

Wednesday, 21st February, 1906.

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

TWO O'CLOCK, P.M.

Dr. *Young* presented the Sixteenth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,  
February 21st, 1906.

MR. SPEAKER :

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

That the time limited for the presentation of Reports be extended until the 2nd of March (inclusive), and beg to recommend the same accordingly.

All of which is respectfully submitted.

H. E. YOUNG,  
*Chairman.*

The Report was received.

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

Dr. *Young* presented the Seventeenth Report from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,  
February 21st, 1906.

MR. SPEAKER :

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

That the preamble of Bill (No. 61) intituled "An Act to amend the 'Vancouver Incorporation Act, 1900,'" has been proved, and the Bill ordered to be reported with amendments.

All of which is respectfully submitted.

H. E. YOUNG,  
*Chairman.*

The Report was received.

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

By the Hon. Mr. *Wilson*—Bill (No. 36) intituled "An Act to amend the 'Provincial Elections Act.'"

By the Hon. Mr. *Green*—Bill (No. 40) intituled "An Act respecting the Measurement of Timber."

By the Hon. Mr. *Wilson*—Bill (No. 41) intituled "An Act to Cancel the Assessment Roll for the District of North Vancouver for 1906, and to authorise a new Assessment Roll to be prepared."

By Mr. *Henderson*—Bill (No. 42) intituled "An Act for the Protection of Persons Improving Land under a Mistake of Title."

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

1. Is there any road leading to the public wharf at Ladysmith?
2. If not, since when, and for what reason, has the road been closed?

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

"1. Not at present. A road was built from the top of the bench, connecting there with one built by the Dominion Government to the wharf, to the level crossing over the track of the E. & N. Railway Company, on the line of Buller street extended.

"2. Obstructed about October 20th, 1905, by the Wellington Colliery Company on the grounds that a level crossing was a danger to the public, and that the Government had no right to build a highway through its property."

The Report on Bill (No. 72) intituled "An Act to amend the 'Granby Consolidated Mining, Smelting and Power Company Act, 1901,'" was adopted.

Third reading to-morrow.

The Report on Bill (No. 25) intituled "An Act relating to the Transfer of Land, and to provide for the Registration of Titles to Land," was further considered.

The Hon. Mr. *Wilson* moved to amend section 74, lines 2 and 3, by striking out the words "thirtieth day of June" and inserting in lieu thereof "first day of July."

Carried.

The Hon. Mr. *Wilson* moved to strike out section 88 and insert in lieu thereof the following:—

"88. No Registrar shall be compelled to attend out of his office as a witness for examination under any subpoena, order or summons issued from any Court of this Province, whether such subpoena, order or summons be directed to him personally or in his official capacity, but any Registrar may be examined under a commission or otherwise at his office."

Carried.

The Hon. Mr. *Wilson* moved to amend Form A to Third Schedule by striking out the words "Copy of map, whatever sum may be paid, and fee for certificate," in lines 12 and 13 from the end, and inserting in lieu thereof the following: "Copy of map or plan, whatever sum may be paid, and fee for certificate, for each hour or part thereof comparing."

Carried.

The further consideration of the Report was adjourned.

Pursuant to Order, the House resumed the adjourned debate on the second reading of Bill (No. 34) intituled "An Act to amend the 'Public Schools Act,'" and on the amendment moved by Mr. *J. A. Macdonald* on 20th February, as follows:—

"That all the words of the Resolution after the first word, 'That,' be struck out, and that the following words be substituted therefor:—

"in the opinion of this House, the interests of education in the Province would be better served by reverting to the school laws existing before the passage of the 'Public Schools Act, 1905.'"

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>Davidson,</i>	<i>Cotton,</i>	<i>A. McDonald,</i>	<i>Young,</i>
<i>Hawthornthwaite,</i>	<i>Clifford,</i>	<i>Green,</i>	<i>Gifford,</i>
<i>Williams,</i>	<i>Bowser,</i>	<i>Fulton,</i>	<i>Macgowan,</i>
<i>Taitlow,</i>	<i>Fraser,</i>	<i>Taylor,</i>	<i>Shatford,</i>
<i>McBride,</i>	<i>Ross,</i>	<i>Wright,</i>	<i>Manson—21.</i>
<i>Wilson,</i>			

NAYS:

Messieurs

<i>Drury,</i>	<i>Murphy,</i>	<i>Henderson,</i>	<i>Wells,</i>
<i>King,</i>	<i>Tanner,</i>	<i>Munro,</i>	<i>Hall,</i>
<i>Brown,</i>	<i>Oliver,</i>	<i>Paterson.</i>	<i>Cameron—14.</i>
<i>McNiven,</i>	<i>J. A. Macdonald,</i>		

Bill read a second time and *Ordered* to be committed to-morrow.

Bill (No. 37) intituled "An Act to amend the 'County Courts Act,'" was committed. Progress reported.

Committee to sit again to-morrow.

Bill (No. 39) intituled "An Act to amend the 'British Columbia Land Surveyors Act, 1905,'" was committed.

Progress reported.

Committee to sit again to-morrow.

Bill (No. 17) intituled "An Act to give Legislative Sanction to the Supreme Court Rules, 1906," was read a second time.

To be committed to-morrow.

The order for the second reading of Bill (No. 33) intituled "An Act to amend the 'Placer Mining Act,'" was discharged and the Bill withdrawn.

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

And then the House adjourned at 3:50 P.M.

## Thursday, 22nd February, 1906.

TWO O'CLOCK P.M.

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

Bill (No. 8) intituled "An Act to amend the 'Provincial Elections Act,'" was committed. Reported complete with amendments.

Report to be considered to-morrow.

The adjourned debate on the second reading of Bill (No. 28) intituled "An Act regulating the Hours of Labour in certain Industries," was resumed.

The second reading was negatived on the following division:—

### YEAS:

#### Messieurs

<i>Drury,</i>	<i>Davidson,</i>	<i>Cameron,</i>	<i>Green,</i>
<i>King,</i>	<i>J. A. Macdonald,</i>	<i>Hawthornthwaite,</i>	<i>Garden,</i>
<i>Brown,</i>	<i>Henderson,</i>	<i>Williams,</i>	<i>Young,</i>
<i>McNiven,</i>	<i>Wells,</i>	<i>Wilson,</i>	<i>Manson—17.</i>
<i>Jones,</i>			

### NAYS:

#### Messieurs

<i>Murphy,</i>	<i>Hall,</i>	<i>Clifford,</i>	<i>Fulton,</i>
<i>Tanner,</i>	<i>Tatlow,</i>	<i>Bowser,</i>	<i>Taylor,</i>
<i>Oliver,</i>	<i>McBride,</i>	<i>Fraser,</i>	<i>Macgowan,</i>
<i>Munro,</i>	<i>Cotton,</i>	<i>Ross,</i>	<i>Grant—19.</i>
<i>Paterson,</i>	<i>Ellison,</i>	<i>A. McDonald,</i>	

The adjourned debate on the second reading of Bill (No. 29) intituled "An Act to amend the 'Master and Servant Act,'" was resumed.

The debate was further adjourned.

The Report on Bill (No. 25) intituled "An Act relating to the Transfer of Land, and to provide for the Registration of Titles to Land," was considered.

The Hon. Mr. *Wilson* moved to insert as 24A:—

"All real estate, registration of the absolute fee to which was effected in pursuance of section 16 of the 'Land Registry Act, 1860,' of the late Colony of Vancouver Island, and for

the purchase of which all instalments have been paid, shall be deemed to have included all hereditaments within the boundaries of such real estate for which deductions were made in the purchase price of same, and any such registration shall have the same force and effect as if a grant from the Hudson's Bay Company or the Crown of said real estate had been issued for land purchased prior to the thirteenth day of April, 1870, notwithstanding any such grant has not been issued."

Carried.

The Hon. Mr. *Wilson* moved to amend section 29 by adding at the end of the section the following: "and he shall be entitled to a certificate of the registration of his charge without payment of any fee."

Carried.

The Hon. Mr. *Wilson* moved to strike out section 32, and insert in lieu thereof the following:—

"32. Where it is made to appear to the Registrar that the notice mentioned in the last preceding section cannot be personally served, or cannot be personally served without undue expense, such notice may be served according to the provisions of this Act as to services of notices or by public advertisement as the Registrar may deem just, and such service, or substituted service, shall have the same effect as personal service of the notice or proceeding upon the person intended to be affected thereby."

Carried.

The Hon. Mr. *Wilson* moved to amend section 34, in lines five and six, by striking out the words "and interest thereon at the rate of six per cent. per annum," and inserting the words "with lawful interest."

Carried.

Mr. *Garden* moved the following amendments:—

Sec. 68.—To strike out all the words after the word "surveyor," in the 19th line, down to and including the letter "P," in the 34th line, and insert the following:—

"in the Form annexed to this Act marked 'P'; and also shall be certified in the Form annexed to this Act marked 'Q,' that west of the Cascade range of mountains the following conditions have been complied with, such certificate being signed, in the case of the section or lot being situated in any municipality, by the engineer or some person or persons authorised by the Council to examine and report, and in the case of its being situate in an unorganised district, by the Surveyor-General,—

"1st. That no street is shown to be less than sixty-six feet in width;

"2nd. That all streets are shown in continuation in a straight line, as near as may be, of any existing streets, and that no unnecessary jogs occur;

"3rd. That in case such section or lot borders on the shores of any navigable water, streets leading to and continuing to such water are shown on such map at a not greater distance apart than six hundred feet."

Carried.

Mr. *Garden* moved to insert the following as Form Q (section 68):—

"FORM Q.

"I, A. B. (Engineer of the Municipality of \_\_\_\_\_), (or the person or persons authorised by the Municipal Council of \_\_\_\_\_ to examine and report), certify that the conditions numbered 1, 2 and 3 of section 68 of the 'Land Registry Act' have been complied with."

Carried.

Mr. *Garden* moved to amend Form P in the Schedule by striking out all the words in the first line after the letters "A. B." down to "certify," and insert in place thereof the following, "a British Columbia land surveyor."

Carried.

The further consideration of the Report was adjourned.

Bill (No. 37) intituled "An Act to amend the 'County Courts Act,'" was again committed.

Reported complete without amendment.

Report to be considered to-morrow.

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

Bill (No. 36) intituled “An Act to amend the ‘Provincial Elections Act.’”

Bill (No. 40) intituled “An Act respecting the Measurement of Timber.”

Bill (No. 41) intituled “An Act to Cancel the Assessment Roll for the District of North Vancouver for 1906, and to authorise a new Assessment Roll to be prepared.”

Bill (No. 72) intituled “An Act to amend the ‘Granby Consolidated Mining, Smelting and Power Company Act, 1901,’” was read a third time and passed.

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

And then the House adjourned at 4:10 P.M.

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## Friday, 23rd February, 1906.

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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 Mr. *Cameron*—Bill (No. 47) intituled “An Act to amend the ‘Municipal Elections Act.’”

By the Hon. Mr. *Wilson*—Bill (No. 43) intituled “An Act to amend the ‘Benevolent Societies Act.’”

By the Hon. Mr. *Wilson*—Bill (No. 44) intituled “An Act to amend the ‘Health Act.’”

By the Hon. Mr. *Wilson*—Bill (No. 45) intituled “An Act respecting the Sale of Patent Medicines.”

By the Hon. Mr. *Carter-Cotton*—Bill (No. 46) intituled “An Act to Accelerate the Incorporation of the City of North Vancouver.”

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

1. What blocks of land were selected by the Columbia and Western Railway Company on September 14th, 1904?

2. What authority had the Company for making such selection?

3. What instructions have been given to Government Agents in respect to the lands so selected?

4. Have any applications for purchase or pre-emption or lease of any portion of the lands so selected been made?

5. If so, have any such applications been granted?

6. Have any such applications been refused, and, if so, for what reason?

7. Has any person so applying been referred to the Columbia and Western Railway Company as the proper parties to whom such applications should be made?

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

“1. Lots 2,711, 2,712, 2,713, 2,714, 3,634, 3,635, 3,636, 3,637, 3,638 and 3,639 in the Similkameen District; and Lots 7,159, 7,160 and 7,161 in the Kootenay District.

“2. With the consent of the Government.

“3. Agents instructed not to permit any alienation by pre-emption, purchase or otherwise of lands within said lots.

“4. Yes.

“5. Yes.

- "6. Do not know what applications may have been refused by Government Agents.  
 "7. Have no knowledge of such being done."

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

1. What amount each month was spent on roads and bridges in Enderby District in 1904 and 1905?
2. What amount each month was expended in Mara District for same purpose during same period?
3. The name or names of the foreman or foremen in each district?

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

"1. 1904—April, \$18.75; May, \$160; June, \$292.82; July, \$470.54; August, \$101; September, \$7.50. 1905—March, \$32; June, \$20.51; July, \$527.44; August, \$678.19; September, \$523.58; November, \$44.50.

"2. 1904—February, \$1; May, \$57.62; June, \$7; July, \$5.25; August, \$10.50. 1905—June, \$33; July, \$69.74; August, \$438.09; September, \$12.92.

"3. Enderby Section, W. Gardner and W. Hancock; Mara Section, C. W. Little."

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

1. What quantity of the land given by the Province to the Columbia and Western Railway Company under its Subsidy Act has been alienated by the Columbia and Western Railway Company?
2. Has the land so alienated been taxed by the Province of British Columbia?
3. If so, how long has said land been taxed?
4. If the land so alienated has not been taxed, why not?

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

"1. Up to 11th September, 1905, being the date of the Company's last annual return to the Government under the Railway Assessment Act, there were 10,235  $\frac{24}{100}$  acres alienated.

"2. Yes.

"3. Of the above acreage, 869  $\frac{19}{100}$  acres were assessed for the years 1905 and 1906, and the balance, 9,366.05 acres, were assessed for the year 1906, being the first years, respectively, for which this land was liable for assessment. The total acreage alienated is composed of 60 parcels, alienated at various dates, the first date being 7th March, 1904.

"4. Answered by No. 3."

The Report on Bill (No. 25) intituled "An Act relating to the Transfer of Land, and to provide for the Registration of Titles to Land," was further considered.

The Hon. Mr. *Wilson* moved to amend sub-section (4) of section 94 by striking out the word "Judge," in the last line, and substituting therefor the words "Registrar or Examiner of Titles."

Carried.

The Hon. Mr. *Wilson* moved to amend section 38 by inserting after the word "record," in line nine of (1) thereof, the words "together with the proper fees therefor," and by inserting after the word "papers," in line five of (3) thereof, the words "together with the said fees," and by striking out the words "upon receipt of the said fees," in lines four and five of (4), and inserting in lieu thereof the words "having received said fees."

Carried.

The Hon. Mr. *Wilson* moved the following amendments:—

To strike out section 30, as it now reads, and insert in lieu thereof the following:—

"30. No instrument, purporting to create a charge on land, executed by any person who is entitled to be registered as owner of the fee, shall be registered in the charge book, unless the person purporting to create the same shall first be registered as the owner of the fee."

To amend section 83 by inserting after the word "applicant," in line 5, the words "his solicitor or agent."

To insert after the word "may," in line 6, section 83, the words "by himself or his solicitor."

Carried.

Mr. *Garden* moved to insert after the word "report," in the third line of Form Q, the words ("or the Surveyor-General").

Carried.

The Hon. Mr. *Wilson* moved to strike out figures "72" in section 139 and insert "116."

Carried.

The further consideration of the Report was adjourned.

The Report on Bill (No. 37) intituled "An Act to amend the 'County Courts Act,'" was adopted.

Third reading on Monday next.

Bill (No. 39) intituled "An Act to amend the 'British Columbia Land Surveyors Act, 1905,'" was again committed.

Reported complete with amendments.

Report to be considered on Monday next.

Bill (No. 34) intituled "An Act to amend the 'Public Schools Act,'" was committed.

Progress reported.

Committee to sit again on Monday next.

Mr. *Shatford* presented a petition from 3,600 residents of the Province, representing 59 cities and towns, asking legislation restricting the sale of patent medicines.

Received.

Bill (No. 17) intituled "An Act to give Legislative Sanction to the Supreme Court Rules, 1906," was committed.

Progress reported.

Committee to sit again on Monday next.

Bill (No. 36) intituled "An Act to amend the 'Provincial Elections Act,'" was committed.

Reported complete with amendments.

Report to be considered on Monday next.

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

And then the House adjourned at 5:55 P.M.

Monday, 26th February, 1906.

TWO O'CLOCK, P.M.

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

Mr. *Oliver* presented a petition from *Geo T. Kane*, re pre-emption records and war scrip land locations on Kaien Island.

Received and referred to the Select Committee investigating matters affecting Kaien Island.

Mr. *Manson* presented a petition from *John Hendry*, opposing Bill (No. 46) intituled "An Act to Accelerate the incorporation of the City of North Vancouver."

Received.

Dr. *King* moved, seconded by Mr. *Wells*,—

That an Order of the House be granted for a Return of all petitions from residents of Fernie, Cranbrook and Columbia Districts regarding aid to Kootenay Central Railway.

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

On the motion of Mr. *Oliver*, seconded by Mr. *Brown*, it was *Resolved*,—

That an Order of the House be granted for a Return forthwith of copies of all letters, telegrams, reports, applications or any other papers in connection with the application of the Columbia and Western Railway Company for lands claimed by way of subsidy, or in connection with the survey of said lands, said Return to cover the period from June 1st, 1903, to the present time.

On the motion of Dr. *King*, seconded by Mr. *Brown*, it was *Resolved*,—

That an Order of the House be granted for a Return of the Report of the Secretary of Provincial Board of Health dealing with patent medicines."

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

1. How many acres of the holdings of each shipping Coal Mine Company were assessed in 1904, as wild land, and what was the assessed value thereof and the amount of taxes levied on such wild lands of each Company?

2. How many acres of the holdings of each of said Companies were exempt from taxation in 1904, and under what section of the Assessment Act were they so exempt?

3. How many acres of the holdings of such Companies were assessed in 1905 and in 1906, respectively, as wild lands, and what was or is the assessed value thereof?

4. How many acres of the holdings of each of said Companies were assessed in 1905 and 1906, respectively, as coal lands, Class A, and as coal lands, Class B, respectively?

5. Did the coal lands so assessed as Class A pay any tax whatever, and if not why were they exempt?

6. What is the rate of taxation on the coal lands, Class B, so assessed to said Companies? what was the assessed value thereof? and how much tax did each of the said Companies pay on these Class B lands in 1905?

7. What difference, approximately, in revenue did the change from assessing these Coal Companies' holdings as wild lands to coal lands, Classes A and B, make?

8. Since the acquisition last year of the Esquimalt and Nanaimo Railway and land grant thereto appertaining by the Canadian Pacific Railway Company, what additional coal lands, Class A and Class B respectively, have become assessable as such and to whom assessed? If none, what steps has the Government taken to learn what coal and other lands were, under the terms of acquisition, to be granted to certain parties or companies?

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

	Acres.	Assessed Value.	Tax.
" 1. Wellington Colliery Co., Ltd . . . . .	29	\$ 145 00	\$ 7 25
Union Collieries . . . . .	1,060	5,300 00	265 00
Western Fuel Co., Ltd . . . . .	5,728	16,643 00	832 15
Crow's Nest Pass Coal Co., Ltd . . . . .	<i>Nil.</i>	<i>Nil.</i>	<i>Nil.</i>
			Acres.
" 2. Wellington Colliery Co., Ltd . . . . .			100
Union Collieries . . . . .			1,016
Western Fuel Co., Ltd . . . . .			4,959
Crow's Nest Pass Coal Co., Ltd. . . . .			10,209
(Exempt under section 5 'Coal Tax Act, 1900')			
	Acres.	Assessed Value.	Year.
" 3. Wellington Colliery Co., Ltd . . . . .	29	\$ 145 00	1905
" " " " . . . . .	29	145 00	1906
Union Collieries . . . . .	1,054	5,270 00	1905
" " " " . . . . .	1,034	5,170 00	1906
Wellington Colliery Co., Ltd . . . . .	970	4,850 00	1906
Western Fuel Co., Ltd . . . . .	5,851	12,166 00	1905
" " " " . . . . .	5,625	11,714 00	1906
Crow's Nest Pass Coal Co., Ltd . . . . .	158,759	158,759 00	1905
" " " " . . . . .		(Under appeal).	1906





By the Hon. Mr. *Tallow*—Abstract of Revenue and Expenditure for six months ending 31st December, 1905.

Bill (No. 37) intituled “An Act to amend the ‘County Courts Act,’” was read a third time and passed.

The Report on Bill (No. 13) intituled “An Act respecting the use and Manufacture, within British Columbia, of Timber cut on Lands of the Crown,” was considered.

Mr. *J. A. Macdonald* moved to amend section 2 by inserting after the word “all” in the first line thereof, the words “Grade A,” and by adding to the said section 2 the following subsections:—

“(a.) The Lieutenant-Governor in Council is hereby authorised to make rules and regulations for defining what shall be deemed to be Grade A timber under this section; and the appointment of and fixing the qualifications, powers and duties of Government Timber Scalers, which said Scalers shall truly scale all timber cut in the Province in accordance with said regulations:

“(b.) No timber shall be removed from the Province, or the waters adjacent thereto, unmanufactured, as provided by this section, until it has been scaled by one of such Government Scalers and certified by him to be not Grade A timber as defined by this Act and said regulations:

“(c.) Notwithstanding anything contained in this Act, the holder of a hand-logger’s licence, upon satisfying the Government Scaler, who shall scale his logs, that the same have been cut by him, the said hand-logger, on his own account and not for some other person or persons, shall be exempt from the provisions of said section 2 requiring Grade A timber to be used and manufactured in this Province.”

Negated on the following division:—

YEAS:

Messieurs:

<i>King,</i>	<i>Jones,</i>	<i>Oliver,</i>	<i>Munro,</i>
<i>Brown,</i>	<i>Evans,</i>	<i>J. A. Macdonald,</i>	<i>Paterson,</i>
<i>McNiven,</i>	<i>Tanner,</i>	<i>Henderson,</i>	<i>Hall—13.</i>
<i>Murphy,</i>			

NAYS:

Messieurs:

<i>Davidson,</i>	<i>Cotton,</i>	<i>A. McDonald,</i>	<i>Young,</i>
<i>Wells,</i>	<i>Ellison,</i>	<i>Green,</i>	<i>Gifford,</i>
<i>Hawthornthwaite,</i>	<i>Clifford,</i>	<i>Fulton,</i>	<i>Macgowan,</i>
<i>Williams,</i>	<i>Bowser,</i>	<i>Garden,</i>	<i>Shatford,</i>
<i>Tallow,</i>	<i>Fraser,</i>	<i>Taylor,</i>	<i>Grant,</i>
<i>McBride,</i>	<i>Ross,</i>	<i>Wright,</i>	<i>Manson—24.</i>

Mr. *Oliver* moved to amend section 2 by adding the words “or timber” at the end of the section.

Negated.

Mr. *Oliver* moved to strike out section 5 and insert the following in lieu thereof:—

“5. Nothing in this Act contained shall be construed to prevent the export to any other Province of Canada of pile and crib timber, railway ties, mining props, telegraph or telephone poles, fence posts or other fence timber, cordwood or other fire wood, subject to such regulations as to inspection as the Lieutenant-Governor in Council may prescribe.”

Negated on the following division:—

YEAS:

Messieurs

<i>Drury,</i>	<i>Murphy,</i>	<i>Oliver,</i>	<i>Munro,</i>
<i>King,</i>	<i>Jones,</i>	<i>J. A. Macdonald,</i>	<i>Paterson.</i>
<i>Brown,</i>	<i>Evans,</i>	<i>Henderson,</i>	<i>Hall—14.</i>
<i>McNiven,</i>	<i>Tanner,</i>		

## NAYS :

## Messieurs

<i>Davidson,</i>	<i>Cotton,</i>	<i>A. McDonald,</i>	<i>Young,</i>
<i>Wells,</i>	<i>Ellison,</i>	<i>Green,</i>	<i>Gifford,</i>
<i>Hawthornthwaite,</i>	<i>Clifford,</i>	<i>Fulton,</i>	<i>Macgowan,</i>
<i>Williams,</i>	<i>Bowser,</i>	<i>Garden,</i>	<i>Shatford,</i>
<i>Tatlow,</i>	<i>Fraser,</i>	<i>Taylor,</i>	<i>Grant,</i>
<i>McBride,</i>	<i>Ross,</i>	<i>Wright,</i>	<i>Manson—24.</i>

Report adopted.

Third reading to-morrow.

Bill (No. 40) intituled "An Act respecting the Measurement of Timber," was committed.  
Progress reported.

Committee to sit again to-morrow.

Bill (No. 41) intituled "An Act to Cancel the Assessment Roll for the District of North Vancouver for 1906, and to authorise a new Assessment Roll to be prepared," was committed.

Reported complete without amendment.

Report adopted.

Third reading to-morrow.

Bill (No. 43) intituled "An Act to amend the 'Benevolent Societies Act,'" was read a second time.

To be committed to-morrow.

Bill (No. 67) intituled "An Act to incorporate the Ashcroft, Barkerville and Fort George Railway Company," was again committed.

Reported complete with amendments.

Report to be considered to-morrow.

Bill (No. 58) intituled "An Act to amend the 'Lightning Creek Gold Gravels and Drainage Company (Limited Liability) Act, 1896,'" was committed.

Reported complete with amendments.

Report to be considered to-morrow.

The Hon. Mr. *Green* 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 amend the 'Columbia and Western Railway Subsidy Act, 1896,'" and recommends the same to the Legislative Assembly.

*Government House,*  
*26th February, 1906.*

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

The Report on Bill (No. 8) intituled "An Act to amend the 'Provincial Elections Act,'" was considered.

Mr. *Oliver* moved in amendment that all the words of the Resolution after the first word, "That," be struck out, and the following words be substituted therefor: "whereas the system of representative government presupposes that the Legislature shall be composed of persons representing a majority of the electors in the several constituencies:

"And whereas in the past it has been deemed expedient to require a deposit of two hundred dollars to be made with the Returning Officer by or on behalf of each candidate at

the time of his nomination, which said deposit was to be forfeited if the candidate (on whose behalf such deposit was made) did not receive at least one-half as many votes as the successful candidate who had received the smallest number of votes :

“And whereas the requiring of such before-mentioned deposit, or any deposit, is objectionable to many electors :

“Therefore be it Resolved, That this House is of the opinion that it is desirable to so amend the Statutes relating to elections that only candidates receiving over one-half of the votes polled at the election at which they are candidates shall be elected as members of the Legislative Assembly, and that the deposit of two hundred dollars by or on behalf of the candidates now required by law be abolished.”

Negated on the following division :—

YEAS :

Messieurs

*Drury,*  
*King,*  
*Brown,*  
*McNiven,*

*Murphy,*  
*Jones,*  
*Evans,*

*Oliver,*  
*J. A. Macdonald,*  
*Henderson,*

*Munro,*  
*Paterson,*  
*Wells—13.*

NAYS :

Messieurs

*Tanner,*  
*Davidson,*  
*Hall,*  
*Hawthornthwaite,*  
*Williams,*  
*Tatlow,*  
*McBride,*

*Cotton,*  
*Houston,*  
*Clifford,*  
*Bowser,*  
*Fraser,*  
*Ross,*

*A. McDonald,*  
*Green,*  
*Fulton,*  
*Garden,*  
*Taylor,*  
*Wright,*

*Young,*  
*Gifford,*  
*Macgowan,*  
*Shatford,*  
*Grant,*  
*Manson—25.*

The report was adopted.  
Third reading to-morrow.

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

And then the House adjourned at 5:10 P.M.

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Tuesday, 27th February, 1906.

TWO O'CLOCK, P.M.

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

On the motion of Dr. *Young,* Bill (No. 49) intituled “An Act to amend the ‘Placer Mining Act,’” was introduced, read a first time and *Ordered* to be read a second time to-morrow.

Mr. *Ross* presented the First Report from the Standing Committee on Municipal Matters, as follows :—

LEGISLATIVE ASSEMBLY,  
VICTORIA, February 27th, 1906.

MR. SPEAKER :

Your Select Standing Committee on Municipal Matters beg leave to report as follows :—  
That they have considered many proposed amendments to the “Municipal Clauses Act,” annexed hereto, and recommend the same to the favourable consideration of the House.

W. R. ROSS,  
*Chairman.*

The Report was received.

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

1. In the matter of tramway crossings, does the duty of protecting the public rest with the tramway owners or with the Government ?
2. Has the Government of British Columbia forfeited the right of eminent domain in the lands of the Wellington Colliery Company ?

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

- “ 1. The tramway owners.
- “ 2. No.”

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

1. Has the Government received any communications urging the advisability of the Government printing and publishing text-books for use in public schools ?
2. Has the Government considered the advisability of so publishing such text-books ?
3. If not, why not ?
4. If so, what decision has the Government arrived at ?

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

- “ 1. Yes.
- “ 2. Yes.
- “ 3. Answered by reply to No. 2.
- “ 4. Government is now considering question of co-operating with other Provinces as to adopting uniform set of text-books throughout the Dominion.”

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

1. Has an Order in Council been passed allowing beaver to be killed north of Blackwater stream, Cariboo District, for the next two years ?
2. If so, what is the object of such an Order in Council ?

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

- “ 1. An Order in Council has been passed allowing beaver to be killed by Indians north of Blackwater River for the next two years.
- “ 2. The object is to allow the Indians in that part of the Province to continue for the present to obtain their livelihood from beaver, it having been represented to the Government that they are chiefly dependent on beaver, and jealously guard and protect same.”

Bill (No. 41) intituled “ An Act to Cancel the Assessment Roll for the District of North Vancouver for 1906, and to authorise a new Assessment Roll to be prepared,” was read a third time and passed.

The Order for the consideration of the Report on Bill (No. 31) intituled “ An Act further to amend the ‘ Vancouver General Hospital Act, 1902,’ ” was discharged and the Bill withdrawn.

On the motion of the Hon. Mr. *Fulton*, Bill (No. 75) intituled “ An Act further to amend the ‘ Vancouver General Hospital Act, 1902,’ ” was introduced, read a first time and *Ordered* to be read a second time to-morrow.

The Report on Bill (No. 39) intituled “ An Act to amend the ‘ British Columbia Land Surveyors Act, 1905,’ ” was considered.

Mr. *Garden* moved to amend section 10, sub-section (*e*), by striking out the words “ corporation of ” in the last line.

Carried.

Mr. *Brown* moved to strike out in sub-section (*e*) of section 10, after the word “ register,” in the first line thereof, the words “ in the Form E in the Schedule to this Act, of all persons entitled to be registered under section 3 of this Act,” and to insert in lieu thereof the words “ of all persons entitled to be registered under the provisions of this Act.”

Carried.

The Hon. Mr. *Green* moved to add as section 13:—

“13. Sub-section (1) of section 48 of the Act is hereby amended by inserting after the word ‘Columbia,’ in the eighth line of the said sub-section, the words ‘practising in this Province.’”

Carried.

The Hon. Mr. *Green* moved to add as section 16:—

“16. Section 52 of the Act is hereby amended by striking out the words ‘may be received as a student by any Land Surveyor in this Province,’ in the ninth and tenth lines thereof, and by substituting therefor the words ‘on satisfying the Board that he is duly qualified as aforesaid, may, without undergoing the examination for admission to the study of land surveying, be received as a student by any member of the Corporation practising in this Province.’”

Carried.

Report, as amended, adopted.

Third reading to-morrow.

Pursuant to Order, the House went into Committee of the Whole on the Message of His Honour the Lieutenant-Governor transmitting Bill (No. 48) intituled “An Act to amend the ‘Columbia and Western Railway Subsidy Act, 1896.’”

*Resolved*, That the Committee rise and report to the House a Bill (No. 48) intituled “An Act to amend the ‘Columbia and Western Railway Subsidy Act, 1896,’” and recommend the introduction of the same.

Report adopted.

Bill introduced and read a first time.

Second reading to-morrow.

Bill (No. 43) intituled “An Act to amend the ‘Benevolent Societies Act,’” was committed.

Reported complete without amendment.

Report to be considered to-morrow.

Bill (No. 61) intituled “An Act to amend the ‘Vancouver Incorporation Act, 1900,’” was read a second time.

To be committed to-morrow.

Bill (No. 8) intituled “An Act to amend the ‘Provincial Elections Act,’” was read a third time and passed.

The House resumed the adjourned debate on the motion moved by Dr. *King* on the 26th inst., as follows:—

That an Order of the House be granted for a Return of all petitions from residents of Fernie, Cranbrook and Columbia Districts regarding aid to Kootenay Central Railway.

Resolution agreed to.

Bill (No. 35) intituled “An Act for the Extermination of Wild Horses,” was read a second time.

To be committed to-morrow.

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

And then the House adjourned at 3:15 P.M.

Wednesday, 28th February, 1906.

TWO O'CLOCK, P.M.

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

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

By Mr. *Hall*—Bill (No. 76) intituled “An Act to amend the ‘Municipal Elections Act.’”

By Mr. *McNiven*—Bill (No. 77) intituled “An Act to make Provision for securing the Safety of Passengers Travelling on, and for preventing Accidents and Injuries to Employees on, Tramways and Street Railways.”

Dr. *Young* presented the 18th, 19th and 20th Reports from the Private Bills Committee, as follows:—

LEGISLATIVE COMMITTEE ROOM,  
February 28th, 1906.

MR. SPEAKER :

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

That the preamble of Bill (No. 71) intituled “An Act to amend the ‘False Creek Fore-shore Act, 1904,’” has been proved, and the Bill ordered to be reported with amendments.

All of which is respectfully submitted.

H. E. YOUNG,  
*Chairman.*

The report was received.

LEGISLATIVE COMMITTEE ROOM,  
February 28th, 1906.

MR. SPEAKER :

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

That the preamble of Bill (No. 50) intituled “An Act to incorporate the Royal Plate Glass Insurance Company of Canada,” has been proved, and the Bill ordered to be reported with amendments.

All of which is respectfully submitted.

H. E. YOUNG,  
*Chairman.*

The report was received.

LEGISLATIVE COMMITTEE ROOM,  
February 28th, 1906.

MR. SPEAKER :

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

The preamble proved of Bill (No. 69) intituled “An Act to amend the ‘West Kootenay Power and Light Company (Limited) Act, 1897,’” and the Bill ordered to be reported with amendments.

All of which is respectfully submitted.

H. E. YOUNG,  
*Chairman.*

The Report was received.

Mr. *Oliver* asked the Hon. the Premier the following questions :—

1. Have the Government received any communication from the Forestry Association, or any person, relative to the necessity of better fire protection to our forests?
2. If so, what action does the Government propose to take?

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

“1. Yes.

“2. The matter is under the consideration of the Government.”

Mr. *Oliver* asked the Hon. the Premier the following questions :—

Is it the intention of the Government to station a Provincial Constable at the International Boundary near Blaine?

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

“The matter is under the consideration of the Government.”

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

1. Does No. 1 Shaft, Western Fuel Co.'s Mines, Nanaimo, contain a large area of gas?

2. If so, is said area fenced off?

3. If not, why not?

4. Has the Inspector of Mines made a report upon the existence of such area of gas, if existing?

5. If not, why not?

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

“1. It contains an area of gas, to what extent it is impossible to say; this area is on one side of the slope where no mining is being carried on, a few men only, under a fire boss, being employed with locked safety lamps attending the ventilation as the water is being pumped out.

“2. Yes, by a large fall of rock through which it is almost impossible for a man to crawl.

“3. Answered by answer to No. 2.

“4. The Inspector of Mines has reported upon the existence of an area of gas.

“5. Answered by answer to No. 4.”

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

Bill (No. 67) intituled “An Act to incorporate the Ashcroft, Barkerville and Fort George Railway Company.”

Bill (No. 58) intituled “An Act to amend the ‘Lightning Creek Gold Gravels and Drainage Company (Limited Liability) Act, 1896.’”

Bill (No. 39) intituled “An Act to amend the ‘British Columbia Land Surveyors Act, 1905.’”

The Report on Bill (No. 25) intituled “An Act relating to the Transfer of Land, and to provide for the Registration of Titles to Land,” was further considered.

The Hon. Mr. *Fulton* moved to strike out the words “or the Examiner of Titles” wherever they occur in sections 49 (1) and 83.

Carried.

Report, as amended, adopted.

Third reading to-morrow.

The Report on Bill (No. 43) intituled “An Act to amend the ‘Benevolent Societies Act,’” was considered and adopted.

Third reading to-morrow.

Bill (No. 18) intituled “An Act to amend the ‘Land Act,’” was again committed.

Progress reported.

Committee to sit again to-morrow.

Bill (No. 40) intituled “An Act respecting the Measurement of Timber,” was again committed.

Progress reported.

Committee to sit again to-morrow.

On the second reading of Bill (No. 48) intituled “An Act to amend the ‘Columbia and Western Railway Subsidy Act, 1896,’” a debate arose, which was adjourned until to-morrow.



Bill (No. 75) intituled "An Act further to amend the 'Vancouver General Hospital Act, 1902,'" was read a second time.  
To be committed to-morrow.

Bill (No. 15) intituled "An Act to consolidate and amend the 'Municipal Clauses Act,'" was read a second time.  
To be committed to-morrow.

Bill (No. 35) intituled "An Act for the Extermination of Wild Horses," was committed. Reported complete with amendments.  
Report to be considered to-morrow.

Bill (No. 49) intituled "An Act to amend the 'Placer Mining Act,'" was read a second time.  
To be committed to-morrow.

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

HENRI G. JOLY DE LOTBINIÈRE,  
*Lieutenant-Governor.*

The Lieutenant-Governor of the Province of British Columbia transmits herewith—  
Estimates of sums required for the service of the Province for the financial year ending 30th June, 1907 ;  
Supplementary Estimates of Expenditure for the financial year ending 30th June, 1906 ;  
Schedule A, Unprovided Items of Expenditure for the fiscal year ended 30th June, 1905 ;  
Schedule B, Sum granted to dispose of certain sums which appear as assets in the Balance Sheet of the Province, which are irrecoverable, and to authorise the same to be written off as a charge direct to the Province, to 30th June, 1906,  
and recommends the same to the Legislative Assembly.

*Government House,*  
*28th February, 1906.*

On the motion of the Hon. the Minister of Finance, seconded by the Hon. the Premier, it was *Resolved*,—

That the said Message, and the Estimates accompanying the same, be referred to the Committee of Supply.

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

And then the House adjourned at 5:45 P.M.

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Thursday, 1st March, 1906.

TWO O'CLOCK, P.M.

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

Mr. *Macgowan* presented a petition from *J. S. Clute* and others, in support of Bill to regulate the sale of Patent Medicines.  
Received.

The Report on Bill (No. 35) intituled "An Act for the Extermination of Wild Horses," was adopted.  
Bill read a third time and passed.

Bill (No. 49) intituled "An Act to amend the 'Placer Mining Act,'" was committed.  
 Reported complete without amendment.  
 Report adopted.  
 Bill read a third time and passed.

The House resumed the adjourned debate on the second reading of Bill (No. 29) intituled "An Act to amend the 'Master and Servant Act.'"

Bill read a second time on the following division:—

YEAS :

Messieurs

<i>Brown,</i>	<i>Oliver,</i>	<i>McBride,</i>	<i>Wright,</i>
<i>McNiven,</i>	<i>J. A. Macdonald,</i>	<i>Cotton,</i>	<i>Young,</i>
<i>Jones,</i>	<i>Cameron,</i>	<i>Fraser,</i>	<i>Gifford,</i>
<i>Evans,</i>	<i>Hawthornthwaite,</i>	<i>Ross,</i>	<i>Manson—19.</i>
<i>Davidson,</i>	<i>Williams,</i>	<i>Taylor,</i>	

NAYS :

Messieurs

<i>Drury,</i>	<i>Hall,</i>	<i>Clifford,</i>	<i>Fulton,</i>
<i>Tanner,</i>	<i>Tatlow,</i>	<i>Bowser,</i>	<i>Macgowan,</i>
<i>Paterson,</i>	<i>Ellison,</i>	<i>A. McDonald,</i>	<i>Grant—13.</i>
<i>Wells,</i>			

To be committed to-morrow.

On the second reading of Bill (No. 38) intituled "An Act to amend the 'Vancouver Island Settlers' Rights Act, 1904,'" the Hon. Mr. *McBride* objected to the Bill as affecting Crown lands, and one that it was not competent for a Private Member to introduce.

Mr. Speaker *Pooley* : The Bill sought to be amended was introduced by Message on 29th January, 1904.

Section 3 of the said Bill gave certain persons the right, within one year from 10th February, 1904, to a grant of Crown lands under certain conditions.

The said Bill further declared that the rights of such persons shall be asserted and defended at the expense of the Crown.

The time within which the said persons could apply for a Crown grant has now expired.

The Bill now objected to proposes to extend the time within which these Crown grants can be obtained and defended at the expense of the Crown, which will lead to a heavy expenditure of public money.

The Bill is out of order, and I must so rule.

The Order for the second reading of the following Bills—

Bill (No. 47) intituled "An Act to amend the 'Municipal Elections Act,'"

Bill (No. 76) intituled "An Act to amend the 'Municipal Elections Act,'"

was discharged, and the Bills referred to the Municipal Committee.

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

Bill (No. 25) intituled "An Act relating to the Transfer of Land, and to provide for the Registration of Titles to Land."

Bill (No. 43) intituled "An Act to amend the 'Benevolent Societies Act.'"

Bill (No. 18) intituled "An Act to amend the 'Land Act,'" was again committed.

Reported complete with amendments.

Report to be considered to-morrow.

Bill (No. 40) intituled "An Act respecting the Measurement of Timber," was again committed.

Reported complete with amendments.

Report to be considered to-morrow.

Bill (No. 75) intituled "An Act further to amend the 'Vancouver General Hospital Act, 1902,'" was committed.

Reported complete with amendments.

Report to be considered to-morrow.

The House resumed the adjourned debate on the second reading of Bill (No. 48) intituled "An Act to amend the 'Columbia and Western Railway Subsidy Act, 1896.'"

Question proposed—"That the Bill be read a second time now."

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

That all the words of the resolution after the first word, "That," be struck out and the following words substituted therefor:—

"whereas the Columbia and Western Railway Company was incorporated by chapter 54, Statutes of 1896 :

"And whereas, by section 16 of said chapter 54, it is enacted that the lines of railway mentioned in the schedule, together with branches and extensions, shall constitute the Columbia and Western Railway :

"And whereas it is conditional to the granting of the aid, as provided by chapter 8, Statutes of 1896, that the Company construct the said Columbia and Western Railway within the time and according to the terms of their Act of Incorporation :

"And whereas the Company has not complied with the conditions of the Subsidy Act as set forth in section 1, chapter 8 :

"And whereas it was enacted that 'No lands shall be granted to the Company which are not designated and surveyed by them within seven years from the passage of this Act':

"And whereas the said Subsidy Act was passed on the 17th day of April, 1896, and whereas the lands to be granted were not designated and surveyed within the time nor in the manner prescribed by Statute, and are not yet surveyed :

"And whereas it was contemplated that by the granting of the subsidy as set forth in the Columbia and Western Railway Subsidy Act, being chapter 8, Statutes of 1896, that that portion of British Columbia extending from the Columbia River to Penticton, as well as the country bordering upon and tributary to Okanagan Lake, and also the Okanagan and Spallumcheen Valleys and the country tributary to the Shuswap and Okanagan Railway, would be developed and made profitable at an earlier period than if no such subsidy was granted ; and further, that the coast cities would be very materially benefited by securing a more direct route into the mining and smelting camps of the Boundary District via Penticton ; and it is further contemplated that the annual loss to the Province of British Columbia on account of its guarantee of interest upon the bonds of the Shuswap and Okanagan Railway would, by the construction of the Columbia and Western Railway to or near Penticton, be very materially reduced, if not altogether eliminated :

"And whereas, to secure the construction of the Columbia and Western Railway at the earliest possible date, it was enacted that the Railway Company should deposit security to the amount of fifty thousand dollars, which said amount was to be forfeited if the railway was not built to or near Penticton within four years from the 17th day of April, 1896 :

"And whereas the railway has not yet been built to Penticton :

"And whereas the security before mentioned has not been estreated :

"And whereas the failure of the Columbia and Western Railway Company to construct their line of railway to Penticton has resulted in incalculable loss to the Province of British Columbia and made it necessary to provide a subsidy of \$750,000 in aid of a line of railway from Midway to Vernon :

"Therefore, this House is of the opinion that the Columbia and Western Railway Company is not entitled to any further aid."

Debate continued and 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 P.M.