

JOURNALS  
OF THE  
LEGISLATIVE ASSEMBLY  
OF THE PROVINCE OF  
BRITISH COLUMBIA.

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SESSION, 1881.

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Monday, 24th January, 1881.

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THREE O'CLOCK P. M.

This being the first day of the fourth meeting of the Third Parliament or Legislative Assembly of the Province of British Columbia, for the dispatch of business, pursuant to a Proclamation of His Honour the Honourable Albert Norton Richards, Lieutenant-Governor of the Province, dated the twenty-fifth day of November, 1880.

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

*Mr. Speaker:*

*Gentlemen of the Legislative Assembly:*

Agreeably to the wishes which you expressed last Session, I have convened the Legislature thus early in the year, and have much pleasure in welcoming you to your legislative duties.

Shortly after receiving the Address which you presented to me in May last respecting Railway matters, the Resolutions which were unanimously passed by your body, urging commencement of work on the Island portion of the Overland line not later than this coming Spring, were forwarded by me to the Honourable the Secretary of State, together with a Minute of Council strongly recommending compliance with your views.

Not having received any reply of an assuring character, I deemed it expedient during the recess to appoint the Honourable Mr. DeCosmos, as Special Agent at Ottawa, with instructions to press upon the Dominion Government the importance of commencing the work—to point out its commercial and economic value—and to represent the serious injury inflicted upon the Province by the withdrawal from sale and settlement for the past seven years, at the instance of the Dominion, of extensive tracts of valuable land on the East Coast of the Island, without even the compensating advantages of Railway construction. I hoped to have been able to have communicated to-day the result attained, but through unexpected delays in the negotiations I am not in a position to do so. I trust, however, before long to be able to place it before you.

Since last I had the pleasure of meeting you, Railway work has been commenced on the Mainland, but it cannot escape your observation that the Railway obligations of Canada to British Columbia are not being carried out.

You will be pleased to learn that during the recess the construction of the Graving Dock has also been commenced and in accordance with arrangements made for its completion. The Resident Engineer's Report, which will be laid before you, will show that satisfactory progress has been made on the work.

The information received from the Government Agents in the outlying Districts with respect to Mining interests is very encouraging. Valuable discoveries of gold deposits, in ground well suited for Hydraulic Mining, have been made on the banks of the Fraser within the District of Cariboo. The output of Coal, too, has exceeded that of any previous year, while the Agricultural Settlements generally exhibit improvement.

The Dominion Government having given partial effect to your Administration of Justice Act of 1878, by the appointment of two Supreme Court Judges, who were selected from the Bar of the Province, I caused a Proclamation to be issued bringing the suspended clauses of the Act into operation. Additional legislation will be submitted to you with a view of carrying out the system introduced by the Act.

The Public Accounts will be laid before you, and your consideration invited to Estimates for the ensuing year.

I shall now take leave of you, feeling confident that your labours will, under Providence, be governed by a sincere desire on your part to promote the welfare of the Country.

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

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

On the motion of the Honourable Mr. *Walkem*, seconded by the Honourable Mr. *Beaven*,—

*Ordered*, That the Speech of His Honour the Lieutenant-Governor be taken into consideration on Wednesday next.

On the motion of the Honourable Mr. *Walkem*, seconded by the Honourable Mr. *Beaven*,—

*Resolved*, That the House, at its rising, do stand adjourned until Wednesday next, at two o'clock p. m.

On the motion of the Honourable Mr. *Walkem*, seconded by the Honourable Mr. *Beaven*, Bill (No. 1) intituled "An Act to amend the 'Revenue Act, 1879,'" was introduced.

The Bill was then read a first time.

*Ordered* to be read a second time on Wednesday next.

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

*Ordered*, That Select Standing Committees of this House, for the present Session, be appointed for the following purposes:—

1. On Standing Orders and Private Bills;
2. On Public Accounts;
3. On Printing;

which said Committees shall severally be empowered to examine and enquire into all such matters and things as shall be referred to them by the House, and to report from time to time their observations and opinions thereon, with power to send for papers persons, and records.

*Resolved*, That if it shall appear that any person hath been elected or returned a Member of this House, or endeavoured so to be by bribery or other corrupt practices, this House will proceed with the utmost severity against all such persons as shall have been wilfully concerned in such bribery or other corrupt practices.

And then the House adjourned at 3.30 p. m., till two o'clock on Wednesday.

Wednesday, January 26th 1881.

TWO O'CLOCK, P. M.

Mr. Ash presented a Petition from the residents of *Comox*, which was read, received, and *Ordered* to be laid on the table.

Pursuant to Order, the House proceeded to take into consideration the Speech of His Honour the Lieutenant-Governor.

Mr. E. Brown moved, seconded by Mr. Abrams,—

1. That an humble Address be presented to His Honour the Lieutenant-Governor thanking him for his gracious Speech at the opening of this the Fourth Session of the third term of the Provincial Legislature.

2. That we are pleased that His Honour has, agreeably to the wishes expressed by us last Session, convened the Legislature thus early in the year.

3. That we are glad to learn that shortly after receiving the Address presented to His Honour by us in May last respecting Railway matters, the Resolutions which were unanimously passed by this House, urging commencement of work on the Island portion of the Overland line not later than this coming Spring, were forwarded by His Honour to the Honourable the Secretary of State, together with a Minute of Council strongly recommending compliance therewith.

4. That we learn with satisfaction that His Honour, having received no satisfactory reply, deemed it expedient during the recess to appoint the Honourable Mr. DeCosmos, as Special Agent at Ottawa, with instructions to press upon the Dominion Government the importance of commencing the work—to point out its commercial and economic value—and to represent the serious injury inflicted upon the Province by the withdrawal from sale and settlement for the past seven years, at the instance of the Dominion, of extensive tracts of valuable land on the East Coast of the Island, without even the compensating advantages of Railway construction; and we are pleased to be informed that His Honour, although unable, through unexpected delays in the negotiations, to communicate to us the result attained, hopes to be enabled to do so shortly.

5. That it is satisfactory to know that, since last Session of the Provincial Legislature, Railway work has been commenced on the Mainland, but we have not failed to observe that the Railway obligations of Canada to British Columbia are not being carried out.

6. That we are glad to know that during the recess the construction of the Graving Dock has also been commenced and in accordance with arrangements made for its completion. And we learn with pleasure that the Resident Engineer's Report, promised to be laid before us, will show that satisfactory progress has been made on the work.

7. That it affords us much pleasure to learn that the information received from the Government Agents in the outlying Districts with respect to Mining interests is very encouraging. That valuable discoveries of gold deposits, in ground well suited for Hydraulic Mining, have been made on the banks of the Fraser within the district of Cariboo. And that the output of Coal, too, has exceeded that of any previous year, while the Agricultural Settlements generally exhibit improvement.

8. That we are much gratified to be informed that the Dominion Government having given partial effect to our Administration of Justice Act of 1878, by the appointment of two Supreme Court Judges, who were selected from the Bar of the Province, His Honour caused a Proclamation to be issued bringing the suspended clauses of the Act into operation. And that we will give our best attention to any measure which may be submitted to us with a view of carrying out the system introduced by the Act.

9. That we thank His Honour for the assurance that the Public Accounts will be laid before us and our consideration invited to Estimates for the ensuing year.

10. That His Honour may rest assured that our labours will, under Providence, be governed by a sincere desire on our part to promote the welfare of the Country.

The several clauses being, on motion, taken as again read, were agreed to, and it was *Resolved* accordingly.

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

That the Resolution to present an Address to His Honour the Lieutenant-Governor, thanking His Honour for his gracious Speech, be referred to a Select Committee, composed as follows:—

The Honourable the Attorney-General, the Honourable the Minister of Finance, and the Honourable the Provincial Secretary, and Messrs. *E. Brown* and *Abrams*.

The Honourable Mr. *Walkem*, from the Select Committee, reported an Address, which read as follows:—

*To the Honourable ALBERT NORTON RICHARDS, Lieutenant-Governor of the Province of British Columbia:*

We, Her Majesty's dutiful and loyal subjects, the Legislative Assembly of the Province of British Columbia in Parliament assembled, humbly thank Your Honour for your gracious speech at the opening of this the Fourth Session of the third term of the Provincial Legislature.

We are pleased that Your Honour has, agreeably to the wishes expressed by us last Session, convened the Legislature thus early in the year.

We are glad to learn that shortly after receiving the Address presented by us, in May last, respecting Railway matters, the Resolutions which were unanimously passed by this House, urging commencement of work on the Island portion of the Overland line not later than this coming spring, were forwarded by Your Honour to the Honourable the Secretary of State, together with a Minute of Council strongly recommending compliance therewith.

We learn with satisfaction that Your Honour, having received no satisfactory reply, deemed it expedient during the recess to appoint the Honourable Mr. DeCosmos, as Special agent at Ottawa, with instructions to press upon the Dominion Government the importance of commencing the work—to point out its commercial and economic value—and to represent the serious injury inflicted upon the Province by the withdrawal from sale and settlement for the past seven years, at the instance of the Dominion, of extensive tracts of valuable land on the East Coast of the Island, without even the compensating advantages of Railway construction; and we are pleased to be informed that Your Honour, although unable, through unexpected delays in the negotiations, to communicate to us the result attained, hopes to be enabled to do so shortly.

It is satisfactory to know that, since last Session of the Provincial Legislature, Railway work has been commenced on the Mainland, but we have not failed to observe that the Railway obligations of Canada to British Columbia are not being carried out.

We are glad to know that during the recess the construction of the Graving Dock has also been commenced and in accordance with arrangements made for its completion. And we learn with pleasure that the Resident Engineer's Report, promised to be laid before us, will show that satisfactory progress has been made on the work.

It affords us much pleasure to learn that the information received from the Government Agents in the outlying districts with respect to mining interests is very encouraging. That valuable discoveries of gold deposits, in ground well suited for Hydraulic Mining, have been made on the banks of the Fraser within the district of Cariboo. And that the output of Coal, too, has exceeded that of any previous year, while the Agricultural Settlements generally exhibit improvement.

We are much gratified to be informed that the Dominion Government having given partial effect to our Administration of Justice Act of 1878, by the appointment of two Supreme Court Judges, who were selected from the Bar of the Province, Your Honour caused a Proclamation to be issued bringing the suspended clauses of the Act into operation. And that we will give our best attention to any measure which may be submitted to us with a view of carrying out the system introduced by the Act.

We thank Your Honour for the assurance that the Public Accounts will be laid before us and our consideration invited to Estimates for the ensuing year.

Your Honour may rest assured that our labours will, under Providence, be governed by a sincere desire on our part to promote the welfare of the Country.

The Address was *Ordered* to be printed, and taken into consideration forthwith.

The said Address, in reply to His Honour the Lieutenant-Governor's Speech, being again read, was agreed to.

*Ordered*, That the Address, in reply to the Speech, be presented to His Honour the Lieutenant-Governor by such Members as are of the Executive Council.

The Honourable Mr. *Walkem* presented, by command of His Honour the Lieutenant-Governor, the Seventh Annual Report of the Registrar of Births, Deaths, and Marriages. (*See Sessional Papers.*)

The Honourable Mr. *Humphreys* presented, by command of His Honour the Lieutenant-Governor, the Ninth Annual Report on Public Schools. (*See Sessional Papers*)

The Honourable Mr. *Humphreys* presented, by command of His Honour the Lieutenant-Governor, the List of Voters for the year 1880. (*See Sessional Papers.*)

The Honourable Mr. *Humphreys* presented, by command of His Honour the Lieutenant-Governor, a Statement of the names and residences of Collectors of Revenue paid by Commission, rate of same, and date of authority therefor. (*See Sessional Papers.*)

The Honourable Mr. *Humphreys* presented, by command of His Honour the Lieutenant-Governor, a Statement of all bonds deposited in the Provincial Secretary's Office by Civil Officers of the Province, for the due performance of their duties, under the "Civil Officers' Securities Act, 1872." (*See Sessional Papers.*)

The Honourable Mr. *Walkem* presented, by command of His Honour the Lieutenant-Governor, Papers in connection with the construction of the Canadian Pacific Railway, between the Dominion, Imperial, and Provincial Governments. (*See Sessional Papers.*)

The Honourable Mr. *Beaven* presented, by command of His Honour the Lieutenant-Governor, the Public Accounts of the Province for the year ending 30th June, 1880. (*See Sessional Papers.*)

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 2) intituled "An Act to amend the 'British Columbia Line Fences and Water Courses Act, 1876.'"

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time at the next sitting of the House.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 3) intituled "An Act to amend the 'Public Parks Act, 1876.'"

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time at the next sitting of the House.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 4) intituled "An Act respecting the law of property and to relieve Trustees."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time at the next sitting of the House.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 5) intituled "An Act to consolidate and amend the Municipal Acts."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time at the next sitting of the House.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 6) intituled "An Act to amend the Mechanics' Lien Law."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time at the next sitting of the House.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 7) intituled "An Act respecting the Supreme Court Rules, 1880."

*Ordered*, That leave be granted.  
Bill introduced.

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

In the case that the Dominion Government should refuse to build the *Esquimalt-Nanaimo* Railway, or should propose to defer its construction for an indefinite time, is it the intention of the Provincial Government to submit to the House any policy on the subject?

The Honourable the Attorney-General replied as follows:—

"I am not bound to answer hypothetical questions; but I may state, as soon as the result of the pending negotiations is received, the views of the Government will be made known to the House."

Messrs. *Wilson, Cowan, Smithe, Bennett*, and *E. Brown* were nominated to form the Select Standing Committee on Private Bills and Standing Orders.

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

And then the House adjourned, at 3 o'clock p. m.

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Friday, January 28th, 1881.

TWO O'CLOCK, P. M.

On the motion of Mr. *Mara*, seconded by Mr. *Vernon*, it was *Resolved*,—

That an Order of the House be granted for copies of all Tenders received by the Chief Commissioner of Lands and Works since July last, for the maintenance of a Ferry at *Savona*.

Mr. *Smithe* moved, seconded by Mr. *Pimbury*,—

That copies of all correspondence between the Government of the Province and the Government of the Dominion, from 4th November, 1880, to date, upon the subject of the non-construction of the *Island Railway*, be submitted to this House.

Motion withdrawn by leave of the House.

Pursuant to Order, Bill No. 1, intituled "An Act to amend the 'Revenue Act, 1879,'" was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Harris*, Chairman of the Committee, reported the Bill complete, without amendment.

Report adopted.

*Ordered* to be read a third time on Monday next.

Pursuant to Order, Bill No. 2, intituled "An Act to amend the 'British Columbia Line Fences and Water Courses Act, 1876,'" was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Cowan*, Chairman of the Committee, reported the Bill complete, with amendments.

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

Pursuant to Order, Bill No. 6, intituled "An Act to amend the 'Mechanics' Lien Act, 1879,'" was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Pimbury*, Chairman of the Committee, reported the Bill complete, without amendment.

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

The Honourable Mr. *Walkem* presented, by command of His Honour the Lieutenant-Governor, the Report of the Chief Commissioner of Lands and Works for the year ending 31st December, 1880. (*See Sessional Papers.*)

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

And then the House adjourned, at 3 o'clock p. m.

Monday, January 31st, 1881.

TWO O'CLOCK, P. M.

Mr. *E. Brown* presented a Petition from the Lord Bishop of British Columbia and others, for a Private Bill.

*Ordered*, That the Petition be received.

Mr. *McGillivray* presented a Petition from *Samuel Greer*, which was read and received.

Mr. *Abrams* presented a Petition from the Vancouver Coal Mining and Land Company, Limited, for a Private Bill.

*Ordered*, That the Petition be received.

The Honourable Mr. *Walkem* presented copies of Tenders received for the maintenance of a Ferry at *Savona*.

The Honourable Mr. *Beaven* asked leave to introduce a Bill (No. 8) intituled "An Act respecting the exemption of Firemen from Jury duty."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Monday next.

On the motion of Mr. *Abrams*, seconded by Mr. *McGillivray*, it was *Resolved*,—

That an Order of the House be granted for copies of all correspondence between the present Superintendent of Education and the Trustees of the *Wellington School*.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 9) intituled "An Act to amend the 'Mineral Act, 1878.'"

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Thursday next.

On the motion of Mr. *Pimbury*, seconded by Mr. *Smithe*, it was *Resolved*,—

That a Report be submitted to this House of all applications for new school districts, with statement of the number of children of school age that accompanied each application; also, for increase of teachers or school accommodation, giving (in every case) the name of place and electoral district, and the result, whether granted or refused; also, the names of all teachers who have temporary certificates, the length of time they have been teaching, and the names of places and electoral districts in which they are employed. The Report to cover the period commencing July, 1878, to present date,

Pursuant to Order, Bill No. 1, intituled "An Act to amend the 'Revenue Act, 1879,'" was read a third time.

*Resolved*, That the Bill do pass.

Pursuant to Order, the Report on Bill No. 2, intituled "An Act to amend the 'British Columbia Line Fences and Water Courses Act, 1876,'" was considered.  
Report adopted.

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

Pursuant to Order, Bill No. 3, intituled "An Act to amend the 'Public Parks Act, 1876,'" was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Gallagher*, Chairman of the Committee, reported the Bill complete, with amendments.

*Ordered* That the Report be considered to-morrow.

Pursuant to Order, Bill No. 4, intituled "An Act to further amend the Law of Property, and to relieve Trustees," was read a second time.

*Ordered* to be committed to-morrow.

On the consideration of the Report on Bill No. 6, intituled "An Act to amend the 'Mechanics' Lien Act, 1879,'" the following Section was added:—

"6. Section 26 is hereby amended by adding the word 'sale' after the word 'such,' in the seventeenth line thereof."

*Ordered*, That the Report be further considered 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 4.30 o'clock, p. m.

Tuesday, February 1st, 1881.

TWO O'CLOCK, P. M.

Pursuant to Order, the Report on Bill No. 3, intituled "An Act to amend the 'Public Parks Act, 1876,'" was considered.

Report adopted.

*Ordered* to be read a third time on Thursday next.

Pursuant to Order, Bill No. 4, intituled "An Act to further amend the law of Property, and to relieve Trustees," was committed.

On Mr. Speaker resuming the Chair, Mr. *McIlmoyl*, Chairman of the Committee, reported the Bill complete, with amendments.

*Ordered*, That the Report be considered on Thursday next.

Pursuant to Order, the Report on Bill No. 6, intituled "An Act to amend the Mechanics' Lien Act, 1879,'" was adopted.

*Ordered* to be read a third time on Thursday next.

*Resolved*, That the House, at its rising, do stand adjourned until two o'clock, p. m., on Thursday next.

Messrs. *Wilson*, *Saul*, *McIlmoyl*, *Mara*, and *Smithe* were nominated to form the Select Standing Committee on Public Accounts.

Messrs. *Williams*, *McGillivray*, *Drummond*, *Ferguson*, and *Ash* were nominated to form the Select Committee on Printing.

And then the House adjourned at 4 o'clock, p. m.



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Thursday, February 3rd, 1881.

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TWO O'CLOCK, P. M.,

Mr. *W. Brown* presented a Petition from *Joseph L'Italian* and others, which was read and *Ordered* to be laid on the table.

Mr. *Smithe* presented the First Report from the Select Committee on Standing Orders and Private Bills.

Mr. *E. Brown* asked leave to introduce a Private Bill (No. 10) to constitute the Bishops of British Columbia, Caledonia, and New Westminster, Corporations Sole.

*Ordered*, That leave be granted.

Bill introduced and read a first time.

Referred back to the Select Standing Committee on Standing Orders and Private Bills.

Mr. *Abrams* asked leave to introduce a Private Bill (No. 11) intituled "An Act to enable the Vancouver Coal Mining and Land Company, Limited, to sink shafts and to construct a Railway in, on, or near to the Esplanade at Nanaimo."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

Referred back to the Select Standing Committee on Standing Orders and Private Bills.

Mr. *Mara* moved, seconded by Mr. *Smithe*,—

That an humble Address be presented to His Honour the Lieutenant-Governor praying that he will be pleased to send down to this House copies of correspondence and Report of the Minister of Justice on the Acts passed by this Legislature during last Session.

Motion withdrawn by leave of the House.

On the motion of Mr. *McGillivray*, seconded by Mr. *Smithe*, it was *Resolved*,—

That in the opinion of this House it is desirable that a bonus should be offered by the Government for the purpose of encouraging the establishment of a Beet Sugar Factory in the Province.

On the motion of Mr. *Ferguson*, seconded by Mr. *Mara*, it was *Resolved*,—

That a respectful Address be presented to His Honour the Lieutenant-Governor, to send down to this House, at an early date, all papers and correspondence between the Provincial and Dominion Governments in connection with the "Cariboo Road Tolls Act, 1878," which was disallowed by His Excellency the Governor-General in Council; and also, for a full report of the results of the Attorney-General's Mission to *Ottawa* relative to said Act.

On the motion of Mr. *Ferguson*, seconded by Mr. *Wilson*, it was *Resolved*,—

That as there are no copies of the British North America Act on hand, and as several Members of the House have not received one, that the Provincial Secretary be authorized to publish a few copies, and that they be bound similar to those last printed.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 12) intituled "An Act to amend the law respecting Documentary Evidence in certain cases."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Monday next.

Mr. *Harris* asked the Honourable the Chief Commissioner of Lands and Works the following question :—

Has there been application from the Dominion Government Agent for information regarding lands transferred to them for Railway purposes, or any measures taken for their settlement?

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

“No application has been made, and I have no knowledge of any measures for settlement of the lands having been made.”

Pursuant to Order, Bill No. 3, intituled “An Act to amend the ‘Public Parks Act, 1876,’” was read a third time.

*Resolved*, That the Bill do pass.

Pursuant to Order, the Report on Bill No. 4, intituled “An Act to further amend the Law of Property, and to relieve Trustees,” was considered.

Report adopted.

*Ordered* to be read a third time on Monday next.

Pursuant to Order, Bill No. 6, intituled “An Act to amend the ‘Mechanics’ Lien Act, 1879,’” was read a third time.

*Resolved*, That the Bill do pass.

*Resolved*, That the Order for the second reading of Bill No. 9, intituled “An Act to amend the ‘Mineral Act, 1878,’” be discharged, and that the Bill be referred to a Select Committee consisting of the following Members :—Messrs. *Galbraith*, *Cowan*, *Gallagher*, *McGillivray*, and *Ferguson*.

Pursuant to Order, Bill No. 2, intituled “An Act to amend the ‘British Columbia Line Fences and Water Courses Act, 1876,’” was read a third time.

*Resolved*, That the Bill do pass.

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

And then the House adjourned at 4.30 o’clock, p. m.

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Monday, February 7th, 1881.

TWO O’CLOCK, P. M.

The Honourable Mr. *Walkem* presented to Mr. Speaker a Message from His Honour the Lieutenant-Governor, signed by His Honour.

The said Message was read by Mr. Speaker, and is as follows :—

A. N. RICHARDS.

*Mr. Speaker and Gentlemen of the Legislative Assembly :*

I thank you for your dutiful and loyal Address, and for the assurance given by you that the important subjects committed to you during the Session will receive your attention.

*Government House,*  
*February 4th, 1881.*

The Honourable Mr. *Humphreys* presented copies of the correspondence between the Superintendent of Education and the Trustees of the *Wellington School*. (*See Sessional Papers.*)

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 13) intituled "An Act to amend the 'County Court Ordinance, 1867.'" "

*Ordered*, That leave be granted.

Bill introduced and read a first time.

The Honourable Mr. *Humphreys* presented, by command of His Honour the Lieutenant-Governor, the Seventh Annual Report of the Minister of Mines, for the year ending 31st December, 1880. (*See Sessional Papers.*)

On the motion of Mr. *Harris*, seconded by Mr. *Helgesen*, it was *Resolved*,—

That a Select Committee be appointed to enquire into all circumstances connected with the *Matsqui* Dyke, with power to examine contracts, plans, specifications, and call for persons, books, and papers, and examine witnesses; the Committee to consist of Messrs. *Walkem*, *J. W. Williams*, *E. Brown*, *McGillivray*, and the mover.

Mr. *Harris* to asked leave to introduce a Bill (No. 14) intituled "An Act to amend 'An Act respecting the marking of Cattle (1875).'" "

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Wednesday next.

Moved by Mr. *Smithe*, seconded by Mr. *Mara*,—

'That in view of the grave charges publicly made of lawlessness in the District of *Kootenay*, this House is of opinion that a Judge of the Supreme Court ought to be instructed to proceed to that District, during the ensuing summer, to hold Court.

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

Moved by Mr. *Smithe*, seconded by Mr. *Saul*,—

That the disputed claims (against the Government) of Mr. *Allen*, late Collector of Taxes in the District of *Lillooet*, be referred to the Committee of Public Accounts, with power to call for persons and papers, and instructions to report to this House upon the subject.

A debate arose, upon which the House divided, and the motion was carried—10 yeas, 9 nays.

Pursuant to Order, Bill No. 8, intituled "An Act respecting the exemption of Firemen from Jury duty," was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *McGillivray*, Chairman of the Committee, reported the Bill complete, with amendments.

*Ordered*, That the report be considered to-morrow.

Pursuant to Order, Bill No. 4, intituled "An Act to further amend the Law of property, and to relieve Trustees," was read a third time.

*Resolved*, That the Bill do pass.

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

And then the House adjourned at 4.45 o'clock, p. m.

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Tuesday, February 8th, 1881.

TWO O'CLOCK, P. M.

Pursuant to Order, the Report on Bill No. 8, intituled "An Act respecting the exemption of Firemen from Jury duty," was considered.

Report adopted.

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

Pursuant to Order, Bill No. 12, intituled "An Act to amend the law respecting Documentary Evidence in certain cases," was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *W. M. Brown*, Chairman of the Committee, reported the Bill complete, without amendment.

Report adopted.

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

On the motion of Mr. *Ferguson*, seconded by Mr. *Mara*,—

That the House resolve itself into a Committee of the Whole to enquire into the causes of the large expenditure upon the *Cariboo* Road, and to suggest means whereby the large sums expended may be diminished, and the road still kept in good repair.

The House accordingly resolved itself into a Committee of the Whole to consider the Resolution.

[IN THE COMMITTEE.]

*Resolved*, That the *Cariboo* Waggon Road be divided into Sections, and the repairs for each Section let by contract, if practicable.

On Mr. Speaker resuming the Chair, Mr. *E. Brown*, Chairman of the Committee, reported the Resolution.

Report, with the Resolution, adopted.

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

And then the House adjourned at 4.50 o'clock, p. m.

Wednesday, February 9th, 1881.

TWO O'CLOCK, P. M.

Mr. *Ferguson* presented a Petition from *John Adair, Jr.*, and *Joseph Hunter*, which was read and received.

*Ordered* to be referred to the Select Committee on Private Bills.

Mr. *Smithe* presented a Petition from *A. B. Gray*, which was read and received.

*Ordered* to be referred to the Select Committee on Private Bills.

The Honourable Mr. *Humphreys* presented a Statement of all applications for new school districts, with statement of the number of children of school age that accompanied each application; also of increase of teachers and school accommodation, giving the name of place and electoral district, and the result, whether granted or refused; also, the names of all teachers who have temporary certificates, the length of time they have been teaching, and the names of places and electoral districts in which they are employed, from July, 1878, to present date. (*See Sessional Papers.*)

The Honourable Mr. *Beaven* presented, by command of His Honour the Lieutenant-Governor, the Public Accounts from 1st July to 31st December, 1880. (*See Sessional Papers.*)

Mr. *Galbraith* presented a Report from the Select Committee on Bill No. 9, intituled "An Act to amend the Mineral Act, 1878."

The Report was read, received, and *Ordered* to be printed. (*See Appendix.*)

On the motion of Mr. *Ash*, seconded by Mr. *Bennett*,—

That this House approves of the agreement for the building of the Canada Pacific Railway made between the Dominion Government and the Syndicate, to confirm which a Bill is now before the Dominion Government; and further, expresses its entire confidence that the present Dominion Government will fulfil, as far as is practicable at the present time, all the obligations of the Dominion to the Province for Railway construction.

The Honourable Mr. *Walkem* moved the Previous Question, which was *Resolved* in the negative.

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

That the Public Accounts presented on 26th January, 1881, and on this date, be referred to the Committee on Public Accounts.

On the motion of Mr. *Drummond*, seconded by Mr. *McGillivray*, it was *Resolved*,—

That a Select Committee be appointed by this House to visit the Royal Hospital, Public Schools, and Gaol, and report to this House; the Committee to consist of Messrs. *Abrams*, *Cowan*, *E. Brown*, *McGillivray*, and the mover.

On the motion of Mr. *Wilson*, seconded by Mr. *Helgesen*, it was *Resolved*,—

That a Committee be appointed to inspect the Dry Dock now under construction at *Esquimalt*, and report to this House; the Committee to consist of Messrs. *Smithe*, *Helgesen*, *Abrams*, *E. Brown*, *Galbraith*, and the mover.

Mr. *Pimbury* asked the Honourable the Minister of Agriculture the following question:—

Is it the intention of the Minister of Agriculture to submit to this House a Report on Agriculture during the present Session?

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

"Information and statistics have been collected during the past year, but their publication has not yet been decided upon by the Government."

Pursuant to Order, Bill No. 8, intituled "An Act respecting the exemption of Firemen from Jury duty," was read a third time.

*Resolved*, That the Bill do pass.

Pursuant to Order, Bill No. 12, intituled "An Act to amend the law respecting Documentary Evidence in certain cases," was read a third time.

*Resolved*, That the Bill do pass.

Pursuant to Order, Bill No. 14, intituled "An Act to amend 'An Act respecting the marking of Cattle (1875),' " was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Abrams*, Chairman of the Committee, reported the Bill complete, with amendments.

*Ordered*, That the report be considered 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 4 o'clock, p. m.

Thursday, February 10th, 1881.

TWO O'CLOCK, P. M.

Mr. *Smithe* presented the Second Report from the Private Bills Committee, which was read and received.

Mr. *Smithe* asked leave to introduce a Bill (No. 15) intituled "An Act granting to John Adair, Junior, and Joseph Hunter, the right to erect a dam at the outlet of the Quesnelle Lake, and to mine the bed of the South Fork River and other lands."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

Referred to the Select Committee on Private Bills.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 16) intituled the "Legal Professions Act, 1881."

*Ordered*, That leave be granted.

Mr. *Bennett* moved, seconded by Mr. *Wilson*,—

That, in the opinion of this House, it is not desirable that any Member of the Executive Council should hold any office of emolument under the Dominion Government.

Mr. *Galbraith* moved, in amendment, seconded by Mr. *Mara*,—

That the words "Executive Council" be struck out, and the words "Legislative Assembly" be substituted.

A debate arose, upon the close of which the House divided.

The amendment was put and lost on the following division:—

YEAS :

Messieurs

*Smithe*,  
*Pimbury*,  
*Galbraith*,

*Mara*,  
*Bennett*,  
*Williams*,

*Vernon*,  
*Ash*,

*Ferguson*,  
*Wilson*.—10

NAYS :

Messieurs

*Beaven*,  
*Saul*,  
*Gallagher*,  
*Helgesen*,

*McGillivray*,  
*Humphreys*,  
*McIlmoyl*,

*Abrams*,  
*Harris*,  
*Cowan*,

*Drummond*,  
*Brown, E.*,  
*Brown, W. M.*.—13

The original resolution put and lost on the following division :

YEAS ;

Messieurs

*Vernon*,  
*Pimbury*,

*Ferguson*,  
*Bennett*,

*Mara*,  
*Ash*,

*Smithe*,  
*Wilson*.—8

NAYS :

Messieurs

*Beaven*.  
*McIlmoyl*,  
*Brown, E.*,  
*McGillivray*,

*Humphreys*,  
*Drummond*,  
*Brown, W. M.*,  
*Galbraith*,

*Cowan*,  
*Gallagher*,  
*Helgesen*,  
*Williams*,

*Saul*,  
*Abrams*,  
*Harris*.—15

On the motion of Mr. *McGillivray*, seconded by Mr. *Bennett*, it was *Resolved*,—

That a respectful Address be presented to His Honour the Lieutenant-Governor, praying that he will cause urgent representations to be made to the Dominion Government, to have all Railway Lands which have been conveyed to the Dominion Government for Railway purposes opened up for settlement, as the locking up of these lands is prejudicial to the prosperity and development of the Province, and more especially to those districts wherein the said lands are situated.

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

When is it intended that the “Judicial District Act, 1879,” shall come into force?

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

“I cannot state, as the matter will not be considered until the close of the present sittings of the Supreme Court Judges, who are engaged in providing for the carrying out of measures passed by this House respecting the Administration of Justice.”

Mr. *Gallagher* asked the Honourable the Chief Commissioner of Lands and Works the following question:—

Have the Government received any application for a renewal lease of the Ferry at *Kootenay*?

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

“No application has been made.”

Pursuant to Order, the Report on Bill No. 14, intituled “An Act to amend ‘An Act respecting the marking of Cattle (1875),’” was considered.

Report adopted.

*Ordered* to be read a third time on Monday next.

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

And then the House adjourned at 4.45 o’clock, p. m.,

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Monday, February, 14th, 1881.

TWO O’CLOCK, P. M.

Mr. *Smithe* presented a Petition from *J. Savon*, which was read and received and referred to the Private Bills Committee.

Mr. *Wilson* presented two Petitions from the Corporation of the City of *Victoria*, which were read and received and referred to the Private Bills Committee.

Mr. *Abrams* presented a Petition from *G. Baker*, *T. Miller*, and others, which was read and received and referred to the Private Bills Committee.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 17) intituled “An Act respecting the Supreme Court of Canada and the Exchequer Court of Canada.”

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time to-morrow.

On the motion of Mr. *Ferguson*, seconded by Mr. *Wilson*, it was *Resolved*,—

That as the “Supreme Court Rules, 1880,” framed by the Honourable the Attorney-General, are of special importance to the several judicial districts of the Province, in regard to the Administration of Justice, copies of the Rules be supplied to each Member.

Pursuant to Order, Bill No. 5, intituled “An Act to amend and consolidate the Municipal Acts,” was read a second time.

*Ordered*, That the Bill be committed on Thursday next.

Pursuant to Order, Bill No. 9, intituled “An Act to amend the ‘Mineral Act, 1878,’” was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Harris*, Chairman of the Committee, reported the Bill complete, with amendments.

*Ordered*, That the Report be considered 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 4.30 o’clock, p. m.

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Tuesday, February 15th, 1881.

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Two o’clock, P. M.

Moved by Mr. *Drummond*, seconded by Mr. *J. W. Williams*,—

That in the opinion of this House it is desirable that the number of members of the managing board of the Royal Hospital, *Victoria*, should be changed, so as to consist of three members appointed by the Lieutenant-Governor in Council, and three elected by the contributors of an annual subscription of two dollars, and that the Mayor of *Victoria* should be *ex-officio* the Chairman and member of the Board; and that two of the members appointed by the Lieutenant-Governor in Council, and two elected by the contributors, shall resign in each and every year, and in their stead the Lieutenant-Governor in Council shall appoint two and the contributors shall elect two to constitute the said Board for the year.

Motion put and lost.

Moved by Mr. *Smithe*, seconded by Mr. *Pimbury*,—

That in view of the growing importance of the Electoral District of *Cowichan*, the increase of population, as shown by the List of Voters last published, and the proportionately large amount of revenue paid, as compared with other agricultural districts of the Island, it is, in the opinion of this House, entitled to be represented in the Legislature of the Province by two Members; the “Constitution Amendment Act, 1879,” notwithstanding.

Mr. Speaker.—“This motion is to obtain an expression of opinion on a matter over which the Crown has sole control, viz.:—the amendment of the Constitution, and to override the provisions of an Act passed in the Session of 1879. All amendments to the Constitution must emanate from the Ministers of the Crown, and they are responsible to Parliament therefor; and I think motions suggesting amendments, which could not be offered by private Members, and for which the Ministers of the Crown are alone responsible, very mischievous, and they should be discouraged. But, bearing in mind my decision on a similar question (*vide* Journals, 1879, p. 25) I shall follow the rule there laid down and leave the matter to be dealt with entirely by the House.”



Mr. *Ash* moved, in amendment, seconded by Mr. *Harris*,—

That the word "*Cowichan*," in the first line, be struck out, and the words "*New Westminster*" substituted, and that all the words after the word "paid," in the third line, be struck out, and in lieu thereof be added the words—"it is, in the opinion of this House, desirable that a change be made in the Constitution Act, to provide for the representation of the district by three Members, and that this may be conveniently effected by including the existing Electoral District of *Kootenay* within the limits of the Electoral District of *New Westminster*."

Leave to withdraw the amendment was refused.

Amendment put and lost.

Mr. *Vernon* moved, in amendment, seconded by Mr. *Mara*,—

That all the words after "That" be struck out, and the following substituted;—

"In the opinion of this House it is desirable that at the next Session the question of representation should be dealt with, with a view of equalising, as far as possible, the various Provincial interests."

Amendment put and carried.

Original resolution, as amended, put and carried.

Pursuant to Order, Bill No. 17, intituled "An Act respecting the Supreme Court of Canada and the Exchequer Court of Canada," was read a second time.

*Ordered* to be committed to-morrow.

The Order for the third reading of Bill No. 14, intituled "An Act to amend 'An Act respecting the marking of Cattle,'" was discharged, and the Bill *Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Pimbury*, acting Chairman of the Committee, reported the Bill complete, with amendments.

*Ordered*, That the Report be considered 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 5.30 o'clock, p. m.

Wednesday, February 16th, 1881.

TWO O'CLOCK, P. M.

Mr. *Smith* presented the Third Report from the Private Bills Committee, enclosing a Bill, No. 10, intituled "An Act to constitute the Bishops of British Columbia, Caledonia, and New Westminster, Corporations Sole," which was read and received.

Moved by Mr. *E. Brown*, seconded by Mr. *Harris*,—

That a respectful address be presented to His Honour the Lieutenant-Governor, praying His Honour to urge upon the Dominion Government the necessity of putting the law in force in this Province with respect to Weights and Measures.

Amendment moved by Mr. *Ash*, seconded by Mr. *W. M. Brown*, to add the following words:—"and with respect to the Inspection of Gas."

Amendment put and carried.

Resolution, as amended, put and carried.

Moved by Mr. *Smithe*, seconded by Mr. *Mara*,—

Whereas the prosperity of the Province would be materially and permanently increased by the erection in this Province of a factory for the manufacture of woollen materials :

And, whereas, it is desirable and expedient to encourage such an enterprise :

Be it therefore Resolved, That, in the opinion of this House, it is expedient that the sum of \_\_\_\_\_ dollars be given as a bonus to the first person or persons, or corporation of persons, who shall, within the said Province, erect, in the course of the next two years, a factory for the above purpose, and in such erection expend the sum of Forty thousand dollars; the said bonus to be paid after such erection and expenditure of Forty thousand dollars as aforesaid, and to the satisfaction of the Lieutenant-Governor in Council, out of the Consolidated Revenue of this Province.

A point of order having arisen.

Mr. Speaker.—“The motion of the Member for *Cowichan* is objectionable.

“The recommendation of the Crown must be had, as provided by Section 54 of the ‘British North America Act.’

“This House will not proceed upon any motion for a grant or charge payable out of the Consolidated Revenue of the Province, that has not been recommended by the Crown. [*May*, p. 604.]

“And this rule is extended by the uniform practice of Parliament to any motion which—though not directly proposing a grant—involves the expenditure of public money. [*May*, p. 605.]

“Yet, in this case, the proposal is direct and specific. So strictly has this rule been enforced, that the House has refused to receive a Report from a Select Committee suggesting an advance of money. [*May*, p. 605.]

“But, the Honourable Member may maintain that the resolution is merely expressive of an abstract opinion of the House; such resolutions have been allowed upon the principle that, not being offered in a form in which a vote of the House for granting money or imposing a burden can be regularly agreed to, they are barren of results, and are, therefore, to be regarded in the same light as any other abstract resolutions. But for that very reason they are objectionable, and being, also, an evasion of wholesome rules, they are discouraged as much as possible. [*May*, p. 607.]

“I rule the motion out of order.”

Mr. *Ash* moved the following Resolution:—

For an Order of the House for copies of all Tenders sent in for the construction of the *Esquimalt* Dock.

Motion withdrawn by leave of the House.

Pursuant to leave previously given by the House, the Honourable Mr. *Walkem* moved the first reading of Bill No. 16, intituled “An Act relating to the Legal Professions.”

Bill read a first time.

Ordered to be read a second time on Friday next.

Pursuant to Order, Bill No. 17, intituled “An Act respecting the Supreme Court of Canada and the Exchequer Court of Canada,” was committed.

On Mr. Speaker resuming the Chair, Mr. *Cowan*, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered, That the report be considered to-morrow.

Pursuant to Order, the Report on Bill No. 14, intituled “An Act to amend ‘An Act respecting the marking of Cattle (1875),’” was considered.

Report adopted.

Bill read a third time.

Resolved, That the Bill do pass.

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

And then the House adjourned at 4 o'clock, p. m.

Thursday, February 17th, 1881.

TWO O'CLOCK, P. M.

Mr. *Wilson* presented a Petition from *George Dayrell Reed* and *John Langham Reed*.  
*Ordered* to be laid on the table and printed. (*See Sessional Papers*.)

On the motion of Mr. *Helgesen*, seconded by Mr. *Gallagher*, it was *Resolved*,—

That, in the opinion of this House, the "Rules and Regulations for the government of Public Schools" should be so amended as to provide for permissive power being granted to Trustee Boards to introduce the Lord's Prayer in opening and closing school.

Moved by Mr. *Drummond*, seconded by Mr. *Ferguson*,—

That this House do resolve itself into a Committee of the Whole for the purpose of considering the claims of creditors of Messrs. *Reed Bros.*, on account of Cofferdam claims.

The motion, as it appeared on the notice paper, read as follows:—

That this House do resolve itself into a Committee of the Whole for the purpose of considering the claims of creditors of Messrs. *Reed Bros.*, on account of Cofferdam claims, with a view to adjusting such claims out of any moneys which may be found due from the Government to the Contractors in respect of Cofferdam.

Mr. Speaker ruled the motion out of order, as it conflicted with Section 54 of the "British North America Act," and the Honourable Member cannot drop the latter portion of the motion without giving an amended notice. [*See English Rule 113, Lefevere, p. 328.*]

The decision of the Chair was appealed from.

The Chair was sustained.

The Honourable Mr. *Walkem* asked leave to introduce a Bill (No. 18) intituled "An Act respecting Coroners' Inquests."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Monday next.

Pursuant to Order, the Report on Bill No. 17, intituled "An Act respecting the Supreme Court of Canada and the Exchequer Court of Canada," was considered.

Report adopted.

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

Pursuant to Order, Bill No. 10, intituled "An Act to constitute the Bishops of British Columbia, Caledonia, and New Westminster, Corporations Sole," was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Pimbury*, Chairman of the Committee, reported the Bill complete, without amendment.

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

Pursuant to Order, Bill No. 5, intituled "An Act to amend and consolidate the Municipal Acts," was committed.

On Mr. Speaker resuming the Chair, Mr. *Bennett*, Chairman of the Committee, reported progress and asked leave to sit again.

*Ordered*, That leave be granted for to-morrow.

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

And then the House adjourned at 4.30 o'clock, p. m.

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Friday, February 18th, 1881.

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TWO O'CLOCK, P. M.,

Mr. *Vernon* asked leave to introduce a Bill (No. 19) intituled "An Act to amend the 'Cattle Ordinance, 1869.'"

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Monday next.

Mr. *Vernon* asked leave to introduce a Bill (No. 20) intituled "An Act to prohibit the owners of Swine from permitting the same to run at large."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Monday next.

On the Order for the second reading of Bill No. 16, intituled "An Act relating to the Legal Professions," being called, Mr. *Ash* objected to the Bill as being a private measure.

Mr. Speaker stated he would give his decision on the matter on Monday next.

Pursuant to Order, Bill No. 10, intituled "An Act to constitute the Bishops of British Columbia, Caledonia, and New Westminster, Corporations Sole," was read a third time.

*Resolved*, That the Bill do pass.

Pursuant to Order, the House again resolved itself into a Committee of the Whole on Bill No. 5, intituled "An Act to amend and consolidate the Municipal Acts."

On Mr. Speaker resuming the Chair, Mr. *Bennett*, Chairman of the Committee, reported progress and asked leave to sit again.

*Ordered*, That leave be granted for Monday next.

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

And then the House adjourned at 4.35 o'clock, p. m.,

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Monday, February 21st, 1881.

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TWO O'CLOCK, P. M.

The Honourable Mr. *Humphreys* presented, by command of His Honour the Lieutenant-Governor, the Printing Office Report for 1880. (*See Sessional Papers.*)

Mr. *McGillivray* moved, seconded by Mr. *Harris*,—

That, in the opinion of this House, it is expedient to establish a Registry Office at *New Westminster*, under the provisions of the "Land Registry Ordinance, 1870," for the convenience of the inhabitants of the Mainland.

Mr. Speaker ruled the motion out of order.

Mr. *Drummond* moved,—

That in consequence of an assertion by Members that the vote taken on the Resolution for a change of the Hospital management, introduced by me, was wrongly counted, I shall ask for a re-consideration of said vote.

Mr. Speaker stated that the motion was out of order. The Honourable Member should have made his objection at the time the vote was taken. He may introduce another question similar in its general purport to that which has been rejected, but with sufficient variance to constitute a new question.

On the motion of Mr. *Vernon*, seconded by Mr. *Mara*, it was *Resolved*,—

For an Order of the House for copies of all correspondence between the Chief Commissioner of Lands and Works and Mr. *Thomas Greenhow* of *Okanagan*; and, also, of that between the Chief Commissioner of Lands and Works and the Indian Commissioners, referring to certain land awarded by the Indian Commissioners in 1877 to Mr. *Greenhow* in exchange for certain land given by Mr. *Greenhow* to the Commissioners for Indian Reservation purposes.

Mr. *Drummond* moved, seconded by Mr. *Ferguson*,—

That this House do resolve itself into a Committee of the Whole for the purpose of considering the claims of Creditors of Messrs. *Reed Bros.*, on account of Cofferdam.

Mr. *Vernon* moved, in amendment, seconded by Mr. *Mara*,—

That all the words after "That," be struck out and the following inserted:—"in the opinion of this House it is desirable to allow Messrs. *Reed Bros.* (or their Agents), Contractors for the construction of the Cofferdam at *Esquimalt*, to bring their alleged grievances before the Supreme Court for adjustment; and that their Petition of Right be granted in order to enable them so to do, always provided sufficient security be deposited by the Petitioners or their Agents."

The Honourable Mr. *Beaven* moved in amendment to the amendment, seconded by the Honourable Mr. *Walkem*,—

To strike out all the words after "in the opinion of this House, it is desirable," and insert the following:—"that the claims of the local creditors of Messrs. *Reed Bros. & Co.* in British Columbia, be fully considered by the Government."

Amendment to the amendment put and carried.

Amendment as amended put and carried.

Original resolution as amended put and carried.

The names were called for by Mr. *Ash* and were as follows:—

YEAS :

Messieurs

<i>Beaven,</i>	<i>Pimbury,</i>	<i>Abrams,</i>	<i>Walkem,</i>
<i>Saul,</i>	<i>Mara,</i>	<i>Harris,</i>	<i>Wilson,</i>
<i>Gallagher,</i>	<i>Bennett,</i>	<i>Cowan,</i>	<i>Brown, E.,</i>
<i>Helgesen,</i>	<i>Williams,</i>	<i>Vernon,</i>	<i>Drummond,</i>
<i>McGillivray,</i>	<i>Humphreys,</i>	<i>Ferguson,</i>	<i>Brown, W. M.,</i>
<i>Galbraith,</i>	<i>McIlmoyle,</i>	<i>Ash,</i>	<i>Smithe.—24</i>

NAYS :

*Nil.*

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

And then the House adjourned at 5.30 o'clock, p. m.

Tuesday, February 22nd, 1881.

TWO O'CLOCK, P. M.

Mr. *E. Brown* presented a Report from the Select Committee appointed to enquire into the progress of the work on the *Sumass* and *Matsqui* Dyke, which was read and received. (*See Appendix.*)

Mr. *Ash* asked leave to introduce a Bill (No. 21) intituled "An Act to amend the 'Petitions of Right and Crown Procedure Act, 1873.'"

*Ordered*, That leave be granted.

A point of order having arisen, Mr. Speaker stated that the Bill required the consent of the Crown. The same question arose on a similar Bill in the Session of 1879, and it was decided that a private member could not proceed with the Bill. I think the objection had better be taken on the motion for the second reading of the Bill.

Bill introduced and read a first time.

*Ordered* to be read a second time on Friday next.

Mr. *Vernon* asked leave to introduce a Bill (No. 22) intituled "An Act respecting Dogs."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Friday next.

Mr. *Vernon* asked leave to introduce a Bill (No. 23) intituled "An Act to prohibit the indiscriminate use or sale of Poisons."

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Friday next.

Mr. *Ash* asked the Honourable the Minister of Finance and Agriculture the following question :—

Is the Voucher drawn in favour of *Reed Bros.*, which was withheld from Mr. *Dawson* after presentation by him at the Treasury, still in existence?

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

"The question is out of order as containing an assertion; but I have no objection to inform the Honourable gentleman that the document he probably refers to was presented by Mr. *Dawson* at the Treasury on 2nd December, 1878, and was immediately returned to the Lands and Works Department with Mr. *Dawson's* knowledge and tacit consent; that I heard nothing further from him on the subject until over two weeks afterwards. I cannot say of my own knowledge whether the document is in existence or not."

Mr. *W. M. Brown* asked the Honourable the Chief Commissioner of Lands and Works the following question :—

Is the Quartz Mill now lying at *Yale* the property of the Government or of the *Cariboo* Quartz Company?

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

"It is the property of the *Cariboo* Quartz Mining Company, under the Statute referring to the Company."

Pursuant to Order, Bill No. 18, intituled "An Act respecting Coroners' Inquests," was read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *W. M. Brown*, Chairman of the Committee, reported the Bill complete, without amendment.

*Ordered*, That the Report be considered to-morrow.

Pursuant to Order, the House again resolved itself into a Committee of the Whole on Bill No. 5, intituled "An Act to amend and consolidate the Municipal Acts."

On Mr. Speaker resuming the Chair, Mr. *Bennett*, Chairman of the Committee, reported progress and asked leave to sit again.

*Ordered*, That leave be granted for to-morrow.

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

And then the House adjourned at 4.40 o'clock, p. m.

Wednesday, February 23rd, 1881.

TWO O'CLOCK, P. M.

Mr. *Smith* presented the Fourth Report from the Select Committee on Private Bills, which was read and received.

Mr. *Drummond* moved, seconded by Mr. *J. W. Williams*,—

That, in the opinion of this House, it is desirable that the number of members of the Managing Boards of the Royal Hospital of the city of *Victoria*, city of *New Westminster*, and *Nanaimo*, should be changed, so as to consist of two members appointed by the Lieutenant-Governor in Council, and that two be elected by the contributors who pay an annual subscription of two dollars and fifty cents, and shall have a vote and be eligible to be elected as directors of said Board; and that the Mayor of the city of *Victoria*, *New Westminster*, and *Nanaimo* shall be *ex-officio* Chairman and a member of the Board; the members elected by the subscribers shall be for the term of one year; those appointed by the Government shall act on their behalf until their appointments have been canceled.

Mr. Speaker stated that as a similar resolution had been introduced and negatived this Session, he would leave it to the House to say whether the motion was substantially the same as the last or not; according to the practice laid down in *May*, p. 306.

The House decided in the negative.

The motion now being before the House, Mr. *McGillivray* moved, in amendment, seconded by Mr. *E. Brown*, to add the words,—

"And that only one Physician shall be engaged as medical attendant by the Board of Management of either of the aforesaid Hospitals; but the attendant Physician may call in as many Physicians as he wishes for consultation in critical cases of the patients."

Amendment put and carried.

Mr. *Mara* moved, in amendment, seconded by Mr. *Ternon*, to add the words,—

"That the Government, in making appropriations to the several Provincial Hospitals, should be guided by the amounts collected by voluntary subscriptions; and that in every case at least one dollar should be contributed by voluntary subscription for every three dollars granted by the Provincial Government."

Amendment withdrawn by leave of the House.

The original resolution, as amended, put and carried on the following division:

YEAS:

Messieurs

*Walkem,*  
*Beaven.*  
*Humphreys,*  
*Saul,*

*McIlmoyl,*  
*Williams,*  
*Abrams,*  
*Gallagher,*

*Drummond,*  
*Brown, W. M.,*  
*McGillivray,*

*Helgesen,*  
*Brown, E.,*  
*Harris.—14*

## NAYS :

## Messieurs

Cowan,  
 Ferguson,  
 Galbraith,

Ash,  
 Mara,  
 Vernon,

Smithe,  
 Bennett,

Pimbury,  
 Wilson.—10

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

And then the House adjourned at 5.5 o'clock, p. m.

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Thursday, February 24th, 1881.

TWO O'CLOCK, P. M.

Mr. *Abrams* presented a Petition from the Mayor and Councillors of *Nanaimo*, which was read and laid on the table.

Mr. *Abrams* presented a Petition from several property owners and residents of *Nanaimo*, which was read and laid on the table.

Mr. *Mara* presented a Petition from *C. A. Semlin* and others, which was read.  
 Mr. Speaker ruled the Petition out of order.

On the motion of Mr. *McGillivray*, seconded by Mr. *Helgesen*, it was *Resolved*,—

That a Select Committee be appointed to consider the advisability of bringing in a measure to amend the "Mineral Act, 1878;" said Committee to consist of the following Members:—Messrs. *Vernon*, *Saul*, *Abrams*, *Pimbury*, and the mover.

Mr. *McGillivray* asked leave to introduce a Bill (No. 24) intituled "An Act to amend 'An Act respecting the Drainage, and Dyking, and Irrigation of Lands in British Columbia, 1873.'"

*Ordered*, That leave be granted.

Bill introduced and read a first time.

*Ordered* to be read a second time on Monday next.

On the first Order of the Day being called, Mr. *Abrams* moved—That the House do now proceed to the Order of the Day for the second reading of the Vancouver Coal Company's Bill (No. 11), and it was so *Ordered*.

Bill read a second time.

*Ordered* to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Saul*, Chairman of the Committee, reported the Bill complete, without amendment.

Report adopted.

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

Pursuant to Order, the Report on Bill No. 18, intituled "An Act respecting Coroners' Inquests," was considered.

Report adopted.

*Ordered* to be read a third time.

Bill read a third time.

*Resolved*, That the Bill do pass.



On the second reading of Bill No. 16, intituled "An Act relating to the Legal Professions," Mr. Speaker gave his reserved decision as follows:—

I am of opinion that this Bill is a Private Bill.

In England Bills relating to the legal profession, and dealing with the Incorporated Law Society, are introduced and passed as Public Bills, being considered as relating to the Administration of Justice, and indexed under that head in the public general Statutes. For instance, *see* "The Solicitors' Act, 1877."

In our Legislature every Bill introduced respecting the Legal Professions, has (without objection) been introduced as a Public Bill. By our Rules (*see* Rule 93) it is laid down that in unprovided cases (that is, in cases not provided for by our own Rules) the Rules of the House of Commons of the United Kingdom shall be followed. But one of our Rules (No. 50) distinctly provides that—

"50. All applications for Private Bills . . . . . for the incorporation of any particular trade or calling . . . . . or relating to any particular class of the community . . . . . or for making any amendment of a like nature to any former Act . . . . . shall require a notice," &c.

And the Bill in question, which is intended to incorporate all Barristers and Solicitors in British Columbia, under the name of the "Incorporated Law Society of British Columbia," seems to me to be directly subject to that Rule. I therefore decide that the Bill is of a private nature and requires notice.

Pursuant to Order, the House again resolved itself into a Committee of the Whole on Bill No. 5, intituled "An Act to amend and consolidate the Municipal Acts."

On Mr. Speaker resuming the Chair, Mr. *Bennett*, Chairman of the Committee, reported progress and asked leave to sit again.

*Ordered*, That leave be granted for to-morrow.

The adjourned debate on Mr. *Smithe's* motion was called, and leave of the House given to withdraw the motion.

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

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

Friday, February 25th, 1881.

TWO O'CLOCK, P. M.

Mr. *Ash* asked the Honourable the Minister of Finance and Agriculture the following question:—

Is it the intention of the Government to make provision in the Estimates for the coming year, for the payment of the gentlemen who served as Commissioners in the *Kootenay* enquiry?

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

"The information will be given when the Estimates are placed before the House."

Mr. *Ash* asked the Honourable the Minister of Finance and Agriculture the following question:—

Did Mr. *Dawson* ever ask you to return the Voucher referred to in my question put on Tuesday last, and, if so, why was it not returned?

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

"Upon Mr. *Dawson* addressing me upon the subject referred to in my answer of the 22nd inst., I reminded him that he was fully aware that the document had been returned to the Lands and Works Department, and I referred him to the Honourable the Chief Commissioner of Lands and Works."

Pursuant to Order, the House again resolved itself into a Committee of the Whole on Bill No. 5, intituled "An Act to amend and consolidate the Municipal Acts."

On Mr. Speaker resuming the Chair, Mr. *Bennett*, Chairman of the Committee, reported progress and asked leave to sit again.

*Ordered*, That leave be granted for Monday next.

Pursuant to Order, Bill No. 11, intituled "An Act to enable the Vancouver Coal Mining and Land Company, Limited, to sink shafts and to construct a Railway in, on, or near to the Esplanade at Nanaimo," was read a third time.

*Resolved*, That the Bill do pass.

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

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

Monday, February, 28th, 1881.

TWO O'CLOCK, P. M.

Moved by Mr. *Mara*, seconded by Mr. *W. M. Brown*,—

That, in the opinion of this House, it is desirable that appropriations from the public moneys of the Province in aid of Hospitals, should be regulated by the amounts paid to such Hospitals either by aid from Municipalities or by voluntary subscription, and that at least one dollar should be paid by a Municipality or voluntary subscription for every three dollars appropriated by the Government.

The Honourable Mr. *Beaven* moved, in amendment, seconded by Mr. *Wilson*,—

That all the words after the word "That" be struck out and the following inserted: "a Select Committee be appointed to enquire into and report to this House as to the most equitable basis upon which aid should be granted to the Hospitals throughout the Province; the Committee to consist of the following Members:—Messrs. *Beaven*, *Mara*, *W. M. Brown*, *Galbraith*, and *Ash*."

Amendment put and carried.

Original resolution, as amended, put and carried.

The Honourable Mr. *Walkem* presented to Mr. Speaker a Message from His Honour the Lieutenant-Governor, signed by His Honour.

The said Message was read by Mr. Speaker, and is as follows:—

A. N. RICHARDS.

The Lieutenant-Governor transmits, for the consideration of the Legislative Assembly, the enclosed proposal to grant a sum of \$5,000 as a bonus for the encouragement of the manufacture of woollen goods in the Province, upon the conditions mentioned in the enclosure.

*Government House,*  
*February 28th, 1881.*

ENCLOSURE.

That a bonus, not exceeding \$5,000, be offered to any person who will erect a Woollen Mill in the Province, costing not less than \$20,000 and containing the necessary machinery for a "2-Set" Mill, with ten looms running at least 800 spindles, and capable of annually manufacturing, without employing Chinese labour, not less than 75,000 lbs. of pulled wool into yarns, blankets, flannels, tweeds, &c.,—the mill to be subject to the approval of the Lieutenant-Governor in Council.

Moved by the Honourable the Attorney-General, seconded by the Honourable the Minister of Finance, and it was *Resolved*,—

That the House will, on Wednesday next, resolve itself into a Committee of the Whole for the purpose of considering the proposal submitted by His Honour's Message, viz:—“That a bonus, not exceeding \$5,000, be offered to any person who will erect a Woollen Mill in the Province, costing not less than \$20,000 and containing the necessary machinery for a ‘2-Set’ Mill with ten looms running at least 800 spindles, and capable of annually manufacturing, without employing Chinese labour, not less than 75,000 lbs. of pulled wool into yarns, blankets, flannels, tweeds, &c.,—the mill to be subject to the approval of the Lieutenant-Governor in Council.”

Moved by Mr. *Ferguson*, seconded by Mr. *McGillivray*,—

That, in the opinion of this House, it is advisable that Mr. Speaker do read a prayer before proceeding to the business of the day, and that a Select Committee be appointed to arrange a suitable prayer for the occasion; said Committee to consist of Messrs. *Galbraith*, *McGillivray*, *Walkem*, *Pimbury*, and the mover.

The Honourable Mr. *Beaven* moved, in amendment, seconded by Mr. *Galbraith*,—

To strike out all the words after “That” and insert the following:—“a Select Committee be appointed to ascertain from the Clergy of the City, whether they can attend the opening of each sitting of the Legislature and open the proceedings with prayer; the Committee to arrange a suitable prayer for the occasion and report to this House; Committee to consist of Messrs. *Galbraith*, *McGillivray*, *Walkem*, *Pimbury*, and *Ferguson*.”

The amendment put and carried.

Original resolution, as amended, put and carried.

Mr. *Ash* asked the Honourable the Chief Commissioner of Lands and Works the following question:—

Did Mr. *Dawson* ever ask you to return the Voucher respecting which I have put a question to the Honourable the Minister of Finance and Agriculture, and if so, why was it not returned?

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

“No.”

Mr. *Smithe* presented the Fifth Report from the Select Committee on Private Bills. *Ordered*, That Rule 48 of the Standing Orders be suspended, and the Report received.

Mr. *Smithe* asked leave to introduce a Bill (No. 25) intituled “An Act to amend the ‘Corporation of Victoria Water Works Act, 1873.’”

*Ordered*, That leave be granted.

Bill introduced and read a first time.

Referred back to the Select Committee on Private Bills.

Mr. *Smithe* asked leave to introduce a Bill, No. 26, intituled “An Act to amend the ‘City of Victoria Official Map Act, 1880.’”

*Ordered*, That leave be granted.

Bill introduced and read a first time.

Referred back to the Select Committee on Private Bills.

Pursuant to Order, the House again resolved itself into a Committee of the Whole on Bill No. 5, intituled “An Act to amend and consolidate the Municipal Acts.”

On Mr. Speaker resuming the Chair, Mr. *Bennett*, Chairman of the Committee, reported progress and asked leave to sit again.

*Ordered*, That leave be granted for to-morrow.

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

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