</i>
<i>Finland</i>	<i>Paton</i>	<i>Maitland</i>	<i>Henniger</i>
<i>Eyres</i>			

PAIRS:

Messieurs

<i>Putnam</i>	<i>Anscomb</i>
<i>Leary</i>	<i>Macintosh</i>

By leave of the House, the debate was resumed on the main question.

Bill read a second time on the following division:—

YEAS—32.

Messieurs

<i>McGrath</i>	<i>King</i>	<i>Burns</i>	<i>Strachan</i>
<i>Braden</i>	<i>Bull</i>	<i>Carson</i>	<i>Forester</i>
<i>Johnston</i>	<i>Straith</i>	<i>Smith, Mrs.</i>	<i>Connelly</i>
<i>Guthrie</i>	<i>Uphill</i>	<i>MacDonald</i>	<i>Murray</i>
<i>Cameron</i>	<i>Telford</i>	<i>Hart</i>	<i>Tupper</i>
<i>Shepherd</i>	<i>Steeves, Mrs.</i>	<i>Pattullo</i>	<i>Asselstine</i>
<i>Jamieson, Mrs.</i>	<i>Winch, H. E.</i>	<i>Wismer</i>	<i>Pearson</i>
<i>Winch, E. E.</i>	<i>Kenney</i>	<i>Weir</i>	<i>Gray</i>

NAYS—10.

Messieurs

<i>Hunter</i>	<i>LeBourdais</i>	<i>Maitland</i>	<i>Perry</i>
<i>Finland</i>	<i>Paton</i>	<i>Gillis</i>	<i>Henniger</i>
<i>Eyres</i>	<i>Bruhn</i>		

PAIRS:

Messieurs

<i>Putnam</i>	<i>Anscomb</i>
<i>Leary</i>	<i>Macintosh</i>

To be committed at the next sitting.

On the motion of the Hon. Mr. *Wismer* that Bill (No. 3) intituled "An Act to amend the 'Coal and Petroleum Products Control Board Act'" be now read a second time a debate arose, which was, on the motion of Mr. *Maitland*, adjourned to the next sitting.

Bill (No. 1) intituled "An Act to amend the 'Mortgagors' and Purchasers' Relief Act'" was read a second time and, by leave of the House, committed forthwith, reported complete without amendment, read a third time and passed.

Resolved, That the House, at its rising, do stand adjourned until 10.30 o'clock a.m. to-morrow.

And then the House adjourned at 10.48 p.m.

Friday, May 10th, 1940.

HALF-PAST TEN O'CLOCK A.M.

Prayers by Mr. *Speaker*.

On the motion of the Hon. Mr. *Pattullo*, the House proceeded to the Orders of the Day, "Public Bills and Orders."

The House resumed the adjourned debate on the motion that Bill (No. 3) intituled "An Act to amend the 'Coal and Petroleum Products Control Board Act'" be now read a second time.

Mr. *Eyres* moved in amendment, seconded by Mr. *F'inland*,—

That the word "now" be struck out, and the words "six months hence" added.

Question proposed—"Shall the word proposed to be struck out stand part of the question?"

Resolved in the affirmative on the following division:—

YEAS—33.

Messieurs

<i>McGrath</i>	<i>Bull</i>	<i>Carson</i>	<i>Forester</i>
<i>Braden</i>	<i>Straith</i>	<i>Smith, Mrs.</i>	<i>Connelly</i>
<i>Johnston</i>	<i>Uphill</i>	<i>MacDonald</i>	<i>Murray</i>
<i>Guthrie</i>	<i>Telford</i>	<i>Hart</i>	<i>Tupper</i>
<i>Cameron</i>	<i>Steeves, Mrs.</i>	<i>Pattullo</i>	<i>Leary</i>
<i>Shepherd</i>	<i>Winch, H. E.</i>	<i>Wismer</i>	<i>Asselstine</i>
<i>Jamieson, Mrs.</i>	<i>Kenney</i>	<i>Weir</i>	<i>Pearson</i>
<i>Winch, E. E.</i>	<i>Burns</i>	<i>Strachan</i>	<i>Gray</i>
<i>King</i>			

NAYS—8.

Messieurs

<i>Hunter</i>	<i>Eyres</i>	<i>Paton</i>	<i>Maitland</i>
<i>F'inland</i>	<i>LeBourdais</i>	<i>Bruhn</i>	<i>Gillis</i>

PAIRS:

Messieurs

Putnam

Anscomb

By leave of the House, the debate was resumed on the main motion.

On the motion of Mr. *Paton*, the debate was adjourned to 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 12.55 p.m.

Friday, May 10th, 1940.

HALF-PAST TWO O'CLOCK P.M.

On the motion of the Hon. Mr. *Pattullo*, the House proceeded to the Orders of the Day, "Public Bills and Orders."

The House resumed the adjourned debate on the motion that Bill (No. 3) intituled "An Act to amend the 'Coal and Petroleum Products Control Board Act'" be now read a second time.

The debate continued.

Bill read a second time on the following division:—

YEAS—32.

Messieurs

<i>McGrath</i>	<i>King</i>	<i>Burns</i>	<i>Henniger</i>
<i>Braden</i>	<i>Bull</i>	<i>Carson</i>	<i>Strachan</i>
<i>Johnston</i>	<i>Straith</i>	<i>Smith, Mrs.</i>	<i>Connelly</i>
<i>Guthrie</i>	<i>Uphill</i>	<i>MacDonald</i>	<i>Tupper</i>
<i>Cameron</i>	<i>Telford</i>	<i>Hart</i>	<i>Leary</i>
<i>Shepherd</i>	<i>Steeves, Mrs.</i>	<i>Pattullo</i>	<i>Asselstine</i>
<i>Jamieson, Mrs.</i>	<i>Winch, H. E.</i>	<i>Wismer</i>	<i>Pearson</i>
<i>Winch, E. E.</i>	<i>Kenney</i>	<i>Weir</i>	<i>Gray</i>

NAYS—8.

Messieurs

<i>Hunter</i>	<i>Eyres</i>	<i>Paton</i>	<i>Maitland</i>
<i>Finland</i>	<i>LeBourdais</i>	<i>Bruhn</i>	<i>Gillis</i>

PAIRS:

Messieurs

<i>Putnam</i>	<i>Anscomb</i>
<i>Forester</i>	<i>Macintosh</i>

By leave of the House, Bill committed forthwith, reported complete without amendment, read a third time and passed.

Bill (No. 2) intituled "An Act to confer upon the Lieutenant-Governor in Council certain Authority in Relation to the Petroleum Industry in British Columbia" was committed, reported complete without amendment, read a third time and passed.

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

E. W. HAMBER,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to provide for a Reduction in the Allowances to be paid to Members attending the Session of the Legislative Assembly at which this Act is passed," and recommends the same to the Legislative Assembly.

Government House,
May 10th, 1940.

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. 4) intituled "An Act to provide for a Reduction in the Allowances to be paid to Members attending the Session of the Legislative Assembly at which this Act is passed," a draft of which is annexed to this Resolution.

Resolution and Bill reported.
Report adopted.
Bill introduced and read a first time.

By leave of the House, Bill read a second time and committed, reported complete without amendment, read a third time and passed.

At 4 p.m. Mr. Speaker declared a recess and left the chair, to resume it again at 5 p.m.

EIGHT MINUTES PAST FIVE O'CLOCK P.M.

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

William H. Langley, Esquire, the Clerk of the House, read the titles to the following Bills:—

- (No. 1) An Act to amend the "Mortgagors' and Purchasers' Relief Act, 1934."
- (No. 2) An Act to confer upon the Lieutenant-Governor in Council certain Authority in Relation to the Petroleum Industry in British Columbia.
- (No. 3) An Act to amend the "Coal and Petroleum Products Control Board Act."
- (No. 4) An Act to provide for a Reduction in the Allowances to be paid to Members attending the Session of the Legislative Assembly at which this Act is passed.

His Honour was pleased, in His Majesty's name, to give assent to the said 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."

Then His Honour the Lieutenant-Governor was pleased to deliver the following gracious Speech:—

Mr. Speaker and Members of the Legislative Assembly:

This Session, as you know, was a special Session called for a specific purpose.

I trust that the measures enacted will make for the welfare of our Province.

I thank you for your attendance, and pray that the blessing of Divine Providence may rest upon you all.

The Hon. Mr. *Weir*, Provincial Secretary, then said:—

Mr. Speaker and Members of the Legislative Assembly:

It is His Honour the Lieutenant-Governor's will and pleasure that the Legislative Assembly be prorogued until it shall please His Honour to summon the same for dispatch of business, and this Provincial Legislative Assembly is hereby prorogued accordingly.

N. W. WHITTAKER, *Speaker*.