

Wednesday, 23rd April, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *J. H. S. Sweet*.

The following Bills were introduced, read a first time, and *Ordered* to be read a second time to-morrow :—

By The Hon. Mr. *Prior*—Bill (No. 64) intituled “An Act to regulate Immigration into British Columbia.”

By the Hon. Mr. *Eberts*—Bill (No. 65) intituled “An Act to amend the ‘Municipal Clauses Act.’”

By Mr. *Curtis*—Bill (No. 66) intituled “An Act further to amend the ‘Supreme Court Act.’”

The House resumed the adjourned debate on the motion moved on the 12th March by Mr. *Helmcken*, as follows :—

“Whereas resolutions have been passed by this Honourable House, praying the Dominion Government to enact such legislation as will prevent the immigration into this Province of citizens of the Empires of Japan and China :

“And whereas the Dominion Government has disallowed the Acts known as the ‘British Columbia Immigration Act, 1900,’ and the ‘Labour Regulation Act, 1900’ :

“And whereas the Dominion of Canada and the Province of British Columbia have shown their loyalty and devotion to the cause of the Empire, and His Majesty the King has had signal proofs of such loyalty :

“And whereas the people of the Province of British Columbia have an admitted grievance by reason of their attempts to protect themselves against the immigration of citizens of the Empires of Japan and China into this Province being frustrated :

“And whereas the Right Honourable the Premier of the Dominion of Canada has accepted an invitation to be present at the coronation of Our Most Gracious Sovereign King Edward VII., and it is also proposed by the Colonial Premiers to hold a conference in the *City of London*, England, after the coronation :

“Be it therefore Resolved, That an humble Address be presented to His Honour the Lieutenant-Governor, requesting him to communicate with the Right Honourable the Premier of Canada, asking him at such conference to bring to the attention of the Colonial Premiers this question of the admission into Canada of the citizens of the Empires of Japan and China, and to use their influence to cause the Imperial Government to take such steps with the Governments of Japan and China as will enable the question to be governed in such manner as will best accomplish this object.”

And the amendment thereto moved by Mr. *McInnes* on 20th March, as follows :—

That all the words after the word “Whereas,” in the first line, be struck out, and the following substituted therefor :—

“The presence of large numbers of Chinese and Japanese in this Province creates a condition of economic slavery against which it is impossible for the European race to compete, and degrades the standard of British citizenship by odious methods of living :

“And whereas it is the settled conviction of this House that unless the immigration and employment of Chinese and Japanese be promptly and effectively checked, not only will labourers and artisans of the European race be driven from the Province, but all trades and industries will practically fall into the hands of Chinese and Japanese, and this important portion of the Empire will thereby be filled with an inferior and un-British people :

“And whereas this House, prior to 1900, passed various Acts for the purpose of mitigating the evil consequences of the presence of Chinese and Japanese in this Province, and has repeatedly urged the Dominion Government to legislate on the subject according to its jurisdiction :

“And whereas the Dominion Government, upon representations from the Imperial Authorities, disallowed the said Acts :

“And whereas in said representations by the Imperial Government, the Colonial Secretary declared on July 20th, 1898, ‘You should not fail to impress upon them the importance, if there is any real prospect of a large influx of Japanese labourers into Canada, of dealing with it by legislation of the Dominion Parliament, on the lines of the accompanying Natal Act, which is likely to be generally adopted in Australia,’ and on March 23rd, 1899, ‘They (Her Majesty’s Government) hope that your Ministers will be able to arrange for the cancellation of the objectionable provisions, and the substitution of a measure which, while it will secure the desired exclusion of undesirable immigrants, will obtain that result by means of some such general test as that already suggested in my dispatch, No. 214, of the 20th of July, 1898,’ and on April 19th, 1899, ‘There is no difference between Her Majesty’s Government and the Government of British Columbia as regards the objects aimed at by these laws, namely, to insure that the Pacific Province of the Dominion shall be occupied by a large and thoroughly British population, rather than by one in which the number of aliens largely predominates, and many of the distinctive features of a settled British community are lacking.’

“And whereas, in compliance with these suggestions and sentiments of the Imperial Government, this House passed the ‘British Columbia Immigration Act, 1900,’ and the ‘Labour Regulation Act, 1900’:

“And whereas the said Acts have, nevertheless, been disallowed by the Dominion Government, for ‘Imperial reasons’:

“And whereas similar and even more drastic legislation has been allowed to go into operation, and is to-day being enforced, for the protection of British subjects in other parts of the Empire:

“And whereas the people of British Columbia have been discriminated against in this matter, and are unable, under the circumstances, to understand what legislation, while effective, would be acceptable to the Imperial authorities:

“And whereas legislation as aforesaid is absolutely necessary, and must be enacted and enforced, if British Columbia is to be developed and occupied by a large British population:

“And whereas the Rt. Hon. the Premier of the Dominion of Canada has accepted an invitation to be present at the Coronation of our Most Gracious Sovereign, King Edward VII., and it is also proposed by the Colonial Premiers to hold a conference in the *City of London*, England, after the Coronation:

“Be it therefore Resolved, That an humble Address be presented to His Honour the Lieutenant-Governor, requesting him to communicate with the Rt. Hon. the Premier of Canada, asking him at such conference to bring to the attention of the Colonial Premiers the necessity, from an Imperial as well as Provincial standpoint, of steps being taken at once to check the employment and immigration of Chinese and Japanese, the circumstances attending the passing and disallowing of the legislation of this House upon the subject, and to urge accordingly that means be adopted whereby suitable legislation by the Dominion Government and this House may be allowed to go into effect without Imperial interference.”

Question proposed—“Shall the words proposed to be struck out stand part of the question?” and Resolved in the negative on the following division:—

YEAS:

Messieurs:

<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>	<i>Kidd,</i>
<i>Hayward</i>	<i>Tatlow,</i>	<i>McPhillips,</i>	<i>Dickie,</i>
<i>Garden,</i>	<i>Green,</i>	<i>Taylor,</i>	<i>Mounce—15.</i>
<i>Fulton,</i>	<i>McBride,</i>	<i>Helmcken,</i>	

NAYS:

Messieurs:

<i>McInnes,</i>	<i>Neill,</i>	<i>Smith, A. W.,</i>	<i>Prior,</i>
<i>Gilmour,</i>	<i>Martin,</i>	<i>Ellison,</i>	<i>Hall,</i>
<i>Stables,</i>	<i>Curtis,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Oliver,</i>	<i>Dunsmuir,</i>	<i>Houston,</i>	<i>Hunter—19.</i>
<i>Hawthornthwaite,</i>	<i>Eberts,</i>	<i>Wells,</i>	

Question proposed—“Shall the words proposed to be inserted stand part of the question?” and carried unanimously.

Resolution, as amended, carried.

Mr. *Martin* presented the Second Report from the Railway Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
April 23rd, 1902.

MR. SPEAKER:

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

The preamble proved of Bill (No. 29) intituled "An Act to amend the 'Vancouver and Westminster Railway Company Act, 1900,'" and of Bill (No. 34) intituled "An Act to Incorporate the Victoria and Seymour Narrows Railway Company," and submit the same herewith with amendments.

All of which is respectfully submitted.

JOSEPH MARTIN,
Chairman.

The Report was received.

The Hon. Mr. *Wells* presented a Return of copies of all correspondence relating to the appointing of Messrs. *Gamble, Hope* and *Higginson* as Commissioners, *re* certain dyking matters on the Lower Fraser River, together with copies of instructions given to the said Commissioners, and copies of the report (if any) of the said Commissioners, and of all letters and papers in any way connected with the said Commission of Enquiry; and also a statement in detail showing all the expenses in connection with the said Commission.

Mr. *McBride* moved, seconded by Mr. *Murphy*,—

That an Order of the House be granted for a Return of the following documents and data:—

1. The date of the appointment of Mr. *J. N. Greenshields*, K. C., as accredited Agent for the Government of British Columbia, together with a copy of the document or documents containing such appointment.

2. All letters and telegrams from the Government, or any member thereof, or any Provincial Civil Servant to Mr. *J. N. Greenshields*, K. C., or anyone on his behalf, and the answers thereto previous to such appointment and subsequent thereto.

3. Generally all papers and documents in any way relating to the appointment of Mr. *Greenshields*, K. C.

4. All letters, telegrams and other documents passing between Mr. *Greenshields*, K. C., or any person or persons on his behalf, and the Dominion Government, or any member thereof, and any communications or papers received by him from the said Government, or any member thereof, in connection with his duty as Agent for the Province.

5. A detailed statement of the duties performed and to be performed by Mr. *Greenshields*, K. C.

6. All letters, telegrams and documents passing between the Government and any member thereof, and any Provincial employee, and the firm of *Greenshields & Greenshields*, Montreal, Que., and the answers thereto, in any way referring to or connected with the appointment of Mr. *J. N. Greenshields*, K. C., as Provincial Government Agent, and the services performed and to be performed by him as such.

7. Dates and all other particulars of meetings between the said *Greenshields* and the Dominion Government relating to his duties as Agent of the Province.

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

Mr. *McBride* moved, seconded by Mr. *Tatlow*,—

That the conduct of the Government in connection with the foreshore rights of this Province is deserving of the censure of this House.

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

Mr. *Houston* presented the Fourth Report from the Printing Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,
22nd April, 1902.

MR. SPEAKER:

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

That the following papers were submitted and ordered to be printed:

1. Return of correspondence with Dominion Government relating to Indian affairs.

2. Return relating to hydraulic leases in the Atlin District.
3. Return of correspondence *re* road foreman at Salmon Arm.
4. Return of payments under "Water Clauses Consolidation Act."
5. Return of moneys expended on public works in Delta Riding, from July 1st, 1900, to December 31st, 1901.
6. Correspondence *re* Dyking Commissioners.

JOHN HOUSTON,
Chairman.

The Report was received.

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

The Hon. Mr. *Eberts* presented a Return to an Address for a copy of the Hon. the Speaker's warrant, directing the issue of the writ for the vacancy in the representation of the North Victoria Electoral District; the Order in Council authorising the issue of the writ and the placing of the Great Seal of the Province thereon; copy of the appointment of the Returning Officer; and copies of all letters and instructions given by the Government, or any member thereof, to the Deputy Provincial Secretary.

And then the House adjourned at 5:59 o'clock, P. M.

Thursday, 24th April, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *J. H. S. Sweet*.

Mr. *McBride*, on a question of privilege, objected to the record in the Votes and Proceedings of yesterday, as follows:—

"And then the House adjourned at 5:59 o'clock, P.M."—

on the ground that the motion was rejected, the vote being 16 for adjournment and 17 against.

Mr. Speaker *Pooley*: I think the objection should have been taken last night at the time the vote objected to was taken. I do not think the matter can be raised at this time. It is not a question of privilege.

Mr. *McBride* appealed from the ruling of the Chair.

The House divided as follows:—

YEAS :

Messieurs

<i>McInnes,</i>	<i>Martin,</i>	<i>Ellison,</i>	<i>Hall,</i>
<i>Gilmour,</i>	<i>Dunsmuir,</i>	<i>Clifford,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Houston,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Wells,</i>	<i>Mounce—16.</i>

NAYS :

Messieurs

<i>Smith, E. C.,</i>	<i>Garden,</i>	<i>Tallow,</i>	<i>McPhillips,</i>
<i>Oliver,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Hawthornthwaite,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Helmcken,</i>
<i>Neill,</i>	<i>Munro,</i>	<i>Murphy,</i>	<i>Kidd—17.</i>
<i>Gifford,</i>			

So the Chair was not sustained.

Mr. *Rogers* and the Hon. Mr. *Prior*, having entered the House, objected to the vote just taken, as the division bell had not been rung.

Mr. *McInnes* raised the point of order—"That the division had been improperly taken, the division bell not having been rung, this being the English practice (*see May, 337*), and binding on the House in the absence of any specific rule.

Mr. Speaker *Pooley*: I think the objection well taken. The bell should have been rung before taking the division. I shall, therefore, proceed to take the division over again.

Question proposed—"Shall the Chair be sustained." The House divided, and the names being called for, they were taken down as follows:—

YEAS :

Messieurs

<i>McInnes,</i>	<i>Dunsmuir,</i>	<i>Houston,</i>	<i>Rogers,</i>
<i>Gilmour,</i>	<i>Eberts,</i>	<i>Wells,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Smith, A. W.,</i>	<i>Prior,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Ellison,</i>	<i>Hall,</i>	<i>Mounce—18.</i>
<i>Martin,</i>	<i>Clifford,</i>		

NAYS :

Messieurs

<i>Smith, E. C.,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Oliver,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Hawthornthwaite,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Helmcken,</i>
<i>Neill,</i>	<i>Munro,</i>	<i>Murphy,</i>	<i>Kidd—17.</i>
<i>Gifford,</i>			

So the Chair was sustained.

The following papers were presented:—

By the Hon. Mr. *Eberts*—A Return of the reports of all Immigration Officers and Deputy Immigration Officers to the Provincial Secretary in connection with "An Act to regulate Immigration into British Columbia.

By the Hon. Mr. *Prior*—A Return of the decision given by Mr. *John Keen* in the matter of the assessment and taxation of the ore output of the *Le Roi* and other mines at *Rossland*, British Columbia, together with a copy of the evidence given before Mr. *Keen*.

By the Hon. Mr. *Eberts*—Copies of all papers, correspondence, letters and telegrams which have passed between the Provincial Government, or any member thereof, and any person or persons or corporations, relating to the introduction of Japanese into the *Atlin* District in the month of *March, 1902*.

The following Bills were introduced, read a first time, and *Ordered* to be read a second time to-morrow:—

By Mr. *Martin*—Bill (No. 67) intituled "An Act further to amend the 'Legal Professions Act.'"

By Mr. *Oliver*—Bill (No. 57) intituled "An Act to amend the 'Municipal Elections Act.'"

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

That this House desires to place on record its deep sense of the great loss it has sustained in the death of the late the Honourable *John Paton Booth*, and to express its high appreciation of the eminent services rendered by him to this Province, both as Speaker of this House and representative of the Riding of North Victoria, who for upwards of twenty years occupied a seat in this Legislature, and who gained the respect and esteem of this House by the zeal, ability and impartiality with which he discharged the duties of his high office, and the judgment and firmness with which he maintained its privileges and dignity, and that a copy of this resolution be forwarded to the widow and family of the deceased.

Mr. *McBride* presented a petition from *Jno. J. Downey* and others, residents of the Electoral District of North Victoria, *re* filling the vacancy in that Electoral District.

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

HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to confirm an Agreement between the Crown and the Crow's Nest Pass Coal Company, Limited, respecting certain Lots in the Townsite of Fernie," and recommends the same to the Legislative Assembly.

Government House,
23rd April, 1902.

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 Bill (No. 63) intituled "An Act to confirm an Agreement between the Crown and the Crow's Nest Pass Coal Company, Limited, respecting certain Lots in the Townsite of Fernie."

Mr. *Hunter*, Chairman of the Committee, reported the Resolution and the Bill.
Report adopted.
Bill introduced and read a first time.
Second reading to-morrow.

The House resumed the adjourned debate on the motion moved by Mr. *McBride* on the 23rd April, as follows:—

That an Order of the House be granted for a Return of the following documents and data:—

1. The date of the appointment of Mr. *J. N. Greenshields*, K. C., as accredited Agent for the Government of British Columbia, together with a copy of the document or documents containing such appointment.

2. All letters and telegrams from the Government, or any member thereof, or any Provincial Civil Servant to Mr. *J. N. Greenshields*, K. C., or anyone on his behalf, and the answers thereto previous to such appointment and subsequent thereto.

3. Generally all papers and documents in any way relating to the appointment of Mr. *Greenshields*, K. C.

4. All letters, telegrams and other documents passing between Mr. *Greenshields*, K. C., or any person or persons on his behalf, and the Dominion Government, or any member thereof, and any communications or papers received by him from the said Government, or any member thereof, in connection with his duty as Agent for the Province.

5. A detailed statement of the duties performed and to be performed by Mr. *Greenshields*, K. C.

6. All letters, telegrams and documents passing between the Government and any member thereof, and any Provincial employee, and the firm of *Greenshields & Greenshields*, Montreal, Que., and the answers thereto, in any way referring to or connected with the appointment of Mr. *J. N. Greenshields*, K. C., as Provincial Government Agent, and the services performed and to be performed by him as such.

7. Dates and all other particulars of meetings between the said *Greenshields* and the Dominion Government relating to his duties as Agent of the Province.

Carried.

The House resumed the adjourned debate on the motion moved by Mr. *McBride* on the 23rd April, as follows:—

That the conduct of the Government in connection with the foreshore rights of this Province is deserving of the censure of this House.

The debate was again adjourned until to-morrow.

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

And then the House adjourned at 5:45 o'clock, P. M.

 Friday, 25th April, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *J. H. S. Sweet*.

The petition from *Jno. J. Downey* and others, residents of the Electoral District of North Victoria, *re* filling the vacancy in that Electoral District, was read.

On the motion to receive same, Mr. *McBride* proceeded to debate the matter, when a point of order was taken, that the motion was not debatable.

Mr. Speaker *Pooley*: I must support the objection raised. The motion is not debatable, and has been so held by previous Speakers. (*See Speakers' Decisions*, page 104.)

Petition received and *Ordered* to be printed.

The following Bills were introduced, read a first time, and *Ordered* to be read a second time to-morrow:—

By Mr. *Curtis*—Bill (No. 68) intituled “An Act respecting Deception in procuring Workmen or Employees.”

By Mr. *Martin*—Bill (No. 69) intituled “An Act further to amend the ‘Provincial Elections Act.’”

The House resumed the adjourned debate on the motion moved by Mr. *McBride* on the 23rd April, as follows:—

That the conduct of the Government in connection with the foreshore rights of this Province is deserving of the censure of this House.

Mr. *Oliver* moved in amendment, seconded by Mr. *Stables*,—

That all the words of the Resolution after the first word “That” be struck out, and the following words inserted in lieu thereof:—“in the opinion of this House, no foreshore rights should be disposed of except by open competition, and under such conditions that will ensure the use and occupation of the same, and such restrictions as will prevent monopoly and the employment of Chinese and Japanese.”

A point of order arose.

Mr. Speaker *Pooley*: The motion is out of order. It dictates a policy to the Government, restraining free action by them in dealing with foreshore rights. (*See* ruling on similar point on 14th April, 1902.)

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

The Hon. Mr. *Wells* presented a Return of all correspondence between the Government, or any member thereof, and any person, relating to the construction of the Court House at Princeton, and the failure on the part of the contractor to pay the wages of the workmen employed on said building, and to pay various other just claims for materials and supplies furnished to him by different parties for use in said building, and which said materials and supplies were used in the construction of said building.

On the motion of Mr. *Green*, seconded by Mr. *Tatlow*, it was *Resolved*,—

That an Order of the House be granted for a Return of all correspondence now in the Department relating to the construction of a new bridge at New Denver, from or to the Chief Commissioner, Government Agent, or any other Government official, or any other person or persons.

Mr. *Taylor* moved, seconded by Mr. *Helmcken*,—

That an Order of the House be granted for a Return of all papers and correspondence from any person or persons with the Chief Commissioner of Lands and Works, or any official in the Department of Lands and Works, or any letter or letters on file in the said Department dealing with the rate of wages paid, or to be paid, or dealing in any way with the rate of wages of the men on Government roads and trails in the Revelstoke Riding of West Kootenay.

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

Mr. *Hawthornthwaite* moved, seconded by Mr. *Neill*,—

Whereas certain persons who settled upon Government lands located within the present Esquimalt and Nanaimo Railway Land Belt have been denied in some cases their land, in others the coal and base minerals under their lands; and

Whereas the Dominion Government in 1897 issued a Commission to *T. G. Rothwell*, Esq., of Ottawa, to inquire fully into the matter, and the said *T. G. Rothwell*, after a full inquiry, at which all persons interested were represented by counsel, reported that the claims of the said settlers were well founded; and

Whereas the Provincial Government issued a Commission to Hon. *Eli Harrison, Jr.*, in 1900, to inquire into the matter, and the said Hon. *Eli Harrison, Jr.*, after inquiry into the matter, but without the aid of counsel, reported against the claims of the settlers; and

Whereas the claims of the said settlers should be adjusted:

Be it therefore Resolved, That in the opinion of this House the Government should take their grievances into immediate consideration.

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

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 5:59 o'clock, P. M.

Friday, 25th April, 1902.

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

Bill (No. 47) intituled "An Act to authorise a Grant to the Corporation of the City of Nelson of certain Crown Lands situate in said City," was read a third time and passed.

The Report on Bill (No. 50) intituled "An Act respecting the Measurement of Timber" was adopted.

Bill read a third time and passed.

On the second reading of Bill (No. 63) intituled "An Act to confirm an Agreement between the Crown and the Crow's Nest Pass Coal Company, Limited, respecting certain Lots in the Townsite of Fernie," a debate arose, which was adjourned until Monday next.

Bill (No. 30) intituled "An Act to amend the 'Pacific Northern and Omineca Railway Act, 1900,'" was committed.

Progress reported.

Committee to sit again on Monday next.

Bill (No. 29) intituled "An Act to amend the 'Vancouver and Westminster Railway Company Act, 1900,'" was read a second time.

To be committed on Monday next.

Bill (No. 34) intituled "An Act to Incorporate the Victoria and Seymour Narrows Railway Company" was read a second time.

To be committed on Monday next.

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

Hon. Mr. *Eberts* presented a Return under section 21 of the "Provincial Elections Act," and section 21 of the "Redistribution Act, 1898."

And then the House adjourned at 11:30 o'clock, P. M.

Monday, 28th April, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *R. B. Blyth*.

The House proceeded to the Orders of the Day.

The Hon. Mr. *Prentice* moved, seconded by the Hon. Mr. *Dunsmuir*,—

That Mr. Speaker do now leave the Chair.

A debate arose.

Mr. *Tatlow* moved in amendment, seconded by Mr. *Munro*—

To leave out all the words after "That" and insert the following:—

"this House cannot approve of the system adopted by the Government in the disposition of the moneys appropriated to the various Ridings, whereby appropriations for Ridings represented by Members of the Opposition have been reduced to such an extent as to render the proposed votes insufficient and unworkable."

Debate continued.

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

Mr. *McInnes* presented the Third Report from the Railway Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,

April 28th, 1902.

MR. SPEAKER:

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

That they have considered the question of encouraging the smelting of iron ore and the manufacture of iron products in Canada, particularly with reference to steel rails and spikes for railway purposes, and they beg to urge upon the Government the advantage of introducing an Act based on chapter 23, section 6, Ontario Statutes of 1898, providing that no cash subsidy or land grant granted at the present Session of the Legislature, or heretofore or hereafter granted to any railway company by any Act of this Legislature, shall be deemed to be earned, nor shall the same be paid, granted or conveyed, unless the rails and spikes used in the construction of the railway, or any part thereof, hereafter constructed, to which such subsidy or land grant applies, shall have been manufactured in the Province of British Columbia or in some other Province of the Dominion of Canada; provided, always, that the rails and spikes necessary for such construction are procurable in the Province of British Columbia or in some other Province of the Dominion of Canada at a price not greater than the open market price in Great Britain or the United States for rails of similar make and quality, with the current freight rates from the place of shipment in Great Britain or the United States to the place where required in British Columbia added thereto.

All of which is respectfully submitted.

W. W. B. McINNES,

Secretary of Committee,

for JOSEPH MARTIN,

Chairman.

The Report was received.

Mr. *Houston* presented the Fifth Report from the Printing Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,

24th April, 1902.

MR. SPEAKER:

Your Select Standing Committee on Printing beg leave to report as follows, and recommend that the same be printed:—

1. Return of reports of officers appointed under B. C. Immigration Act.
2. Return of correspondence relating to introduction of Japanese into Atlin.

3. Decision of Mr. Keen in the matter of the assessment of the Le Roi Mine. It was resolved not to have the evidence in this case printed.

JOHN HOUSTON,
Chairman.

The Report was received.

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

And then the House adjourned at 5:59 o'clock, P. M.

Tuesday, 29th April, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *R. B. Blyth*.

Pursuant to Order, the House resumed the adjourned debate on the motion—"That Mr. Speaker do now leave the Chair, for the purpose of going into Committee of Supply," and the amendment thereto moved by Mr. *Tallow* on the 28th April, as follows:—

To leave out all the words after "That" and insert the following:—

"this House cannot approve of the system adopted by the Government in the disposition of the moneys appropriated to the various Ridings, whereby appropriations for Ridings represented by Members of the Opposition have been reduced to such an extent as to render the proposed votes insufficient and unworkable."

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

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 o'clock, P.M.

Tuesday, 29th April, 1902.

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

Mr. *Stables* presented a Petition from *Wm. B. Cowroy* and others, miners of Atlin, *re* improved system of recording placer and other mining claims.

Laid on the table.

The House resumed the adjourned debate on the motion—"That Mr. Speaker do now leave the Chair, for the purpose of going into Committee of Supply," and the amendment thereto moved by Mr. *Tallow* on the 28th April, as follows:—

To leave out all the words after "That" and insert the following:—

"this House cannot approve of the system adopted by the Government in the disposition of the moneys appropriated to the various Ridings, whereby appropriations for Ridings represented by Members of the Opposition have been reduced to such an extent as to render the proposed votes insufficient and unworkable."

The House continued to sit after midnight.

WEDNESDAY, 30th April, 1902.

At 2:30 o'clock, A. M., Mr. *McBride* moved the adjournment of the debate.

Negatived on the following division :—

YEAS :

Messieurs :

<i>Oliver,</i>	<i>Gifford,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Helmcken,</i>
<i>Neill,</i>	<i>Munro,</i>	<i>Murphy,</i>	<i>Kidd—12.</i>

NAYS :

Messieurs :

<i>McInnes,</i>	<i>Eberts,</i>	<i>Houston,</i>	<i>Rogers,</i>
<i>Martin,</i>	<i>Smith, A. W.,</i>	<i>Wells,</i>	<i>Hunter,</i>
<i>Prentice,</i>	<i>Ellison,</i>	<i>Prior,</i>	<i>Mounce—14.</i>
<i>Dunsmuir,</i>	<i>Clifford,</i>		

At 5:45 o'clock, A. M., Mr. *McBride* moved the adjournment of the debate.

A point of order arose thereon.

Mr. Speaker *Pooley* : It is doubtful if the motion can be moved twice by the same Member. I will allow the motion to be put, but it is not to be considered as a precedent. I will look further into the matter.

Motion negatived on the following division :—

YEAS :

Messieurs

<i>Hawthornthwaite,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Helmcken,</i>
<i>Neill,</i>	<i>Munro,</i>	<i>Murphy,</i>	<i>Kidd—11.</i>
<i>Gifford,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>	

NAYS :

Messieurs

<i>McInnes,</i>	<i>Eberts,</i>	<i>Houston,</i>	<i>Rogers,</i>
<i>Martin,</i>	<i>Smith, A. W.,</i>	<i>Wells,</i>	<i>Hunter,</i>
<i>Prentice,</i>	<i>Ellison,</i>	<i>Prior,</i>	<i>Mounce—14.</i>
<i>Dunsmuir,</i>	<i>Clifford,</i>		

Mr. *Hunter* raised the point of order that amendments to the question "That I do leave the Chair, for the purpose of going into Committee of Supply," required notice; that no notice of the amendment under debate had been given, and that the same was, therefore, out of order.

Mr. Speaker *Pooley* : This is the first time this point has arisen. We have no rule on the subject and, therefore, fall back upon the practice of the English House of Commons. *May*, pages 235, 275 and 574, clearly shows that notice is required. I must rule the amendment out of order.

On the motion of Mr. *Martin*, the debate on the main question was adjourned until the next sitting of the House.

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

And then the House adjourned at 9:45 o'clock, A. M.

Wednesday, 30th April, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *R. B. Blyth*.

The Petition from *Wm. B. Conroy* and others, miners of Atlin, *re* improved system of recording placer and other mining claims, was received.

Bill (No. 30) intituled "An Act to amend the 'Pacific Northern and Omineca Railway Act, 1900,'" was again committed.

Progress reported.

Committee to sit again at the next sitting of the House.

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

And then the House adjourned at 5:58 o'clock, P. M.

Thursday, 1st May, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *R. B. Blyth*.

The House proceeded to the Orders of the Day, beginning with "Questions put by Members."

Mr. *Tallow* asked the Hon. the Chief Commissioner of Lands and Works the following questions:—

1. How much has been expended to date on the Hastings-Barnet Road?
2. What distance still remains to be graded?
3. What is the estimated cost of said grading?

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

"1. \$11,969.44.

"2. 140 chains unfinished.

"3. \$2,500."

Mr. *Curtis* ask the Hon. the Minister of Finance the following questions:—

1. Of the revenue of \$289,404.54 contributed by the District of West Kootenay for the year ending 30th June, 1901, how much was collected at offices situate in—

- (a.) The Revelstoke Riding?
- (b.) The Slocan Riding?
- (c.) The Nelson Riding?
- (d.) The Rossland Riding?

2. How much during such year was spent for roads, trails and bridges in each of such Ridings?

3. Of the revenue of \$125,019.88 contributed by the District of Yale for the year ending 30th June, 1901, how much was collected at offices situate in—

- (a.) The East Yale Riding?
- (b.) The West Yale Riding?
- (c.) The North Yale Riding?

4. How much during such year was spent for roads, trails and bridges in each of such Ridings?

5. Of the revenue of \$98,876.14 contributed by the District of East Kootenay during the year ending 30th June, 1901, how much was collected at offices situate in—

(a.) The North Riding of East Kootenay?

(b.) The South Riding of East Kootenay?

6. How much during such year was spent for roads, trails and bridges in each of such Ridings?

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

No. 1—(a.)	\$ 30,097 43	
(b.)	45,030 94	
(c.)	82,115 70	Approximately.
(d.)	93,806 07	"
	<hr/>	
	\$251,050 14	

"NOTE.—The difference, \$38,354.40, between this amount, \$251,050.14, and the total brought to account in the Treasury books, \$289,404.54, is made up of Land Sales, Land Revenue, Liquor Licences, Revenue Tax paid by C. P. R.; Law Stamps, &c., which cannot with any degree of accuracy be apportioned to the several Ridings.

" No. 2—(a.)	\$ 36,299 47	
(b.)	42,427 71	
(c.)	11,218 14	
(d.)	23,985 62	
" No. 3—(a.)	\$ 66,512 12	Approximately.
	20,205 40	"
	38,299 36	"
" No. 4—(a.)	\$ 50,782 55	
(b.)	24,432 17	
(c.)	30,160 63	
" No. 5—(a.)	\$ 14,714 27	
(b.)	77,941 27	
	<hr/>	
	\$ 92,655 54	

"NOTE.—For a similar reason to that stated in note to No. 1, the difference, \$6,220.60, cannot with any degree of accuracy be apportioned to each of the two Ridings.

" No. 6—(a.)	\$ 28,646 65
(b.)	15,703 90"

Mr. *Kidd* asked the Hon. the Chief Commissioner of Lands and Works the following questions:—

What is the total amount paid by the Government up to the 1st day of April, 1902, for the work done on the re-building of the North Arm Bridges, Eburne?

Under what arrangement or agreement is that part of the said work not under contract being done?

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

"\$35,271.42.

"Schedule rates, and by days' labour."

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions:—

1. Have any maps, plans or profiles been prepared in connection with the survey made by the Hon. *E. Dewdney* through the Hope Mountains?

2. If so, will the Government cause copies or blue prints of such maps, plans or profiles to be prepared and distributed to the Members of the Legislature as early as possible?

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

“ 1. Yes.

“ 2. No. Blue prints cannot be made from the plans, which are drawn on paper, but they can be seen at the Land Office by any Honourable Member.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

Are Messrs. *Hope* and *Higginson*, Dyking Commissioners, acting gratuitously in classifying and valuing dyked lands? and if not

2. What remuneration are the said Commissioners to receive?

3. For what purpose is the \$1,500 to be voted under the head of Miscellaneous, Vote No. 210B, Supplementary Estimates, required?

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

“ 1. No.

“ 2. \$6 per day and necessary expenses.

“ 3. To provide for salaries and expenses in connection with appointment of Dyking Commissioners.”

Mr. *Oliver* asked the Hon. the Chief Commissioner of Lands and Works the following questions :—

1. Is Mr. *T. S. Higginson* employed by the Government in assisting to draw a Bill to deal with the dyked lands in the Maple Ridge dyking area?

2. Has the said Mr. *T. S. Higginson* been so engaged?

3. What remuneration is Mr. *Higginson* to receive?

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

“ 1. No.”

“ 2. No.”

“ 3. Answered by 1 and 2.”

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

What were the amounts of arrears of timber royalties on June 30th and December 31st last, respectively.

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

“ There were no arrears.”

The Hon. Mr. *Wells* presented the following papers :—

Return of the contract entered into by Messrs. *Armstrong*, *Morrison* and *Balfour* with the Government for the construction of the substructure of the New Westminster bridge.

Return of all correspondence now in the Department relating to the construction of a new bridge at New Denver, from or to the Chief Commissioner, Government Agent, or any other Government official, or any other person or persons.

The report on Bill (No. 32) intituled “ An Act to amend the ‘ Shops Regulation Act, 1900,’ ” was adopted.

Bill read a third time and passed.

Bill (No. 31) intituled “ An Act respecting Compensation to Workmen for Accidental Injuries suffered in the course of their Employment,” was again committed.

Progress reported.

Committee to sit again at the next sitting of the House.

Bill (No. 41) intituled “ An Act to further amend the ‘ Coal Mines Regulation Act ’ ” was again committed.

Reported complete with amendments.

Report to be considered at the next sitting of the House.

Bill (No. 42) intituled "An Act to amend the 'Coal Mines Regulation Act,'" was committed.

Bill reported complete with amendments.

Report to be considered at the next sitting of the House.

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 5:59 o'clock, P. M.

Thursday, 1st May, 1902.

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

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

By the Hon. Mr. *Eberts*—Bill (No. 62) intituled "An Act to secure payment of Wages for labour performed in the Construction of Public Works."

By the Hon. Mr. *Prentice*—Bill (No. 70) intituled "An Act respecting Mutual Fire Insurance Companies."

By the Hon. Mr. *Prentice*—Bill (No. 71) intituled "An Act to amend the 'Horticultural Board Act.'"

By the Hon. Mr. *Wells*—Bill (No. 72) intituled "An Act to amend the 'Bush Fire Act.'"

The House proceeded to the Orders of the Day.

Bill (No. 31) intituled "An Act respecting Compensation to Workmen" was again committed.

Progress reported.

Committee to sit again to-morrow.

Bill (No. 43) intituled "An Act to amend the 'County Courts Act'" was committed.

The Committee rose without report.

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

And then the House adjourned at 11:20 o'clock, P. M.

Friday, 2nd May, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *R. B. Blyth*.

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

By Mr. *Helmcken*—Bill (No. 73) intituled "An Act to amend the "Highway Traffic Regulation Act.'"

By Mr. *Helmcken*—Bill (No. 74) intituled "An Act to amend the 'Society for the Prevention of Cruelty to Animals Incorporation Act.'"

The House proceeded to the Orders of the Day, beginning with "Questions put by Members."

Mr. *Curtis* asked the Hon. the Chief Commissioner of Lands and Works the following questions:—

1. Why have not Crown grants for the 896,488 acres said to be earned by the Columbia & Western Railway Company for section 3 not been issued?
2. When is it intended to issue Crown grants therefor?

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

"1. Because up to the present time no agreement has been arrived at with the Company determining what lands shall be allotted.

"2. As soon as the location of the lands is defined."

The House resumed the adjourned debate on the motion—"That Mr. Speaker do now leave the Chair," for the purpose of going into Committee of Supply.

Mr. *Fulton* moved in amendment, seconded by Mr. *Garden*,—

To leave out all the words after "That" and insert the following:—

"in the opinion of this House, the prayer of the petition of the people of North Victoria District should be granted at the earliest possible moment."

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

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 o'clock, P. M.

Friday, 2nd May, 1902.

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

The House proceeded to the Orders of the Day.

The House resumed the adjourned debate on the motion—"That Mr. Speaker do now leave the Chair," for the purpose of going into Committee of Supply, and the amendment thereto moved by Mr. *Fulton* on the 2nd instant, as follows:—

To leave out all the words after "That" and insert the following:—

"in the opinion of this House, the prayer of the petition of the people of North Victoria District should be granted at the earliest possible moment."

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

YEAS :

Messieurs

<i>McInnes,</i>	<i>Dunsmuir,</i>	<i>Clifford,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Houston,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Wells,</i>	<i>Mounce—15.</i>
<i>Prentice,</i>	<i>Ellison,</i>	<i>Rogers,</i>	

NAYS :

Messieurs

<i>Oliver,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Taylor,</i>
<i>Hawthornthwaite,</i>	<i>Munro,</i>	<i>Murphy,</i>	<i>Helmcken,</i>
<i>Neill,</i>	<i>Green,</i>	<i>McPhillips,</i>	<i>Kidd—12.</i>

Debate continued on the main question.

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

Mr. *McBride* asked the Government the following questions:—

1. How many offers have been received by the Government for the construction of the Coast-Kootenay Railway, with names of the person or persons, company or companies offering?
2. What action has been taken in consequence of any such offers?
3. If negotiations are pending, what are the terms of same?
4. Has the Government received any offer for railway construction from the Vancouver, Westminster, Yukon and Northern Railway? If so, what are the terms of same, and what is the intention of the Government in connection therewith?

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

"1. Three—McLean Bros.; John Oliver, M. P. P., on behalf of the Olalla Copper Mining and Smelting Co.; Charles H. Lugin, as Solicitor for the Olalla Copper Mining and Smelting Co.

"2. An agreement has been entered into with McLean Bros.

"3. Answered by No. 2.

"4. Yes. A cash mileage subsidy from Vancouver to Quesnel, with a return of a percentage of gross earnings in lieu of all taxation. The proposition is still under consideration of the Government."

The Hon. Mr. *Wells* presented:—

Copy of the Report on the Fernie Townsite.

Return of correspondence, papers, letters and documents passing between the Government and any other person or persons, with respect to the Resolution of this House passed last Session to bonus ship-building in this Province.

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

And then the House adjourned at 11:30 o'clock, P. M.

Monday, 5th May, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *B. H. Balderston*.

The Hon. Mr. *Wells* presented the following Returns:—

Return showing all Orders in Council and all correspondence between the Government, or any member thereof, and any other person or company, relating to the reservation of lots 4,593 and 4,594, South-East Kootenay District, and to the granting of such lots, or any portion thereof, to the Columbia and Western Railway Co. or Canadian Pacific Railway Co.

Return of all applications for foreshore rights on the Pacific Coast of British Columbia during the past two years, giving the name of each applicant, the description of the foreshore applied for, and the purpose, if any, for which the applicant stated such rights were to be used.

Also, copies of all correspondence from the applicants, and from the Government, or any member thereof, to the applicants respecting the same, and a list of all applications granted, or promised to be granted, by the Government, and the terms of such grants.

The House proceeded to the Orders of the Day, beginning with "Questions put by Members."

The House resumed the adjourned debate on the motion—"That Mr. Speaker do now leave the Chair," for the purpose of going into Committee of Supply.

Mr. *Taylor* moved, seconded by Mr. *Murphy*,—

To add after the word “Chair” :—

“But this House condemns the practice, now sought to be introduced, of voting supplies for roads, streets and bridges in the various districts in a lump sum instead of appearing in detail as heretofore.”

Mr. *A. W. Smith* raised the point of order that the amendment was out of order, on the ground that an amendment having already been moved, and the House having decided “That the words ‘I do now leave the Chair’ should stand part of the question,” no further amendment could be moved thereto.

Mr. Speaker *Pooley* : I consider the point well taken. At page 574, *May*, 10th edition, it is stated, that “when an amendment to the question for the Speaker’s leaving the chair has been negatived, as it has been decided that the words proposed to be left out shall stand part of the question, no further amendment can be moved thereto.” I interpret the word “thereto” to mean, that the main resolution cannot be amended by the addition of words, as there would be no sense in suggesting that the word “thereto” was confined to the amendment of the words merely, as the House has already decided that they shall stand part of the question. I have searched very carefully through the English *Hansard*, and I cannot find any occasion on which the main question has been amended by adding words thereto.

On page 574, *May*, it is stated that where there are a number of notices of amendments given the Speaker endeavour to follow the order thereof, etc.

Amendments are frequently called up one after another in the English House of Commons, as they are simply brought up for discussion and then withdrawn, so that other amendments follow the same course; but whenever an amendment has been negatived, no other amendment can be moved to the main question. See *May*, 10th edition, page 574 and page 575, Note 2, and Members’ Manual, Ontario, 2nd edition, page 106. But the general debate on the main question can be maintained by members who have not spoken to the main question, or moved or seconded an amendment thereto.

Amendments to the main question are proposed by striking out all the words after “That” and substituting other words. This appears to be the only course adopted, so far as I can find by a close inspection of the English *Hansard* debates. See also Members’ Manual, Ontario, 2nd edition, page 31, where it states amendments may be moved to the question “That Mr. Speaker do now leave the Chair,” by leaving out all the words after the word “That” and substituting other words.

Mr. *Curtis*, Member for Rossland, asked me to state what would be the position if the words after “That” were struck out and the House refused to insert the words of the amendment proposed to be inserted, as there would only be the word “That” left. The practice seems to be to suggest various amendments until the House has found one that commends itself to them. See *E. Hansard*, vol. 180, pages 369-427.

Great latitude is allowed in discussing the question “That Mr. Speaker leave the Chair,” subject to the limitations mentioned on page 572, *May*.

Debate resumed on the main question.

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

The Hon. Mr. *Wells* presented the following Returns :—

Return of all Orders in Council, memorials, petitions and correspondence relating to the applications of the Vancouver Power Company, Limited, the Stave Lake Power Company, Limited, and the City of New Westminster and various municipalities for water records from Coquitlam Lake and Trout Lake; and of all proceedings before the Water Commissioner at New Westminster and before members of the Government respecting the same, and including all correspondence between the various applicants and their solicitors and the Provincial Secretary’s Department and the Department of the Chief Commissioner of Lands and Works and other Departments of Government, and including all the correspondence between any parties and any and all members of the Government respecting the said applications and any of them.

Also a Return of all Orders in Council and notices or other public documents in any way respecting the reservation of the waters in question, and stating the dates when each of these Orders in Council or notices were Gazetted.

Return of all papers and correspondence from any person or persons with the Chief Commissioner of Lands and Works, or any official in the Department of Lands and Works, or any

letter or letters on file in the said Department, dealing with the rate of wages paid, or to be paid, or dealing in any way with the rate of wages of the men on Government roads and trails in the Revelstoke Riding of West Kootenay.

Resolved, That the House, at its rising, do stand adjourned until 8:30 o'clock P.M., to-day.

And the House adjourned at 5:50 o'clock, P.M.

Monday, 5th May, 1902.

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

The House proceeded to the Orders of the Day, beginning with "Questions put by Members."

Mr. *Martin* asked the Government the following question:—

How much of Vote No. 36, Temporary Assistance, \$5,000, has been used up?

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

"The whole amount."

The House resumed the adjourned debate on the motion "That Mr. Speaker do now leave the Chair," for the purpose of going into Committee of Supply.

Mr. *Houston* moved the adjournment of the debate.

Carried on the following division:—

YEAS :

Messieurs

<i>Smith, E. C.,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>Taylor,</i>
<i>Oliver,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Helmcken,</i>
<i>Hawthornthwaite,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd,</i>
<i>Neill,</i>	<i>Munro,</i>	<i>McPhillips,</i>	<i>Houston—17.</i>
<i>Gifford,</i>			

NAYS :

Messieurs

<i>McInnes,</i>	<i>Martin,</i>	<i>Smith, A. W.,</i>	<i>Hall,</i>
<i>Gilmour,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Dunsmuir,</i>	<i>Wells,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Eberts,</i>	<i>Prior,</i>	<i>Mounce—16.</i>

The Report on Bill (No. 8) intituled "An Act to amend Chapter 33 of the Statutes of 1899, being the 'Judgments Act, 1899,'" was considered.

The further consideration of the Report was adjourned.

The Report on Bill (No. 35) intituled "An Act to amend the 'Creditors' Trust Deeds Act, 1901,'" was considered.

Mr. *McPhillips* moved to repeal section 10 and insert the following in lieu thereof:—

"10. The assignee shall be subject to the like penalty as in section 9 hereinbefore provided for each and every day which shall pass after the expiration of twenty-one days from the delivery of the assignment to him, or of twenty-one days after his assent thereto until the assignment is published and registered as aforesaid."

Carried.

Mr. *McPhillips* moved to insert a new clause as follows :—

“Section 30 of the ‘Creditors’ Trust Deeds Act, 1901,’ is hereby amended by striking out sub-section (e) thereof, and inserting in lieu thereof the following :—

“(e.) At any time after the trustee receives from any person claiming to be entitled to rank on the estate proof of his claim, notice of contestation of the claim may be served by the trustee upon the claimant by posting the same in a prepaid registered letter, addressed to the residence or place of business of the claimant as given in the proof of claim filed, or by leaving the same at the office of the solicitor or solicitors filing the proof of claim with the trustee. Within fifty days after the receipt of the notice, or such further time as a Judge of the Supreme Court may on application allow, an action shall be brought by the claimant against the trustee to establish the claim, and a copy of the writ in the action served on the trustee ; and in default of such action being brought and writ being served within the time aforesaid, the claim to rank on the estate shall be forever barred.”

Negatived.

Report, as amended, adopted.

Third reading to-morrow.

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

HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled “An Act to authorise a Loan of Three Million Five Hundred Thousand Dollars,” and recommends the same to the Legislative Assembly.

Government House,
5th May, 1902.

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 Bill (No. 77) intituled “An Act to authorise a Loan of Three Million Five Hundred Thousand Dollars.”

Mr. *Hunter*, Chairman of the Committee, reported the Resolution and the Bill.

Report adopted.

Bill introduced and read a first time.

Second reading to-morrow.

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

HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled “An Act respecting certain Railway Agreements,” and recommends the same to the Legislative Assembly.

Government House,
5th May, 1902.

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

(IN THE COMMITTEE.)

The Hon. the Attorney-General moved, seconded by the Hon. the Premier—

That the Committee rise and report to the House, recommending the introduction of Bill (No. 75) intituled “An Act respecting certain Railway Agreements.”

Mr. *Hunter*, Chairman of the Committee, reported progress and asked leave to sit again.
Leave granted for to-morrow.

The House sat after midnight.

TUESDAY, 6TH MAY.

The report on the Fernie Townsite was ordered to be printed.

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

And then the House adjourned at 12:15 o'clock, A. M.

Tuesday, 6th May, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. B. H. Balderston.

Mr. *McBride*, on a question of privilege, proposed to move the following resolution:—

“That in view of the defeat of the Ministry on motion “That the Speaker do leave the Chair,” to go into Supply, on the question of the adjournment of the debate, this House do express its view that the Ministry should resign forthwith.”

Objection was taken that the motion did not relate to an urgent matter of privilege that could be brought on without notice in the usual way.

Mr. Speaker *Pooley*: The question of privilege having been raised, that must be decided before the debate can proceed. *See* E. H. 174, p. 190-305; E. H. 235, p. 829.

Question proposed—“Is this motion of sufficient urgent importance to require immediate discussion as a question of privilege,” and *Resolved* in the negative on the following division:—

YEAS:

Messieurs

<i>Smith, E. C.,</i>	<i>Garden,</i>	<i>Tallow,</i>	<i>McPhillips,</i>
<i>Oliver,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Hawthornthwaite,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Helmcken,</i>
<i>Neill,</i>	<i>Munro,</i>	<i>Murphy,</i>	<i>Kidd—17.</i>
<i>Gifford,</i>			

NAYS:

Messieurs

<i>McInnes,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Gilmour,</i>	<i>Dunsmuir,</i>	<i>Wells,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Prior,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Hall,</i>	<i>Mounce—18.</i>
<i>Martin,</i>	<i>Ellison,</i>		

Mr. *McBride* moved, seconded by Mr. *Green*,—

That this House do now adjourn for the purpose of discussing the position of Government after defeat of yesterday, as appears by the Votes and Proceedings of this House.

Mr. Speaker *Pooley*: I must rule the motion out of order.

The House has just decided that the matter referred to in the motion is not an urgent matter which can be discussed as a matter of privilege without notice.

The Hon. Mr. *Prentice* and Mr. *Oliver* rose to address the House.

Mr. Speaker *Pooley* called upon Hon. Mr. *Prentice* to proceed, and requested Mr. *Oliver* to take his seat.

Mr. *Oliver* appealed from the decision of the Chair.

The Chair was sustained on the following division :—

YEAS :

Messieurs

<i>McInnes,</i>	<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Rogers,</i>
<i>Gilmour,</i>	<i>Martin,</i>	<i>Ellison,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Dickie,</i>
<i>Hawthornthwaite,</i>	<i>Dunsmuir,</i>	<i>Kidd,</i>	<i>Mounce—19.</i>
<i>Neill,</i>	<i>Eberts,</i>	<i>Wells,</i>	

NAYS :

Messieurs

<i>Smith, E. C.,</i>	<i>Garden,</i>	<i>Munro,</i>	<i>McBride,</i>
<i>Oliver,</i>	<i>Fulton,</i>	<i>Tatlow,</i>	<i>Murphy,</i>
<i>Gifford,</i>	<i>Curtis,</i>	<i>Green,</i>	<i>Taylor—12.</i>

The Hon. Mr. *Prentice* moved "That the House proceed to the Orders of the Day.
A debate arose.

Mr. *McBride* moved the adjournment of the debate
Negated on the following division :—

YEAS :

Messieurs

<i>Smith, E. C.,</i>	<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>
<i>Oliver,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—16.</i>

NAYS :

Messieurs

<i>McInnes,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Gilmour,</i>	<i>Dunsmuir,</i>	<i>Wells,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Prior,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Hall,</i>	<i>Mounce—18.</i>
<i>Martin,</i>	<i>Ellison,</i>		

On a question of privilege, Mr. *Murphy* moved, seconded by Mr. *Taylor*,—

That the conduct of the Government in not protecting the Chair is worthy of the censure of the House.

Mr. *Clifford* moved the "Previous Question."

Resolved, "That this question be now put" on the following division :—

YEAS :

Messieurs

<i>McInnes,</i>	<i>Martin,</i>	<i>Ellison,</i>	<i>Rogers,</i>
<i>Gilmour,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Dunsmuir,</i>	<i>Wells,</i>	<i>Dickie,</i>
<i>Oliver,</i>	<i>Eberts,</i>	<i>Prior,</i>	<i>Mounce—19.</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Hall,</i>	

NAYS :

Messieurs

<i>Smith, E. C.,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—15.</i>
<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>	

Motion put and negatived on the following division:—

YEAS :

Messieurs

<i>Smith, E. C.,</i>	<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>
<i>Oliver,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—16.</i>

NAYS :

Messieurs

<i>McInnes,</i>	<i>Prentice.</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Gilmour,</i>	<i>Dunsmuir,</i>	<i>Wells,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Prior,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Hall,</i>	<i>Mounce—18.</i>
<i>Martin,</i>	<i>Ellison,</i>		

Debate resumed on the motion to proceed to the Orders of the Day.

The debate was adjourned.

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

HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to confirm the existing Bank Overdraft, and to provide in the future for obtaining Funds by way of Overdrafts from the Banking Institutions of the Province," and recommends the same to the Legislative Assembly.

Government House,
6th May, 1902.

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 Bill (No. 78) intituled "An Act to confirm the existing Bank Overdraft, and to provide in the future for obtaining Funds by way of Overdrafts from the Banking Institutions of the Province."

Mr. *Hunter*, the Chairman of the Committee, reported the Resolution and the Bill. Report *Ordered* to be considered at the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 8:30 o'clock P.M., to-day.

And the House adjourned at 6:30 o'clock, P.M.

Tuesday, 6th May, 1902.

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

The Hon. Mr. *Prentice* moved—"That the House proceed to the Orders of the Day."

Mr. *Oliver* moved, seconded by Mr. *Munro*—

That all the words of the motion after the first word, "That," be struck out, and the following words inserted in lieu thereof:—

"an Order of the House be granted for a Return of a copy of the agreement entered into between the Government of British Columbia and *McLean Bros.* for the construction of the proposed Coast-Kootenay Railway."

A debate arose.

Mr. *Curtis* moved the adjournment of the debate, which was negatived.

The House continued to sit after midnight.

WEDNESDAY, 7TH MAY.

Mr. *Curtis* moved, seconded by Mr. *Tatlow*,—

That the amendment moved by the Honourable Member for Delta be amended by adding thereto the following words:—

"and also a copy of all offers previously made by Messrs. *McLean Bros.* to the Government for the construction of the railway mentioned in the contract."

Mr. Speaker *Pooley*: The amendment is out of order at this stage. It cannot be moved until the House has resolved that the words proposed to be struck out shall not stand part of the question. See *May*, 10th edition, page 284.

Debate resumed.

Mr. *Green* moved the adjournment of the debate.

Negatived on the following division:—

YEAS :

Messieurs

<i>Smith, E. C.,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Taylor,</i>
<i>Gifford,</i>	<i>Tatlow,</i>	<i>Murphy,</i>	<i>Kidd—12.</i>

NAYS :

Messieurs

<i>McInnes,</i>	<i>Dunsmuir,</i>	<i>Ellison,</i>	<i>Prior,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Clifford,</i>	<i>Hall,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Wells,</i>	<i>Hunter—13.</i>
<i>Prentice,</i>			

Debate resumed.

Mr. *Gifford* moved the adjournment of the debate, which was negatived on the following division:—

YEAS :

Messieurs

<i>Smith, E. C.,</i>	<i>Fulton,</i>	<i>McBride,</i>	<i>Taylor,</i>
<i>Hawthornthwaite,</i>	<i>Tatlow,</i>	<i>Murphy,</i>	<i>Kidd—11.</i>
<i>Gifford,</i>	<i>Green,</i>	<i>McPhillips,</i>	

NAYS :

Messieurs

<i>McInnes,</i>	<i>Dunsmuir,</i>	<i>Ellison,</i>	<i>Prior,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Clifford,</i>	<i>Hall,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Wells,</i>	<i>Hunter—13.</i>
<i>Prentice,</i>			

Mr. *Taylor* moved the adjournment of the debate, which was negatived.

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

Mr. *Hawthornthwaite* moved, seconded by Mr. *E. C. Smith*—

That the following words be added to the motion of the Minister of Finance at the end thereof, viz:—

"Provided that the adjourned Committee of the Whole on the Message of His Honour the Lieutenant-Governor of 5th May, transmitting Bill (No. 75) intituled "An Act respecting certain Railway Agreements," be not taken up until a copy of all offers made by Messrs. *McLean Bros.*, and all other persons or corporations, to the Government for the construction of the proposed Coast-Kootenay Railway be laid on the table.

Mr. Speaker *Pooley*: I must rule the motion out of order. The motion to proceed to the Orders of the Day is considered equivalent to a motion for the previous question, and no amendment can be made thereto. See *Bourinot*, Parliamentary Procedure, 2nd ed., p. 397.

Question proposed and *Resolved*, "That the House proceed to the Orders of the Day."

Pursuant to Order, the report from the Committee of the Whole reporting Bill (No. 78) intituled "An Act to confirm the existing Bank Overdraft, and to provide in the future for obtaining Funds by way of Overdrafts from the Banking Institutions of the Province," was considered.

Report adopted.

Bill introduced and read a first time.

Second reading to-morrow.

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

And then the House adjourned at 5:30 o'clock, A. M.

Wednesday, 7th May, 1902.

THREE O'CLOCK, P. M.

Prayers by the Rev. *B. H. Balderston*.

On the motion of the Hon. Mr. *Prentice*, Bill (No. 79) intituled "An Act to amend the 'Public Dyking Act Amendment Act, 1900,'" was introduced, read a first time, and *Ordered* to be read a second time at the next sitting of the House.

The House resumed the adjourned debate on the motion moved by Mr. *McBride* on the 23rd April, as follows:—

That the conduct of the Government in connection with the foreshore rights of this Province is deserving of the censure of this House.

Mr. *Kidd* moved in amendment, seconded by Mr. *Garden*,—

That all the words after the word "That" be struck out, and the following substituted, viz:—

"it is the opinion of this House that no foreshore suitable for fish trap sites should be leased or otherwise disposed of until an understanding is reached between the Dominion Government and the Government of this Province in respect to the granting of licences for catching fish by the use of traps on the coast of British Columbia."

Mr. Speaker *Pooley* : The amendment is out of order, on the ground that it affects the policy of the Government, *re* foreshore rights and fish trap sites, and interferes with the prerogative of the Crown in leasing or otherwise disposing of the same.

See decisions, Journals, 14th April, 1902 ; 25th April, 1902 ; 6th May, 1901 ; 1st April, 1901.

Debate resumed.

Mr. *Gifford* moved the adjournment of the debate.

Carried.

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 6:10 o'clock, P. M.

Wednesday, 7th May, 1902.

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

The Hon. Mr. *Prentice* presented a Report on Taxation and draft of proposed Assessment Act for the Province of British Columbia.

The Hon. Mr. *Wells* presented a copy of the agreement for the construction of the Vancouver and Coast-Kootenay Railway.

On the motion of Hon. the Attorney-General, Bill (No. 76) intituled "An Act to Incorporate the Vancouver and Coast-Kootenay Railway Company," was introduced, read a first time, and *Ordered* to be read a second time to-morrow.

The House proceeded to the Orders of the Day.

Bill (No. 30) intituled "An Act to amend the 'Pacific Northern and Omineca Railway Act, 1900,'" was again committed.

Progress reported.

Committee to sit again to-morrow.

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

And then the House adjourned at 11:20 o'clock, P. M.

Thursday, 8th May, 1902.

TWO O'CLOCK, P. M.

Mr. *McInnes* presented a petition from *Cory S. Ryder* and others, residents of Extension, asking for construction of a bridge over railroad track and ravine.

Ruled out of order.

The House resumed the adjourned debate on the motion moved by Mr. *McBride* on the 23rd April, as follows :—

That the conduct of the Government in connection with the foreshore rights of this Province is deserving of the censure of this House.

Negated on the following division :—

YEAS :

Messieurs :

<i>Smith, E. C.,</i>	<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>
<i>Oliver,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—16.</i>

NAYS :

Messieurs

<i>McInnes,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Gilmour,</i>	<i>Dunsmuir,</i>	<i>Wells,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Prior,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Hall,</i>	<i>Mounce—18.</i>
<i>Martin,</i>	<i>Ellison,</i>		

The House resumed the adjourned debate on the motion moved by Mr. *Taylor* on the 25th April, as follows :—

That an Order of the House be granted for a Return of all papers and correspondence from any person or persons with the Chief Commissioner of Lands and Works, or any official in the Department of Lands and Works, or any letter or letters on file in the said Department dealing with the rate of wages paid, or to be paid, or dealing in any way with the rate of wages of the men on Government roads and trails in the Revelstoke Riding of West Kootenay.

The motion was withdrawn with leave.

The House resumed the adjourned debate on the motion moved by Mr. *Hawthornthwaite* on the 25th April, as follows :—

Whereas certain persons who settled upon Government lands located within the present Esquimalt and Nanaimo Railway Land Belt have been denied in some cases their land, in others the coal and base minerals under their lands ; and

Whereas the Dominion Government in 1897 issued a Commission to *T. G. Rothwell*, Esq., of Ottawa, to inquire fully into the matter, and the said *T. G. Rothwell*, after a full inquiry, at which all persons interested were represented by counsel, reported that the claims of the said settlers were well founded ; and

Whereas the Provincial Government issued a Commission to Hon. *Eli Harrison*, Jr., in 1900, to inquire into the matter, and the said Hon. *Eli Harrison*, Jr., after inquiry into the matter, but without the aid of counsel, reported against the claims of the settlers ; and

Whereas the claims of the said settlers should be adjusted ;

Be it therefore Resolved, That, in the opinion of this House, the Government should take their grievances into immediate consideration.

The debate was again adjourned until to-morrow.

Mr. *Gilmour* presented the Seventh Report from the Printing Committee, as follows :—

LEGISLATIVE COMMITTEE ROOM,
May 8th, 1902.

MR. SPEAKER :

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

That the following papers were submitted to the Committee and ordered to be printed :—

1. Correspondence respecting reservation of certain lands in South-East Kootenay.
2. Correspondence respecting rate of wages on roads and trails in Revelstoke Riding.
3. Return of Orders in Council and correspondence respecting taking of water from Coquitlam and Trout Lakes.

HUGH B. GILMOUR,
Chairman, pro tem.

The Report was received.

On the motion of Mr. *Martin*, Bill (No. 80) intituled "An Act to amend the Law relating to Trade Unions," was introduced, read a first time, and *Ordered* to be read a second time to-morrow.

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

By Mr. *McInnes*—Bill (No. 52) intituled "An Act to amend the 'Municipal Clauses Act.'"

By Hon. Mr. *Prentice*—Bill (No. 81) intituled "An Act to amend the 'Farmers' Institutes and Co-operation Act.'"

The Hon. Mr. *Wells* presented a Return of copies of all correspondence and letters and other material which have passed between the Provincial Government, or any member thereof, and any person or persons or corporations, touching the securing the construction of the *Coast-Kootenay Railway*, but not to include any pending negotiations.

Resolved, That the House, at its rising, do stand adjourned until two o'clock to-morrow on the following division :—

YEAS :

Messieurs

<i>McInnes,</i>	<i>Helmcken,</i>	<i>Ellison,</i>	<i>Hall,</i>
<i>Gilmour,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Stables,</i>	<i>Dunsmuir,</i>	<i>Wells,</i>	<i>Hunter,</i>
<i>Hayward,</i>	<i>Eberts,</i>	<i>Prior,</i>	<i>Dickie—18.</i>
<i>Martin,</i>	<i>Smith, A. W.,</i>		

NAYS :

Messieurs

<i>Smith, E. C.,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—15.</i>
<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>	

And then the House adjourned at 6 o'clock, p. m.

Friday, 9th May, 1902.

TWO O'CLOCK, P. M.

The House resumed the adjourned debate on the motion moved by Mr. *Hawthornthwaite* on the 25th April, as follows :—

Whereas certain persons who settled upon Government lands located within the present Esquimalt and Nanaimo Railway Land Belt have been denied in some cases their land, in others the coal and base minerals under their lands; and

Whereas the Dominion Government in 1897 issued a Commission to *T. G. Rothwell, Esq.*, of Ottawa, to inquire fully into the matter, and the said *T. G. Rothwell*, after a full inquiry, at which all persons interested were represented by counsel, reported that the claims of the said settlers were well founded; and

Whereas the Provincial Government issued a Commission to Hon. *Eli Harrison, Jr.*, in 1900, to inquire into the matter, and the said Hon. *Eli Harrison, Jr.*, after inquiry into the matter, but without the aid of counsel, reported against the claims of the settlers; and

Whereas the claims of the said settlers should be adjusted;

Be it therefore Resolved, That in the opinion of this House the Government should take their grievances into immediate consideration.

Mr. *Curtis* moved in amendment, seconded by Mr. *Tatlow*,—

That the last line of the resolution be struck out, and the following words substituted therefor:—

“immediate steps to grant the said settlers their rights.”

Mr. Speaker *Pooley*: The amendment is out of order. A similar motion was ruled out of order by Mr. Speaker *Booth* on 7th May, 1901. See Journals, 1901, p. 127. I approve of and follow that decision.

Debate on main question resumed.

The motion carried.

On the motion of Mr. *Garden*, Bill (No. 82) intituled “An Act to encourage the manufacture of Steel Rails in Canada,” was introduced, read a first time, and *Ordered* to be read a second time at the next sitting of the House.

The Hon. Mr. *Wells* presented a Return showing—

1. What money or moneys have been paid to Mr. *Greenshields* during the last six months?
2. What services have been rendered by Mr. *Greenshields* in return for such payments?

Ordered to be printed.

Also a Supplementary Return of correspondence *re* Fernie townsite.

On the motion of Mr. *Curtis*, seconded by Mr. *Hawthornthwaite*, it was *Resolved*,—

That an humble Address be presented to His Honour the Lieutenant-Governor, requesting him to have a Return made to this House of all Orders in Council, correspondence and documents relating to the Honourable the Attorney-General of British Columbia becoming a party in his own right, and also on behalf of the Kettle River Valley Railway Company, in an action which has been begun in the Supreme Court of British Columbia, wherein the Attorney-General of British Columbia, and the Attorney-General of British Columbia on behalf of the Kettle River Valley Railway Company are plaintiffs, and the Vancouver, Victoria and Eastern Railway and Navigation Company are defendants.

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

And then the House adjourned at 5:59 o'clock, P. M.

Monday, 12th May, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *Jos. McCoy*, M. A.

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

HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled “An Act to authorise the Granting of a certain Land Subsidy for and in Aid of the Queen Charlotte Islands Railway Company,” and recommends the same to the Legislative Assembly.

Government House,
12th May, 1902.

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

(IN THE COMMITTEE.)

The Hon. Mr. *Prior* moved, seconded by the Hon. Mr. *Dunsmuir*,—

That the Committee rise and report to the House, recommending the introduction of Bill (No. 85) intituled “An Act to authorise the Granting of a certain Land Subsidy for and in Aid of the Queen Charlotte Islands Railway Company.”

Mr. *Hunter*, Chairman of the Committee, reported progress and asked leave to sit again. Leave granted for to-morrow.

Resolved, That the House, at its rising, do stand adjourned until 8:30 o'clock P.M., to-day.

And then the House adjourned at 6 o'clock, P. M.

Monday, 12th May, 1902.

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

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

1. At what price, net at Victoria, has the Government received an offer for proposed issue of \$3,000,000 of Provincial inscribed three per cent. stock?
2. For how many years is such stock to run?
3. What commission is to be paid on the loan?
4. Where is the interest proposed to be payable?

“The Hon. the Minister of Finance declined to answer the question, on the ground of public policy.”

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

1. What instructions were given the Surveyor of Taxes last year, with a view of re-adjusting the present system of taxation in connection with the metalliferous mines of British Columbia?
2. Has a report been made accordingly by the Surveyor of Taxes, and, if so,
3. What are the conclusions reached thereon?

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

“1. No special instructions were given to the Surveyor of Taxes last year, with a view of readjusting the present system of taxation in connection with metalliferous mines of British Columbia, but he was instructed generally to draft a new Act and prepare a report on the whole question of taxation in this Province. That report is now in the press, and will be ready in a day or two.

“2. Reference is made to the answer to No. 1.

“3. Reference is made to the answer to No. 1.”

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

1. What breweries in the Province are paying the Provincial liquor licence of \$200?
2. Where are such breweries situated?
3. Why has the wholesale liquor licence of \$200 not been exacted from all the breweries in the Province?

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

“1. There are 35 breweries in the Province; 31 of these are within Municipalities, 4 outside of municipal limits. None have paid to the Government.

“2. Moyie, Phœnix, Sandon, Rossland, Vancouver (4), New Westminster, Nelson (3), Grand Forks (2), Revelstoke (2), Kamloops, Rossland (3), Trail, Kaslo, Greenwood (2), South Vancouver, Ymir, Ferni, Cranbrook, Victoria (4), Nanaimo (3).

“3. The ‘Liquor Licence Act’ does not apply to portions of the Province situate within the limits of Municipalities.”

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

1. Is it the intention of the Government to immediately cancel all or any hydraulic leases granted in the Atlin District, the holders of which have failed to comply with the Act regulating same, either in regard to non-payment of rent, or non-performance of assessment work, or other cause ?

2. If not, why not ?

3. If said leases are to be cancelled, is it the intention of the Government to reserve said lands for a reasonable time to allow of the placer miner demonstrating whether or not the ground can be worked by ordinary placer mining methods ?

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

“1. It is the intention to proceed under section 99 of the ‘Placer Mining Act.’

“2. Answered by No. 1.

“3. It is not the intention of the Government to grant any leases covering ground that can be worked by ordinary placer mining methods.”

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

1. How many Chinese have been granted certificates under the “Coal Mines Regulation Act Amendment Act, 1901” ?

2. How many Japanese have been granted certificates under said Act ?

3. In what mines were such Japanese and Chinese working ?

4. Were the examinations held underground in any mines, and, if so, in which ?

5. How many questions were miners asked to answer by the Board of Examiners at different mines ?

6. Are there any miners working coal without certificates in any mines in the Province

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

“1, 2 and 3. As far as can be ascertained from inspection of duplicate certificates of competency filed in Department of Mines, 101 Chinese and 17 Japanese have been granted certificates, all at Comox mine.

“4. Not known.

“5. Not known ; examinations were oral.

“6. None as far as the Department is aware.

“N. B.—Complete file of duplicate certificates is in Department of Mines, and can be inspected by the Honourable Member.”

The House proceeded to the Orders of the Day.

The House resumed the adjourned debate on the motion—“That Mr. Speaker do now leave the Chair,” for the purpose of going into Committee of Supply.

Mr. *Houston* moved the “Previous Question.”

Mr. *Oliver* moved “That the House do now adjourn.”

Mr. Speaker *Pooley* : The motion is out of order. Rule 37 precludes all amendment or debate until the Previous Question is decided.

Objection being taken that the “Previous Question” could not be moved on the motion “That Mr. Speaker do now leave the Chair,” for the purpose of going into Committee of Supply, Mr. Speaker *Pooley* ruled that the motion was in order, and referred to *May*, p. 269, Note 2, where it is stated that this motion is akin to the closure motion, and page 211 of *May* shows that the closure motion can be moved on going into Committee of Supply.

Mr. *McBride* appealed from the ruling of the Chair.

The Chair was sustained on the following division :—

YEAS :

Messieurs

McInnes,
Gilmour,
Stables,
Hayward,
Martin,

Helmcken,
Prentice,
Dunsmuir,
Eberts,
Smith, A. W.,

Ellison,
Clifford,
Houston,
Wells,
Prior,

Hall,
Rogers,
Hunter,
Dickie,
Mounce—20.

NAYS :

Messieurs

<i>Smith, E. C.,</i>	<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>
<i>Oliver,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—16.</i>

Question proposed—"That this question be now put?" and *Resolved* in the affirmative on the same division.

Resolved, "That Mr. Speaker do now leave the Chair," on the following division :—

YEAS :

Messieurs

<i>McInnes,</i>	<i>Helmcken,</i>	<i>Ellison,</i>	<i>Hall,</i>
<i>Gilmour,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Stables,</i>	<i>Dunsmuir,</i>	<i>Houston,</i>	<i>Hunter,</i>
<i>Hayward,</i>	<i>Eberts,</i>	<i>Wells,</i>	<i>Dickie,</i>
<i>Martin,</i>	<i>Smith, A. W.,</i>	<i>Prior,</i>	<i>Mounce—20.</i>

NAYS :

Messieurs

<i>Smith, E. C.,</i>	<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>
<i>Oliver,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—16.</i>

(IN THE COMMITTEE.)

6. *Resolved*, That a sum not exceeding \$1,500 be granted to His Majesty to defray the expenses of Civil Government (Salaries), Lieutenant-Governor's Office, to 30th June, 1903

The Chairman reported the Resolution.

Report to be received at the next sitting of the House.

Committee to sit again at the next sitting of the House.

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

And then the House adjourned at 11:55 o'clock, P. M.

Tuesday, 13th May, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *Jos. McCoy*, M. A.

The House proceeded to the Orders of the Day.

Order of the Day called for Committee of Supply.

Question proposed—"That Mr. Speaker do now leave the Chair?"

Mr. *Oliver* and Mr. *Houston* rose to address the House.

Mr. Speaker *Pooley* called upon Mr. *Oliver* to proceed, and requested Mr. *Houston* to take his seat.

Mr. *McInnes* moved, seconded by Mr. *Gilmour*,—

That Mr. *Houston* do now speak.

Mr. *Curtis* moved in amendment, seconded by Mr. *Neill*,—

That the following words be added to the question, viz : “because the House has no confidence in the railway policy of the Government.”

Mr. Speaker *Pooley* : I rule the amendment out of order, on the ground of irrelevancy. There is a total absence of congruity between the proposed amendment and the main motion, so that the amendment is a new proposition upon a different subject. The amendment ought to be essentially analogous to the main question, and be so framed that, if agreed to, the question, as amended, would be intelligible and consistent with itself. *See May*, 10th ed.

Mr. *Neill* moved, seconded by Mr. *Gifford*—

To add to the motion the words :—“but such permission shall not prejudice the rights of the minority in this House to speak to the motion on going into Committee of Supply.

Mr. Speaker *Pooley* : I rule the amendment out of order, for the reasons stated in my decision on the last amendment moved by Mr. *Curtis*.

Mr. *Houston* moved the “Previous Question.”

Mr. *Tatlow* claimed that he had the floor, and that it was not competent for Mr. *Houston* to make the said motion.

Mr. Speaker stated that he had not seen Mr. *Tatlow* on his feet, but that Mr. *Houston* had addressed him immediately before making his motion.

Mr. *McBride* moved, seconded by Mr. *Murphy*,—

“That Mr. *Tatlow* do now speak.”

The debate was adjourned until to-morrow.

Resolved, That the House, at its rising, do stand adjourned until two o'clock to-morrow, on the following division :—

YEAS :

Messieurs

<i>McInnes,</i>	<i>Helmcken,</i>	<i>Ellison,</i>	<i>Hall,</i>
<i>Gilmour,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Stables,</i>	<i>Dunsmuir,</i>	<i>Houston,</i>	<i>Hunter,</i>
<i>Hayward,</i>	<i>Eberts,</i>	<i>Wells,</i>	<i>Dickie,</i>
<i>Martin,</i>	<i>Smith, A. W.,</i>	<i>Prior,</i>	<i>Mounce—20.</i>

NAYS :

Messieurs

<i>Smith, E. C.,</i>	<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>
<i>Oliver,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—16.</i>

And the House adjourned at 6:10 o'clock, P. M.

Wednesday, 14th May, 1902.

Prayers by the Rev. *Jos. McCoy*, M. A.

TWO O'CLOCK, P. M.

Mr. *Munro* presented a Petition from *W. H. Fadden* and others, settlers of Upper Sumas, urging construction of Coast-Kootenay Railway as a Government work.

Laid on the table.

The House proceeded to the Orders of the Day.

Bill (No. 29) intituled "An Act to amend the 'Vancouver and Westminster Railway Company Act, 1900,'" was committed.

Progress reported.

Committee to sit again at the next sitting of the House.

Bill (No. 34) intituled "An Act to Incorporate the Victoria and Seymour Narrows Railway Company" was committed.

Progress reported.

Committee to sit again at the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until two o'clock to-morrow, on the following division:—

YEAS :

Messieurs

<i>McInnes,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Gilmour,</i>	<i>Dunsmuir,</i>	<i>Houston,</i>	<i>Hunter,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Prior,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Hall,</i>	<i>Mounce—17.</i>
<i>Helmcken,</i>			

NAYS :

Messieurs:

<i>Oliver,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—15.</i>
<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>	

The following Bills were introduced, read a first time, and *Ordered* to be read a second time to-morrow.

By the Hon. Mr. *Eberts*—Bill (No. 83) intituled "An Act to enable Power Companies to exercise the Powers set out in Part IV. of the 'Water Clauses Consolidation Act, 1897,' without becoming specially Incorporated."

By the Hon. Mr. *Prior*—Bill (No. 84) intituled "An Act to further relieve the Members of Canadian Forces serving in South Africa from complying with the provisions of the Mineral and Placer Mining Acts in respect of Mining Properties held by them."

And then the House adjourned at 6 o'clock, P.M.

Thursday, 15th May, 1902.

TWO O'CLOCK, P. M.

The petition from *W. H. Fadden* and others, settlers of Upper Sumas, urging construction of Coast-Kootenay Railway as a Government work, was ruled out of order.

The House proceeded to the Orders of the Day.

Bill (No. 31) intituled "An Act respecting Compensation to Workmen" was again committed.

Progress reported.

Committee to sit again at the next sitting of the House.

The report on Bill (No. 41) intituled "An Act to further amend the 'Coal Mines Regulation Act,'" was adopted.

Bill read a third time and passed.

The report on Bill (No. 42) intituled "An Act to amend the 'Coal Mines Regulation Act,'" was adopted.

Bill read a third time and passed.

Bill (No. 45) intituled "An Act to amend the 'Wills Act,'" was committed.

Reported complete without amendment.

Report adopted.

Bill read a third time and passed.

On the second reading of Bill (No. 53) intituled "An Act to amend the 'Municipal Clauses Act,'" Mr. *Houston* moved to strike out the word "now," and insert in lieu thereof the words "this day six months."

Mr. *McBride* moved the adjournment of the debate.

Negatived on the following division:—

YEAS:

Messieurs:

<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Tallow,</i>	<i>McPhillips,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Gifford,</i>	<i>Munro,</i>	<i>McBride,</i>	<i>Kidd—13.</i>
<i>Garden,</i>			

NAYS:

Messieurs

<i>McInnes,</i>	<i>Helmcken,</i>	<i>Ellison,</i>	<i>Hall,</i>
<i>Gilmour,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Stables,</i>	<i>Dunsmuir,</i>	<i>Houston.</i>	<i>Hunter,</i>
<i>Oliver,</i>	<i>Eberts,</i>	<i>Wells,</i>	<i>Dickie,</i>
<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Prior,</i>	<i>Mounce—21.</i>
<i>Martin,</i>			

Question proposed—"Shall the words proposed to be struck out stand part of the question?" and *Resolved* in the negative on the following division:—

YEAS:

Messieurs

<i>Smith, E. C.,</i>	<i>Gifford,</i>	<i>Curtis,</i>	<i>Murphy,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>McBride,</i>	<i>Taylor—8.</i>

NAYS:

Messieurs

<i>McInnes,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Hall,</i>
<i>Gilmour,</i>	<i>Dunsmuir,</i>	<i>Kidd,</i>	<i>Rogers,</i>
<i>Stables,</i>	<i>Eberts,</i>	<i>Houston,</i>	<i>Hunter,</i>
<i>Martin,</i>	<i>Smith, A. W.,</i>	<i>Wells,</i>	<i>Dickie,</i>
<i>Helmcken,</i>	<i>Ellison,</i>	<i>Prior,</i>	<i>Mounce—20.</i>

Question proposed—"Shall the words proposed to be inserted stand part of the question?" and *Resolved* in the affirmative.

Main question, as amended, carried.

The Hon. Mr. *Prior* presented a copy of the report of *C. H. Gibbons*, Special Agent to the Pan-American Exposition, 1901.

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 6:40 o'clock P. M.

Thursday, 15th May, 1902.

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

The House proceeded to the Orders of the Day.

Bill (No. 31) intituled "An Act respecting Compensation to Workmen for Accidental Injuries suffered in the course of their Employment," was again committed
Reported complete with amendments.
Report to be considered to-morrow.

Bill (No. 44) intituled "An Act to amend the 'Bills of Sale Act'" was committed.
Progress reported.
Committee to sit again to-morrow.

Mr. *Curtis* moved the second reading of Bill (No. 10) intituled "An Act respecting Actions against Trade Unions and Kindred Associations."
A debate arose, which was adjourned until to-morrow.

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

And then the House adjourned at 11:35 o'clock, P. M.

Friday, 16th May, 1902.

TWO O'CLOCK, P. M.

The House proceeded to the Orders of the Day, beginning with "Private Bills."

Bill (No. 30) intituled "An Act to amend the 'Pacific Northern and Omineca Railway Act, 1900,'" was again committed.
Reported complete with amendments.
Report to be considered at the next sitting of the House.

Bill (No. 29) intituled "An Act to amend 'the Vancouver and Westminster Railway Company Act, 1900,'" was again committed.
Reported complete with amendments.
Report to be considered at the next sitting of the House.

Bill (No. 34) intituled "An Act to Incorporate the Victoria and Seymour Narrows Railway Company," was again committed.
Reported complete with amendments.
Report to be considered at the next sitting of the House.

The report on Bill (No. 31) intituled "An Act respecting Compensation to Workmen for Accidental Injuries suffered in the course of their Employment," was adopted.
Third reading at the next sitting of the House.

Order called for adjourned Committee on Bill (No. 44) intituled "An Act to amend the 'Bills of Sale Act.'"

Mr. Speaker *Pooley* gave the following decision on a point of order raised in Committee, and reported to him :—

The Chairman reported to me that in Committee Mr. *Murphy* had moved to add the following as new sections to the Bill :—

“ 3. Said section 9 is hereby further amended by striking out the word ‘Clinton,’ in the fourteenth line thereof, and inserting in lieu thereof the word ‘Ashcroft.’

“ 4. All bills of sale registered prior to the coming into force of this Act in the office of the Registrar of the County Court at Clinton, and all books and documents in connection with the said chapter 32 in the office of the Registrar of the County Court at Clinton, shall, upon the coming into force of this Act, be transferred to the office of the Registrar of the County Court at Ashcroft, and shall be in the custody of the County Court Registrar at Ashcroft, who may give all certificates required to be given by said chapter 32.”

That Mr. *Smith* had raised the following points of order :—

1st. That the amendments were irrelevant to and not within the scope and title of the Bill.

2nd. That a new office would be created, involving the expenditure of public money.

That he had ruled against the said objections, and the Committee had referred the matter to me for a decision.

As to the first point : I am of opinion that the clauses can be dealt with by the Committee. See *May*, 10th ed., pages 452 and 453, and English H. C. Standing Order 34.

As to the second point : The clause called for the creation of a new office at Ashcroft, and therefore would entail an expenditure of public moneys. I am of opinion that this point is well taken, and the clause cannot be entertained without the consent of the Government.

House in Committee on the Bill.

Bill reported complete with amendments.

Report to be considered at the next sitting.

The House resumed the adjourned debate on Bill (No. 10) intituled “An Act respecting Actions against Trade Unions and Kindred Associations.”

The debate was further adjourned until the next sitting.

Resolved, That the House, at its rising, do stand adjourned until two o'clock on Monday next, on the following division :—

YEAS :

Messieurs

<i>McInnes,</i>	<i>Helmcken,</i>	<i>Ellison,</i>	<i>Hall,</i>
<i>Gilmour,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Stables,</i>	<i>Dunsmuir,</i>	<i>Houston,</i>	<i>Hunter,</i>
<i>Hayward,</i>	<i>Eberts,</i>	<i>Wells,</i>	<i>Dickie,</i>
<i>Martin,</i>	<i>Smith, A. W.,</i>	<i>Prior,</i>	<i>Mounce—20.</i>

NAYS :

Messieurs

<i>Smith, E. C.,</i>	<i>Gifford,</i>	<i>Munro,</i>	<i>Murphy,</i>
<i>Oliver,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>McPhillips,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Taylor,</i>
<i>Neill,</i>	<i>Curtis,</i>	<i>McBride,</i>	<i>Kidd—16.</i>

And then the House adjourned at 5:30 o'clock, P. M.

Monday, 19th May, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *Alex. Fraser*.

The House proceeded to the Orders of the Day, beginning with Private Bills, after "Questions put by Members."

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

1. Has the Queen Charlotte Island Railway Company deposited the \$5,000 required by the "Queen Charlotte Islands Railway Company Act, 1901?"
2. Was the deposit made in cash or securities?
3. If in securities, what was the nature of such securities?

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

- "1. No.
- "2. No.
- "3. Answered by 1 and 2."

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

1. What was the overdraft of the Provincial Government on the 17th day of May, 1902?
2. At what bank or banks is such overdraft incurred, and how much of it at each bank?
3. What rate of interest is paid upon such overdraft, and at what intervals is it charged up to the Province?
4. By virtue of what authority, Act or Acts, are the loans constituting the overdraft made?
5. What is the limit in amount beyond which the overdraft cannot legally, by Acts now in force, go?
6. By what amounts has the overdraft, including interest thereon, increased in the months of January, February, March and April, 1902, respectively?
7. What is it now estimated that the overdraft, including interest thereon, will, on the 30th June, 1902, amount to?

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

- "1. \$1,698,234 on current account, \$106,328 on dyking account.
- "2. The Canadian Bank of Commerce.
- "3. 4 per cent. per annum, chargeable quarterly.
- "4. By the 'Overdraft Act, 1901,' and by Order in Council.
- "5. \$198,234 in excess of the amount specified in the 'Overdraft Act, 1901,' which is authorised by an Order in Council, pending the flotation of a loan, as provided by the Loan Acts, 1891, 1899 and 1901.
- "6. January, \$69,431; February, \$25,361; March, \$46,413; April, \$60,960.
- "7. \$1,700,000 on account current; \$25,000 on dyking account, provided debentures now authorised are sold."

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

1. Are the shares of the Columbia and Western Railway Company, to the amount of \$75,000, accepted (as per Sessional Papers, 1901, page 627) in lieu of the \$75,000 bonds on the railway, as security for the \$50,000 bond provided in the Columbia and Western Railway Aid Act, still in the hands of the Government?
2. Are these shares worth in the market \$50,000?
3. Has the Government declared them forfeited?

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

- "1. Yes.
- "2. There has been no quotation.
- "3. No."

Mr. *McBride* asked the Government the following questions :—

1. Is *J. N. Greenshields*, K. C., still in the service of the Government ?
2. If so, under what terms ?

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

“ I will answer the questions later on in the afternoon.”

Mr. *McBride* moved, seconded by Mr. *Murphy*,—

That this House do now adjourn. This motion is made for the purpose of discussing a matter of urgent public importance, viz. : The action of the Government in withholding from the House information regarding Mr. *J. N. Greenshields*, K. C.

Mr. Speaker *Pooley* : I do not think there is any colour of urgency in the proposal, in the face of the statement by the Minister that the questions would be answered later on in the afternoon. I must, therefore, decline to put the motion. See *May*, 10th ed., p. 241.

The Report on Bill (No. 30) intituled “ An Act to amend the ‘ Pacific Northern and Omineca Railway Act, 1900,’ ” was adopted.

Bill read a third time and passed.

The Report on Bill (No. 34) intituled “ An Act to incorporate the Victoria and Seymour Narrows Railway Company ” was adopted.

Bill read a third time and passed.

The Report on Bill (No. 29) intituled “ An Act to amend the ‘ Vancouver and Westminister Railway Company Act, 1900,’ ” was considered.

Mr. *Curtis* moved to add a new section as follows :—

“ The Provincial Government shall have the right, after twenty years from the passing of this Act, provided the Company’s railway has not passed under the jurisdiction of the Dominion of Canada, upon giving one year’s notice of the intention of the Provincial Government so to do, to purchase all the Company’s property, rights and franchises at the fair market value of its corporeal property, together with such bonus (if any) not exceeding ten per cent. of such market value as the Government may agree to pay.”

Negatived.

Report adopted.

Bill read a third time and passed.

Bill (No. 31) intituled “ An Act respecting Compensation to Workmen for Accidental Injuries suffered in the course of their Employment,” was read a third time and passed.

The Report on Bill (No. 44) intituled “ An Act to amend the Bills of Sales Act,” was adopted.

Bill read a third time and passed.

The House resumed the adjourned debate on the second reading of Bill (No. 10) intituled “ An Act respecting Actions against Trade Unions and Kindred Associations.”

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

With the consent of the Government, Bill (No. 14) intituled “ An Act relating to the Employment on Works carried on under Franchises granted by Private Acts ” was read a second time.

To be committed at the next sitting of the House.

Bill (No. 46) intituled “ An Act to further amend the ‘ Supreme Court Act,’ ” was read a second time.

To be committed at the next sitting of the House.

Mr. *McPhillips* moved "That Bill (No. 48) intituled 'An Act to amend the 'Animals Act,' be read a second time now.

Mr. *Martin* moved in amendment that the word "now" be struck out, and the words "this day six months hence" be substituted therefor.

Question proposed—"Shall the word proposed to be struck out stand part of the question?" and *Resolved* in the negative on the following division:—

YEAS :

Messieurs

<i>Smith, E. C.,</i>	<i>Murphy,</i>	<i>Helmcken,</i>	<i>Eberts,</i>
<i>Fulton,</i>	<i>McPhillips,</i>	<i>Prentice,</i>	<i>Clifford,</i>
<i>Green,</i>	<i>Taylor,</i>	<i>Dunsmuir,</i>	<i>Prior—12.</i>

NAYS :

Messieurs

<i>McInnes,</i>	<i>Neill,</i>	<i>Munro,</i>	<i>Kidd,</i>
<i>Stables,</i>	<i>Gifford,</i>	<i>McBride,</i>	<i>Wells,</i>
<i>Oliver,</i>	<i>Hayward,</i>	<i>Smith, A. W.,</i>	<i>Hall,</i>
<i>Hawthornthwaite,</i>	<i>Martin,</i>	<i>Ellison,</i>	<i>Rogers—16.</i>

Question proposed—"Shall the words proposed to be inserted stand part of the question?" and *Resolved* in the affirmative on the same division.

Main question, as amended, carried.

Bill (No. 49) intituled "An Act to amend the 'Youths' Protection Act,'" was read a second time.

To be committed at the next sitting of the House.

Mr. McBride asked the Government the following questions:—

1. Is *J. N. Greenshields*, K. C., still in the service of the Government?
2. If so, under what terms?

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

"1. Yes, but only in respect to any negotiations between the Dominion and Provincial Governments.

"2. If by 'terms' is meant payment for his services, there is no agreement for any further payment in addition to \$2,000 already paid for past and future services."

The Hon. *Mr. Prior* presented a Return under section 143 of the "Mineral Act." Also a Return of the amendments to the regulations approved under the provisions of the "Coal Mines Regulation Act Amendment Act, 1901," on the 9th day of January, 1902.

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 6 o'clock, P. M.

Monday, 19th May, 1902.

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

Bill (No. 14) intituled "An Act relating to the Employment on Works carried on under Franchises granted by Private Acts" was committed.

Reported complete without amendment.

Report adopted.

Third reading to-morrow.

Bill (No. 46) intituled "An Act to further amend the 'Supreme Court Act'" was committed.

Reported complete with amendments.
Report to be considered to-morrow.

Bill (No. 49) intituled "An Act to amend the 'Youths' Protection Act'" was committed.

Reported complete with amendments.
Report to be considered to-morrow.

Bill (No. 51) intituled "An Act to amend the 'Game Protection Act, 1898,'" was read a second time.

To be committed to-morrow.

The Order for the second reading of Bill (No. 54) intituled "An Act further to amend the 'Legal Professions Act'" was discharged.

The second reading of Bill (No. 58) intituled "An Act to amend the 'Provincial Elections Act' and amending Acts" was negatived.

Bill (No. 59) intituled "An Act to amend the 'Municipal Elections Act,'" *Ordered* for second reading, was withdrawn.

The second reading of Bill (No. 61) intituled "An Act respecting Railway and Steamship Transportation in certain Cases" was negatived on the following division:—

YEAS :

Messieurs

<i>Smith, E. C.,</i>	<i>Gifford,</i>	<i>Curtis,</i>	<i>Murphy,</i>
<i>Oliver,</i>	<i>Garden,</i>	<i>Tatlow,</i>	<i>Taylor,</i>
<i>Hawthornthwaite,</i>	<i>Fulton,</i>	<i>Green,</i>	<i>Helmcken—14.</i>
<i>Neill,</i>	<i>Martin,</i>		

NAYS :

Messieurs

<i>McInnes,</i>	<i>Prentice,</i>	<i>Clifford,</i>	<i>Rogers,</i>
<i>Stables,</i>	<i>Dunsmuir,</i>	<i>Kidd,</i>	<i>Hunter,</i>
<i>Hayward,</i>	<i>Eberts,</i>	<i>Wells,</i>	<i>Dickie,</i>
<i>Munro,</i>	<i>Smith, A. W.,</i>	<i>Prior,</i>	<i>Mounce—19.</i>
<i>McPhillips,</i>	<i>Ellison,</i>	<i>Hall,</i>	

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

And then the House adjourned at 11 o'clock, P. M.

Tuesday, 20th May, 1902.

Prayers by the Rev. *Alex. Fraser.*

TWO O'CLOCK, P. M.

The Hon. the Minister of Finance presented the Annual Return of Official Administrators for the year ending 31st December, 1901.

The House proceeded to the Orders of the Day, beginning with "Public Bills in the hands of Private Members," after "Questions put by Members."

The Hon. the Minister of Finance informed the House that in the reply given yesterday to the question asked by the Member for Rossland (5) respecting the overdraft at the Bank in excess of the amount specified by the "Overdraft Act, 1901," it was stated in error that the amount was authorised by an Order in Council.

The reply should have been as follows:—

"\$198,234 in excess of the amount specified in the 'Overdraft Act, 1901,' by arrangement with the Bank pending the flotation of a loan, as provided by the 'Loan Acts, 1891, 1899 and 1901.'"

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

1. At whose request, or by whose advice, was *Frank Walker* appointed a Police Commissioner for the City of Rossland?
2. When was such request made, or advice given, and to what member or members of the Government?
3. Has the said *Frank Walker* sent in his resignation as such Commissioner?
4. If so, when?
5. Has it been accepted?
6. If not, why not?
7. If it has been accepted, has his successor been appointed?
8. If not, when will the appointment be made?

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

"1. He was appointed by His Honour the Lieutenant-Governor, at the request and upon the advice of His Ministers.

"2. On or about the 31st of January, 1902.

"3. No."

Mr. *McBride* moved, seconded by Mr. *Green*,—

That this House do now adjourn.

This motion is made for the purpose of discussing a matter of urgent public importance, viz., the representation of this Province at the meeting held to-day at Ottawa for the discussion of the fisheries question between the federal and local authorities.

After debate, the motion was withdrawn.

On the third reading of Bill (No. 14) intituled "An Act relating to the employment on Works carried on under Franchises granted by Private Acts," Mr. *Helmcken* (with the consent of the Government) moved to add the following new section:—

"10. The Lieutenant-Governor in Council may appoint the Superintendent of Provincial Police and any Provincial Police Constable, or other persons, as officers to carry out and enforce the provisions of this Act."

Carried.

The third reading of the Bill was adjourned until the next sitting of the House.

Bill (No. 51) intituled "An Act to amend the 'Game Protection Act, 1898,'" was committed.

Reported complete with amendments.

Report to be considered at the next sitting of the House.

Order for the second reading of Bill (No. 23) intituled "An Act to amend the 'Railway Assessment Act'" called.

Mr. Speaker *Pooley*: In my opinion this Bill is out of order.

The Railway Assessment Act, which it is proposed to amend, is an Act which can only be introduced by the Government, and cannot be amended by an Act introduced by a Private Member, except with the consent of the Government. *Speakers' Decisions*, p. 63.

It also interferes with the revenue, and is out of order. *See Speakers' Decisions*, p. 138.

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

HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to aid the construction of a Railway from Victoria to Yellowhead Pass," and recommends the same to the Legislative Assembly.

Government House,
20th May, 1902.

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

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

HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

The Lieutenant-Governor transmits herewith a Bill intituled "An Act to aid the Construction of a Railway from Vancouver to Midway," and recommends the same to the Legislative Assembly.

Government House,
20th May, 1902.

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

Order for the second reading of Bill (No. 33) intituled "An Act to amend the 'British Columbia Public Works Loan Act, 1901,'" called.

Mr. Speaker *Pooley*: In my opinion, this Bill is out of order.

The "British Columbia Public Works Loan Act, 1901," which it is proposed to amend, is an Act appropriating large sums of the public money for the construction of public works, and is a measure that can only be introduced by the Government.

A Private Member cannot introduce an original Bill which affects a prerogative of the Crown, or any measure amending such Bill, without first obtaining the consent of the Crown. Speakers' Decisions, p. 63.

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

Bill (No. 67) intituled "An Act further to amend the 'Legal Professions Act,'" "

Bill (No. 57) intituled "An Act to amend the 'Municipal Elections Act,'" "

Bill (No. 69) intituled "An Act further to amend the 'Provincial Elections Act.'" "

Bill (No. 68) intituled "An Act respecting Deception in procuring Workmen or Employees" was read a second time on the following division:—

YEAS:

Messieurs

<i>McInnes,</i>	<i>Neill,</i>	<i>Munro,</i>	<i>Helmcken,</i>
<i>Gilmour,</i>	<i>Gifford,</i>	<i>Tatlow,</i>	<i>Kidd,</i>
<i>Stables,</i>	<i>Garden,</i>	<i>McBride,</i>	<i>Houston,</i>
<i>Smith, E. C.,</i>	<i>Fulton,</i>	<i>Murphy,</i>	<i>Hall,</i>
<i>Oliver,</i>	<i>Martin,</i>	<i>McPhillips,</i>	<i>Dickie—23</i>
<i>Hawthornthwaite,</i>	<i>Curtis,</i>	<i>Taylor,</i>	

NAYS:

Messieurs

<i>Hayward,</i>	<i>Eberts,</i>	<i>Wells,</i>	<i>Hunter,</i>
<i>Prentice,</i>	<i>Smith, A. W.,</i>	<i>Prior,</i>	<i>Mounce—11.</i>
<i>Dunsmuir,</i>	<i>Clifford,</i>	<i>Rogers,</i>	

To be committed at the next sitting of the House.

On the motion of Mr. *Gilmour*, Bill (No. 88) intituled "An Act to amend the 'Medical Act, 1898,'" was introduced and read a first time.

Second reading at the next sitting of the House.

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 6 o'clock, P.M.

Tuesday, 20th May, 1902.

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

Mr. *Oliver* presented a Petition from *Henry T. Thrift*, of Hazelmere, *re* unprotected state of the New Westminster Southern Railway Company's line, and the damage caused thereby to stock.

Laid on the table.

Bill (No. 14) intituled "An Act relating to the employment on Works carried on under Franchises granted by Private Acts," was read a third time and passed.

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

Progress reported.

Committee to sit again to-morrow.

Bill (No. 68) intituled "An Act respecting Deception in procuring Workmen or Employees" was committed.

Progress reported.

Committee to sit again to-morrow.

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

And then the House adjourned at 11:40 o'clock, P. M.

Wednesday, 21st May, 1902.

TWO O'CLOCK, P. M.

Prayers by the Rev. *Alex. Fraser*.

Mr. *Hawthornthwaite* presented the following petitions asking for legislation regulating the business of barbering:—

<i>W. J. Quinlan</i> and others,	residents of Nelson.
<i>J. H. Matheson</i>	" " "
<i>G. D. Brown</i>	" " Kamloops.
<i>W. H. Brooking</i>	" " "
<i>J. F. Davison</i>	" " Nanaimo.
<i>W. H. Thorpe</i>	" " "
<i>Wm. Fowler</i>	" " Revelstoke.
<i>T. W. Bain</i>	" " "
<i>J. J. Morgan</i>	" " Greenwood.

Alex. McIntosh and others, residents of Vancouver.
J. A. Miller " " "
M. F. Sloper " " Grand Forks.
Jno. A. Williamson " " "
David Walker " " New Westminster.
George Gibson " " Phoenix.

The House proceeded to the Orders of the Day, after "Questions by Members."

Mr. *Tatlow* asked the Hon. the Chief Commissioner of Lands and Works the following questions:—

1. What number of leases have been granted during the two years ending May 1st, 1902, under the provisions of the "Land Act?"

2. What are the names of the lessees, the purposes for which such lands are leased, and the area of each leasehold?

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

DATE.	LESSEE.	PURPOSE.	AREA.
12th September, 1900	A. Richards	Oyster beds	5.5
15th October, 1901	R. Mahon	"	73
2nd August, 1900	E. B. Drummond	Hay meadow	160
30th August, "	F. M. Becher	"	80
25th October, "	N. Fiset	"	40
" "	M. C. Ross	"	80
28th November, "	D. P. Arthur	"	80
29th November, "	O. A. Earley	"	40
22nd August, 1901	J. Wright	"	40
1st December, "	M. D. Ross	"	80
23rd November, "	C. Laronde	"	40
10th April, 1902	C. M. Ross	"	40
" "	J. Darcy	"	160
14th April, "	J. Sheridan	"	80
28th August, 1900	Princess Royal Cannery Co.	Fishing station	134
18th October, "	Morrison, Jackson & Harris	"	155
7th February, 1901	E. Matheson	"	10
8th March, "	Cleeve Canning & Cold Storage Co., Ltd. Ly	"	8
24th June, "	United Canneries of B. C., Ltd.	"	33
8th October, "	J. B. Farquhar	"	20
22nd May, 1900	T. C. Larney	Stone quarry	164
14th December, 1901	A. Linroth	"	42
6th August, 1900	T. R. Young	Grazing	365
" "	Nelson Saw & Planing Mills, Ltd	Saw-mill	5 84/100
1st September, "	J. H. Russell	Brewery site	1
1st August, "	British America Corporation	Wharf site frontage	60 feet.
14th June, 1901	The South Vancouver & Burnaby Hort. &	Exhibition buildings	15
11th June, "	A. W. Shiels	Garden	1.
5th August, "	J. Boyd	Grazing	320
12th December, "	W. Parker	"	640
22nd February, 1902	C. M. Beecher	Game preserve	380
" "	A. S. Ulrich	Pastoral	120
13th March, "	H. P. Felker	"	239
14th March, "	J. Coughlan	Brickmaking	
10th April, "	N. Pigeon	Pastoral	82
15th April, "	C. P. R.	Wharf site	

Mr. *Neill* asked the Government the following questions:—

1. Is *James B. Thomson* a clerk in the Provincial Government Office at Alberni?
 2. Was the said *James B. Thomson* a candidate in the Alberni Electoral District at the last general election?

3. Has the attention of the Government been called to the fact that the said *James B. Thomson*, at a political meeting at Alberni on the 17th inst., moved a resolution calling on the Member for the District, Mr. *Neill*, to either support the railway policy of the Government or resign his seat in the House?

4. Does such active interference in politics on the part of its employees meet with the approval of the Government?

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

“1. There is a Jas. B. Thomson in the office there.

“2. One J. B. Thomson was a candidate.

“3. No.

“4. I decline to answer.”

Pursuant to Order, the House resolved itself into a Committee of the Whole to consider the Message of His Honour the Lieutenant-Governor transmitting Bill (No. 85A) intituled “An Act to aid the Construction of a Railway from Victoria to Yellowhead Pass.”

(IN THE COMMITTEE.)

The Hon. the Attorney-General moved—

That the Committee rise and report to the House, recommending the introduction of Bill (No. 85A) intituled “An Act to aid the construction of a Railway from Victoria to Yellowhead Pass.”

Mr. *Oliver* moved in amendment, seconded by Mr. *Hawthornthwaite*:—

That all the words of the Resolution after the first word “That” be struck out, and the following substituted therefor:—“this Committee (having in view the fact that the Government have on previous occasions this Session placed before the House, first, a draft contract for the construction of the Canadian Northern Railway; second, a signed agreement with the Edmonton and Yukon Railway Co. for the construction of a railway from the Yellowhead Pass to Bute Inlet; third, a signed agreement with *McLean Bros.* for the construction of a line of railroad from Vancouver to Midway, and also submitted, by Message of His Honour the Lieutenant-Governor, a Bill to ratify agreements entered into between the Government and the Edmonton and Yukon Railway Co., and between the Government and *McLean Bros.*; and the beforementioned agreements not being in the best interests of the Province, and having in view the fact that the Government has no well-defined railway policy) rise and report to the House that this Committee considers it inadvisable to entrust the Government with any such powers as those contained in the proposed Bill.”

Mr. *Hunter*, Chairman of the Committee, reported progress and asked leave to sit again. Leave granted for this evening.

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 6 o'clock, P. M.

Wednesday, 21st May, 1902.

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

Pursuant to Order, the House again resolved itself into a Committee of the Whole on the Message of His Honour the Lieutenant-Governor transmitting Bill (No. 85A) intituled “An Act to aid the Construction of a Railway from Victoria to Yellowhead Pass.”

The Chairman reported progress and asked leave to sit again. Committee to sit again to-morrow.

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

And then the House adjourned at 11 o'clock, P. M.