

F E B

1891

THE LEGISLATURE.

MR. R. BEAVEN'S LIBEL BILL MEETS WITH DEFEAT.

The House is Evidently Afraid of the Newspapers, and Propose Not to Cut Their Heads—The Lawyers Are Dead Against It.

MONDAY, Feb. 2, 1891.

The Speaker took the chair at 2 o'clock and business was at once proceeded with.

PETITIONS.

Mr. Cotton presented the following petitions:

From the Corporation of Vancouver to amend the Act of Incorporation.

From Henry Abbott and others, for a bill to incorporate the Liverpool and Canoe Pass Railway Company.

From John Hendry and others to incorporate the Vancouver, Northern and Alaska Railway and Navigation Company.

From the Corporation of Vancouver, opposing the bill to amend the Vancouver Water Works Act.

Mr. Martin—From F. C. Innes and others to incorporate the Vernon and Okanagan Railway.

From the Okanagan Land and Development Company, Limited, for a private bill.

Mr. Kitchen—From R. H. Alexander and others, for a bill to incorporate the Burrard Inlet and Fraser Valley Railroad Company.

From Westminster and Vancouver Tramway Company and the New Westminster Street Railway, for an act to amalgamate them as the Westminster and Vancouver Tramway Co.

The Premier presented a return asked for by the House, showing that there had been included in the Grant made to the E. & N. R. section 1 of Nanaimo district, known as the Newcastle townsite reserve, 724 acres, less the various lots which had been previously alienated.

Mr. Kellie moved that a select committee be appointed to examine the lease made by the Chief Commissioner of Lands and Works in 1886 with Mr. W. A. Baillie-Grohman and others, relative to the reclamation and colonization of certain lands in Kootenay, and to ascertain whether the conditions of said lease have been fully carried out on the part of the Kootenay Syndicate (limited) and the said W. A. Baillie-Grohman. Such committee to have power to send for papers, etc., and to report to this House.—Carried.

Hon. Mr. Davie introduced a bill respecting the corporation of New Westminster.

Hon. Mr. Beaven moved that there be placed before this House copies of all orders in council, correspondence, papers, vouchers, and receipts relating to the issue and cancellation of crown grant No. 2608, dated 12th June, 1883, and the issue of crown grant No. 4087 in lieu thereof.

Hon. Mr. Robson introduced a bill relating to gold and other minerals except coal.

MR. BEAVEN'S LIBEL BILL.

Hon. Mr. Beaven, in moving the second reading of his libel bill, spoke of the respective applications of the Dominion and Provincial laws and authority, with respect to libel. The existing law of libel was, in his opinion, most defective. Under it the presumption was that a libel was, in every case, malicious. Taking the case of newspapers, and the way in which they were got out, and the information obtained, it was a wrong presumption to say that every libel was malicious. Again, it was only right and just when there had been a libel committed that the newspaper proprietor should be allowed the opportunity of making an ample apology for an inadvertent libel. The principles of ethics should be made to apply to newspapers as well as to individuals, and the publication of an apology given as wide a circulation as the original libel should prevent all possibility of a prosecution. Then the law ought to provide that the publication of reports of public meetings should be privileged, while a fair report of proceedings in a court of justice should render it impossible to enter a prosecution. Newspapers were obliged to gather news, or they would be behind in the race, and should be protected in carrying on their legitimate business. It ought, too, to be rendered impossible to drag a newspaper proprietor to a town, other than the one in which his paper is published, to undergo his trial; and, moreover, the newspaper man should have a right to demand security for costs, so as to prevent him being frivolously and vexatiously prosecuted on charges which would not stand investigation. Since this bill has been introduced, he (Mr. Beaven) had noticed a bill which was before the State Legislature of Washington that went still further than this bill. It provided that where a charge was not proved the person so making accusation rendered himself liable in damages. The public demanded news, the telegrams came in to the editor's office, the other news arrived through various channels, and if the proprietor delayed to make minute examinations into every detail the information would be published elsewhere in advance of him. The presumption of the libel law, today, was that in every instance the offence was malicious. He desired to change the presumption and to place matters entirely on the other side.

Hon. Mr. Davie remarked that he noticed that the measure now before the House had been taken from the Ontario libel law, but if the hon. member who drafted it had remained satisfied at that only the bill would have been about what was desired. It was perfectly just that a proprietor of a newspaper should have an opportunity of pleading that the alleged libel was not due to malice, and was nothing more than an honest mistake, when such was the case; but that principle exists now in what is known as the Fox act. Mr. Davie hoped that as there was so much of a pernicious nature in this bill it would be defeated, so that he might be in a position to bring down a measure following more nearly the lines of the Ontario law. In many cases unless malice were inferred it would be impossible to bring an offender to conviction, and the same principle applies to libel. The law considers it a more heinous offence to take away a man's character than his purse, because by a man's character he lives. For instance, a newspaper obtains some information from the enemy of a man. It is published, and under the presumption of malice the aggrieved party could proceed to punish the offender either civilly or criminally. Were there no presumption of malice, on the other hand, there are no means of redress. The Attorney-General went through and analysed the bill clause by clause, and condemned it as a whole as mischievous and pernicious.

Mr. Cotton, while acknowledging the need of a libel law that would afford proper protection to newspapers, would vote against this measure in view of the promises made by the Attorney-General to introduce a more workable measure.

Hon. Mr. Pooley opposed the bill. The question for second reading was put and the House divided as follows:

Ayes—Beaven, Milne, Semlin, MacKenzie—4.

Nays—Pooley, Turner, Martin, Croft, Hunter, Rogers, Anderson, Fletcher, Robson, Davie, Vernon, Eberts, Stoddart, Booth, Nason, Smith, Forster, Keith, Baker, Sword, Kitchen, Cotton, Kellie—28.

The House then went into committee on the Animals Contagious Disease Act and sat until time of adjournment.

NOTICES OF MOTION.

By Mr. Sword—To introduce a bill to amend the Railway Act.

By Mr. Milne—To introduce a bill to establish a pharmaceutical association in British Columbia.

By Mr. Milne—To ask for a return of all correspondence, etc., not already printed relating to the transfer to the city of Victoria of the land known as the James' Bay mud flats.

QUESTIONS.

Mr. Milne—To ask the Provincial Secretary, "Is it the intention of the Government to place a sun on the crest of the establishment of a Normal school in Victoria."

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ANIMALS CONTAGIOUS DISEASES.

Hon. Mr. Beaven rose to a point of order on this measure, as it was announced for the next order of the day. He substantiated his objection by reference to May, page 937 (IX edition) according to which any such bill in which there was a charge made on the consolidated revenue, was ruled out of order.

Mr. Davie contended that the question referred to was of a different character and did not apply in this case. He thought that it did not contemplate any charge on the consolidated revenue.

The Speaker, after consulting authorities on the question, decided to rule the whole bill out of order in accordance with the objection taken by Hon. Mr. Beaven.

SUNDAY OBSERVANCE ACT.

This measure provides for the repeal of section 3 of the "Sunday Observance Act," section 3 of the said act is hereby amended by striking out the words "portion of the," in the sixth line of said section.

The schedule to the said act is hereby amended by striking out the word "portion," in the first line, and the words "of the," in the second line, and the words "portion of the," in the ninth and eleventh lines of the said schedule.

Considerable discussion ensued, Mr. Hunter first remarking that as the original act was such a short one it would be as well, and more intelligible to re-enact it with the proposed amendments.

Hon. Mr. Davie thought it would have been better if the hon. member for Victoria had, before asking the House to legislate on this question, taken the trouble to inquire what the law really was, matters would have been improved. As to the law which it was proposed to amend, it has been a dead letter almost since its passage. Anyhow he would like something more definite.

Mr. Smith would like to see this matter withdrawn, and a new bill altogether brought in.

Hon. Mr. Beaven thought it a commendable measure, but was doubtful whether or not it was wise to legislate by reference in this way.

Mr. Semlin did not wish, either, to inaugurate the system of legislation by reference this session; and he was very much pleased to see that the Attorney-General had been converted from his errors in this direction for there was no one more ready than he to adopt this system.

Hon. Mr. Beaven—I'm glad, too, to see that he is converted.

Hon. Mr. Robson remarked that he was in favor of a proper Sunday observance law which should be applicable to the province as a whole.

Mr. Croft thought that the hon. member who introduced the bill might withdraw it and frame it in a more definite way. If not, then Mr. Croft would move the adjournment of the debate.

Mr. Grant agreed with the statements about the need of a Sunday observance act, but felt that such a measure should be in touch with the general public. Since many of those English laws were framed, the ideas of the people have changed very considerably, so that these laws are practically not applicable to all. The public mind has become much more liberal these last few years. It might be the wish of some to have in force very stringent laws on this question, while others would like a more liberal code. The Premier had remarked that when a law is adopted, as this one was, there are some portions of it, which not being applicable here, are virtually a dead letter so far as we are concerned. If a law is copied out of the Canadian or English statute book into our own, we are either responsible for the whole of it or none of it. In framing a law of this kind it is all right when the reasonable limits of Christianity are adhered to, but there are certain extreme conditions which exist which cannot be incorporated wholly into our laws. Mr. Grant was desirous of seeing the House pass a measure which would apply to all parts of the province, and which would be in touch with public feeling.

Hon. Mr. Robson thoroughly agreed as to the desirability of having a complete Sabbath observance act, and if the hon. member for Victoria would, instead of referring in this unintelligible way to the act now in force on the mainland, bring down a measure including it, with the changes he proposes here, the House would then have something definite before it. As matters stood the Premier had a great objection to the act referring to the statutes of the old country.

Mr. Grant pointed out how a hard and fast Sunday observance law would work to the injury of miners.

Mr. Robson—But that is the law now.

Mr. Grant—Yes, but it is not enforced, and a law that is not put in operation is practically a dead letter.

Mr. Cotton asked if the hon. leader of the Government acted up to his precepts on this question when, in the bill he introduced yesterday (the mineral act) there was a clause providing that any claim located on Sunday shall not thereby be rendered invalid. Mr. Cotton would like to see some consistency.

Mr. Eberts didn't see why the House should be asked to legislate on this question. The municipalities have the power to legislate upon it, yet they refuse to do so.

Mr. Keith referred to the "delightfully vague" character of the bill, and proposed that the House be given something more definite to enact.

The bill was eventually withdrawn by Dr. Milne, who promised to re-introduce it in another shape.

SUPREME COURT BILL.

This bill was placed before the House for second reading, and, Mr. Beaven protested against the practice of distributing bills in the House, and immediately asking the House to legislate upon them before hon. members had had time to read.

The Attorney-General said was no wish to force the bill through the House.

The bill was read a second time, Mr. Beaven supporting it, but entering his protest against the practice complained of.

QUESTION OF PRIVILEGE.

Mr. Rogers rose to complain of being reported in the TIMES of the 30th January as speaking in favor of \$3 a day for ten hours' work.

In the legislative notes of Jan. 30th Mr. Rogers was so mentioned inadvertently, but in the report of the House proceedings, Jan. 28, it will be seen that it was Mr. Anderson who made the statement.

Hon. Mr. Davie presented a return of correspondence concerning the seizure of the schooner Hesperus and the arrest of the crew. Also a return of all orders-in-council and other information in the matter of Isaac Lehman, of Ashcroft.

The House adjourned shortly after 4 o'clock.

NOTICES OF MOTION.

Mr. Beaven—On the motion to consider the Mechanics' Lien Act, to move to amend section 12 by striking out all the words after "behalf" in the fifth line down to and including "May" in the eighth line, and insert "a pay roll containing the names of all laborers who have done work for him upon such works or improvements, with a receipt in full from each of the said laborers, with the amounts which were due and had been paid to each of them set opposite to their respective names, which pay roll shall—"

Also to amend schedule C so as to show the amount earned and the amount paid.

Hon. Mr. Beaven—Thursday—To introduce an act respecting actions of libel and slander.

THE LEGISLATURE.

NOT MUCH BUSINESS TRANSACTED YESTERDAY.

Mr. Keith Still Pressing On That Militia Force—The Government Did Not Consult the Federal Authorities Thereon—Bills Which Are to be Brought Up.

WEDNESDAY, Feb. 4.

The Speaker took the chair at two o'clock. Rev. Mr. McLeod having read prayers.

Petitions were presented by Mr. Cotton, on behalf of Samuel Groer in regard to certain land rights, and asking that this petition may be heard in the supreme court of British Columbia.

Mr. Martin—For leave to present a bill for the amendment of the Vancouver water works act.

Mr. Kellie—On behalf of the Nelson and Port Shepherd Railway Co., asking for incorporation.

Mr. Martin, chairman of the standing orders and private bills committee, reported on a number of petitions, and asked that the time for receiving petitions for private bills be extended for fourteen days longer. The reports stated that the standing orders had been complied with in the following petitions:

New Westminster and Burrard Inlet Telephone Co., Limited.
The Fraser River Dyking Co.
Crow's Nest and Kootenay Railroad.
Vernon and Nelson Telephone Co.
Burrard Inlet and Fraser Valley Railroad Co.

Bill to amend the Act of Incorporation of the City of Vancouver.

The Orders had not been complied with by the Okanagan Land and Development Co.

Liverpool and Canoe Pass Railroad Co.

Vancouver and Lulu Island Railroad Co.

After some discussion as to the advisability of suspending the standing rules of the House, the report was adopted.

Hon. Mr. Vernon presented a return asked for by Hon. Mr. Beaven, giving instructions to the commissioners to carry out vote 192b of last session, and all correspondence relating to this question.

QUESTIONS PUT BY MEMBERS.

Mr. Milne asked the Provincial Secretary: Is it the intention of the Government to place a sum on the estimates for 1891-92 for the establishment of a Normal School in the city of Victoria?

The Premier—The matter has not yet been considered.

Mr. Keith asked the leader of the Government—Was there any correspondence passed between the Provincial Government and Dominion Government relating to the sending of a militia force to Wellington last summer; and, if so, does the Government intend to place such correspondence before this House?

The Premier—There has not been any such correspondence. Had there been, it would have come down in response to the hon. member's previous motion on the same subject.

WESTMINSTER CITY BILL.

The Westminster City Act Amendment bill (No. 12) was submitted second reading by Hon. Mr. Beaven. The preamble of this bill, he said, sets forth and explains its object. States that the corporation of Westminster has expended large sums of money in providing for the collection, maintenance, and operation of water-works for the supply of water within the city and in the suburbs for public purposes, and to the inhabitants of the city and suburbs; and of electric plant and machinery for lighting city and suburbs, and supplying to the inhabitants; and of a steam between the city and the municipal of Surrey, and in providing ferry landings, pontoons, and things in the city and in the suburbs; and the erection of a building for a public library and other purposes; and in other ways for the improvement and advancement of the city; entered into contracts respecting same.

But doubts have arisen with respect to the powers of the corporation to make effectual provisions for works, and it is expedient to remove such doubts, and to grant to the corporation adequate and full powers for the construction, maintenance, operation, without any restriction of the water-works, and electric plant and machinery, and steam and public library.

Mr. Brown referred to the number of defects which exist in present charter, hence the present bill, although it was at first the intention to ask the House this session for a amendment of the entire charter, he thought it would be right to encourage the city in these works in view of importance of the city and the general prosperity and growth of it, and whole province.

Mr. Milne thought as the powers proposed to be conferred by this bill in matter of lighting extended to private as well as public lighting, the right shareholders in private companies would be interfered with.

Mr. Brown explained that the only referred to electric lighting, not to the gas works, although thought the city of New Westminster would, at an early date, be prepared to make an offer to the gas company take over their works and run them as a city enterprise.

Mr. Beaven supported the second reading, and the House went into committee on the bill, with Mr. Martin the chair.

On motion of Mr. Davie, the committee rose; reported progress, and as leave to sit again; also recommended that the bill be referred to a select committee composed of members of the Private Bills Committee, with request that fourteen days' notice given in the New Westminster paper to enable persons who oppose the bill to appear before the committee.

The report was received and adopted.

Hon. Mr. Turner presented a message from the Lieut.-Governor conveying "An Act to amend the Assessment Act."

The House then went into committee on the Land Registry Act, and rising reported the bill complete with amendments, the report to be considered Monday.

NOTICES OF MOTIONS.

Mr. Beaven—That on the motion to refer an act to incorporate the Liverpool and Canoe Pass Railway Co., to the select standing committee on railways, shall move to add: with a request the committee to insert sections providing against the employment of Chinese on the work to be undertaken.

Mr. Cotton—In re the petition Samuel Green—that it may be heard by the supreme court of British Columbia.

By Mr. Milne—To introduce a Sunday Observance Act.

By Mr. Keith—To move for a select committee to inquire into the cause leading to the late strike or lockout at Wellington, committee to consist of Messrs. Forster, Semlin, Booth, Ha and the mover.

QUESTIONS.

By Mr. Brown—To ask the Attorney-General: Is it the intention of the Government, during this session, to introduce an act to prohibit the sale of cigarettes to minors?

By Mr. Brown—To ask the Chief Commissioner: Is it the intention of the Government, during this year, to construct a traffic bridge over the Pitt river, at some point near its confluence with the Fraser?

By Mr. Brown—To ask the Leader of the Government—"Would the Government look upon a traffic bridge over the Fraser at New Westminster as a work of provincial importance, ranking as an undertaking entitled to substantial aid from the provincial treasury?"

Also, in the event of the municipalities directly interested undertaking, with the assistance of the Dominion Government, to build a traffic bridge or (in conjunction with a railway company) a combined railway and traffic bridge, across the Fraser at New Westminster, would the provincial government aid the work by a grant of money?"

The House rose at 4 o'clock.

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WESTMINSTER CITY BILL.

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The preamble of this bill, he said, fully
sets forth and explains its objects. It
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ury?

"Also, in the event of the municipali-
ties directly interested undertaking,
with the assistance of the Dominion
Government, to build a traffic bridge
or (in conjunction with a railway com-
pany) a combined railway and traffic
bridge, across the Fraser at New West-
minster, would the provincial govern-
ment aid the work by a grant of
money?"

The House rose at 4 o'clock.

THE LEGISLATURE.

THE GOVERNMENT SHIRKING THE CHINESE QUESTION.

They are all Very Particular on Points of
Order and Precedents When This
Matter is Brought—It is Shuffled
Again—Another Libel Bill.

THURSDAY, Jan. 29.

The Speaker took the chair at 2 o'-
clock, prayers having been read by
Rev. P. McLeod.

Mr. Martin, chairman of the standing
orders committee, reported that the
orders had been complied with in the
petitions which were not reported on
Wednesday.

Hon. Mr. Robson presented the re-
turns requested by Hon. Mr. Beaven,
relating to the cancellation of Crown
grant 2608 and the issue in place there-
of of 4007, also a report from the regis-
trar of the Supreme Court, stating that
it was not possible to obtain the exact
number of votes cast at the last elec-
tion.

Hon. Mr. Davie introduced a bill re-
specting libel or slander which was
read a first time.

On the introducer asking that it be
placed on the orders of the day for se-
cond reading to-morrow, Mr. Beaven
objected to such a class of legislation;
the bill was not even printed yet, and
members would not have time to con-
sider it critically before it was brought
up for their opinion. He moved an
amendment that it be read a second
time on Monday. It was invariably the
practice of the Attorney-General to
rush bills through the House in this
fashion.

Mr. Robson was somewhat surprised
at the course pursued by the honorable
member for Victoria, as whenever he
asked for the postponement of a sec-
ond reading for any reasonable purpose
it was always granted.

Mr. Beaven said that the royalty
clause was rushed through in this man-
ner last session contrary to his earnest
protest and solicitation.

Mr. Davie denied this. The bill was
put down for second reading on Friday.
Mr. Beaven, whose notice of motion
was on the orders before that of the at-
torney-general then introduced a bill
respecting libel or slander, which was
read a first time and then placed on the
orders for second reading on Monday
next.

Mr. Booth moved that a respectful
address be presented to his honor the
Lieutenant-governor, asking him to
cause to be sent down to the House re-
turns concerning the intestate estate of
the late Armstead Buckner, specifying
therein the amount realized, the expenses
incurred, and what disposition has
been made of the balance, if any.

Mr. Davie said there would be no ob-
jection to granting this information,
but asked if the mover could not fur-
nish somewhat more definite details to
guide the department.

Mr. Booth was not in a position to do
this.

Mr. Horne—To move, that whereas
the commercial importance of the city
of Vancouver is daily increasing, and
there is every reason to believe that
during the ensuing season and in the
future a much greater number of ships
will be passing in and out thereof:

And whereas, it is desirable
to increase the facilities of the
shipping, and it is necessary
in furtherance of that object, that
certain natural obstructions in the
Narrows and in the harbor should be
removed, and that certain parts of
the entrance thereto should be widen-
ed by dredging, and that a fog alarm
should be placed at the point known
as Prospect Point, and that Burnaby
Shoal be dredged, or a fog alarm
placed thereon.

Therefore, be it resolved, that a
respectful address be presented to
His Honor the Lieutenant-Governor,
praying his honor to urgently
request the Dominion Government
to take immediate steps for widening
and the removal of obstacles in the
Narrows at the entrance of said harbor,
and for the placing of a fog alarm on
Prospect Point and at Burnaby shoal in
said harbor; and the dredging of said
Burnaby Shoal; and that his honor be
further respectfully requested to trans-
mit a copy of the address and this reso-
lution to the Dominion Government.

Mr. Horne merely said in introducing
this resolution that it explained itself,
and he hoped there would be no ob-
jection taken to it.

Mr. Cotton seconded the motion. In
a short time we are to have a new line
of steamers between here and China;
steamers of larger tonnage than have
ever come here to trade regularly be-
fore and it is most important that every
facility be given them for rendering
their passage in and out safe at all
times and in all weathers.

Hon. Mr. Robson said in reference to
the motion that no one could help feel-
ing impressed with the importance of
more attention being paid to the navi-
gation of the waters of the Province;
and without suggesting that the Gov-
ernment have been especially derelict
in their duty in this respect, the fact
could not be denied that a great deal
remains to be done which ought to be
done. The maritime interests in this
Province are expanding rapidly, and
with the advent of another line of
steamers to China, and the certainty
we have of possessing another line to
Australasia, it can be seen that every
precaution should be taken to render
the navigation of these waters safe at

all times. He thought the mover, Mr.
Horne, deserved great credit for his
motion, and promised that the execu-
tive would use their best influence with
the Dominion Government in the
matter.

The resolution passed unanimously.
Mr. Brown introduced a bill to in-
corporate the Order of Mary Immacu-
late, which was read a first time and
referred to the committee on standing
orders.

Mr. Kitchen introduced a bill respec-
ting the Vancouver and Westmin-
ster Street Railway Co., asking for leave
to amalgamate.

Hon. Mr. Beaven moved that the bill
be referred to the select committee on
standing orders with a request to in-
sert a section providing against the
employment of Chinese on the works to
be undertaken in pursuance of the
bill.

MORE ABOUT THE CHINESE.

In introducing this motion Mr. Beav-
en felt that there had arrived in the
history of the province a period when
it was very necessary that this prin-
ciple should be applied, more especi-
ally by this new legislature, which is
fresh from the constituencies. It must
be known to anyone who has given the
matter consideration that there has
been an effort made in the Dominion
government to take away the restric-
tions placed on Chinese immigration
to this province, and the
argument used in support of that
effort is that this legislature neglects to
enforce the provisions against their em-
ployment on public works. The history
of the struggle to get the Dominion gov-
ernment to pass the act imposing the
\$50 head tax on the Chinese. The great
defect in this measure is the granting of
return certificates, a privilege which is
very much abused, notwithstanding the
efficiency of the customs officers and the
care taken by them. The charac-
teristics of the race render it a not diffi-
cult matter for them to evade this law.
The sum of fifty dollars is not adequate
to stem the influx of Chinese, as it is
well known that if contractors want
this labor they will pay the poll tax out
of their own pockets so as to get the
Chinese in. Mr. Beaven had, during
the construction of the C. P. R., seen as
many as 900 to 1000 Chinese landed in
this Province in one day, and if we un-
dertake any more extensive railway
construction we shall see a repetition
of this practice of importing Chinese.
There was one road being constructed
in the interior of British Columbia on
which Mr. Beaven was proud to say
that the contractors had not em-
ployed one Chinaman (hear hear). And
in the adjoining state of Washington
where extensive public works had been
undertaken it had not been found
necessary to employ Chinese.

Hon. Mr. Robson said that the time
to treat this question would be when
the bill was before the House. Then
he would be prepared to deal with the
question fairly and honestly on its
merits.

Hon. Mr. Beaven held that this was
the time to bring up the matter, and
quoted the late Hon. Alexander E.
Davie as a precedent.

Hon. Mr. Robson said that the leader
of the opposition was now trying to do
that which he condemned the attorney-
general for doing a few moments since,
in asking the House to commit itself to
a principle which was not before the
House. This might or might not be a
bill in which a prohibitory Chinese
clause might be advisable; it would be
better, therefore, to wait and see. Mr.
Robson said that the hon. leader of the
opposition was in reality depopulariz-
ing this question by dangleing the Chi-
nese under one's nose till the question
positively stank.

Mr. Booth said the hon. member has
not claimed that the House has any
right to insert such a clause.

Hon. Mr. Pooley referred to the
practice in the British House of Com-
mons regarding the passage of such a
measure as the present.

Hon. Mr. Davie said the House had
not only not seen the bill but it might
never see it, for the committee on pri-
vate bills might never report upon it.
Besides this it was clearly wrong for
the House to dictate to the committee.
It cannot be suggested, however, that
the objection to pass this motion is an
attempt to shirk the Chinese question,
because it is one that must be dealt
with sooner or later, and on which
every member of the House must place
himself on record. But the question
now is whether the present is the right
time to consider this motion.

Mr. Cotton thought the motion intro-
duced by Mr. Beaven was one the
House should adopt. The Attorney-
General had said that there was no at-
tempt to shirk this question; Mr. Cot-
ton was of opinion that in a certain
sense the refusal to adopt this amend-
ment was shirking the question, besides
imposing on the House a serious loss of
time. He thought that as the present
bill asked for certain rights, it was only
proper that the House should be able
to say on what grounds those rights
should be granted, and there was noth-
ing unreasonable in asking the com-
mittee to insert this clause (hear hear).
It could not be denied that if this
Chinese question were placed before
the people to-day we should find an
overwhelming majority in favor of re-
striction, and Mr. Cotton thought the
House should be guided by that opinion.

Mr. Brown said that the amendment
proposed by the member for Victoria is
simply giving the right to the committee
to legislate as to whether the Chinese
clause should go into the bill or not,
he had sufficient confidence in the com-
mittee to vote for the amendment, but

he was in the position of a number
of others who doubted whether,
in the interest of fair play, it was
proper to put this clause into
this bill or not. Of course the House
has no right to interfere with individ-
uals employing Chinese, but it was dif-
ferent with companies seeking fran-
chises from the House. With regard
to enforcing the non-employment of
Chinese in any capacity, if it were com-
petent for this House to pass such a
measure, he would hold up both hands
for it. Therefore he would support
such a clause in any bill asking a fran-
chise from the House necessitating the
employment of labor. But the present
bill merely asks for the right to amal-
gamate.

Mr. Horne, individually, was very
much against the employment of Chi-
nese, and thought the House should in-
sert in all private bills a Chinese re-
strictive clause, but he thought the pre-
sent was not a proper time to insert
that clause.

Mr. Semlin thought the object of this
resolution was to gain the consensus of
opinion in the house as to whether or
not the employment of Chinese is pre-
judicial to the interests of the Province.
If the House is of that opinion, it might
as well declare it now. It was not on
this particular bill that the question
was brought up, because in the
portion of the country to which
it refers there is no need
of employing Chinese. There is plenty
of white labor. But it is not so in other
parts of the province. This, therefore,
was as opportune a time for gaining the
opinion of the House on the question,
and he should vote for Mr. Beaven's
amendment accordingly.

Mr. Keith in view of the conflicting
statements of both leaders as to the
constitutionality of this proceeding,
said it was difficult for "greenhorns"
to understand what really was right.
He asked whether if the House gave
certain instructions to the committee,
the House was necessarily bound by
those instructions?

Mr. Beaven answered that such was
not the case; and the speaker further
informed the hon. member that the
House is supreme in all cases. Mr.
Keith proceeded to state that he was
strongly in favor of the exclusion of
Chinese as anyone; but could not un-
derstand certain hon. members who
argue in the same way, yet when a mo-
tion is brought forward they are dia-
metrically opposed to it and vote ac-
cordingly. It seemed to him that there
must be something strange in the House
itself; something wrong in such double
dealing.

Mr. Croft enquired whether the pre-
sent motion was in order, and was re-
ferred by the speaker to the ruling given
on this question on the 26 January.

After some remarks by Messrs. Mar-
tin & Rogers opposing the amendment,
Mr. Grant said there seemed to be some
extraordinary arguments advanced as
to the propriety of introducing this
question now. This is a question that
a number of gentlemen do not want to
look squarely in the face. He had ex-
pressed his views upon it more than
once, but he was not prepared to go so
far as some members as to say the Chi-
nese should not be given a day's work
here. He would not say that until the
Government was prepared to pay their
passage back to their own country, or
else find them honest employment
whereby to obtain the means of living.
As to the present occasion it was a prop-
er one for getting the standing of
every member of the House on the Chi-
nese question; because when the bill is
allowed to go into committee and come
up for second reading there is no rec-
ord of who voted for or against the
clause in committee. Therefore it was
advisable that everyone's record should
be had on this question. For this reason
Mr. Grant would cast his vote for
the motion of the honorable leader of
the opposition.

Mr. Hunter thought it would not be
fair to interfere with the rights of the
private bills committee in this way.
The hon. member for Vancouver (Mr.
Cotton) had intimated that hon. mem-
bers on this (the government) side of
the House were inclined to shirk the
question. He thought there was no
member of the House so inclined, but
the hon. gentleman (Mr. Cotton) Mr.
Hunter must say has been rather more
inclined to put his opinions in type
rather than in person.

Mr. Cotton—I challenge the hon.
member for Comox to prove that I
have ever said anything in type that I
have not expressed on the floor of this
House; and I ask him as a straightfor-
ward, courteous gentleman to either
prove or withdraw that statement. I
think when this House knows me bet-
ter it will see that I have the courage to
express my convictions here.

Mr. Hunter withdrew the statement
voluntarily.

Mr. Smith opposed the amendment.
Dr. Milne seconded the amendment,
holding that if the Chinese were a men-
ace and a danger to the country when
the law of restriction was passed, they
are equally so now. He considered
therefore that the proper time to secure
the views of the House on the subject
was at the present time and not at the
second reading. And the present bill
called particularly for the insertion of
this clause, because the line operates in
a district where plenty of white labor
can be obtained, and where white
labor should be encouraged. In 1885 in
the interior of the country there were
five Chinamen to one white man em-
ployed; if statistics could be obtained
to-day it would be found that there are
ten Chinamen to one white man. They
work in the mines and drain the coun-
try of its gold, and what do they give
in return? Dr. Milne hoped to see the
resolution pass.

Hon. Mr. Turner and Mr. Foster spoke briefly and the question was put, resulting in the defeat of the amendment by 23 to 10 and all papers connected with the bill were ordered to be destroyed.

At 5 o'clock, McKenzie, Cotton, Semlin, Beaven, Milne, Nays 24—Kitchen, Fletcher, Robson, Pooley, Turner, Croft, Hunter, Rogers, Anderson, Nason, Hall, Booth, Stoddard, Sword, Horne, Smith, Foster, Eberts, Davie, Vernon, Keith, Baker, Brown.

SHUSWAP AND OKANAGAN GUARANTEE.
Hon. Mr. Davie moved the second reading of the Shuswap Railway Guarantee Amendment Bill, which was to provide for the "bonds," and not "coupons," as provided in the original Bill, being signed by means of a printed fac simile of the signature of the Minister of Finance.

The Bill was read a second time, and referred to a committee of the House, Mr. Cotton in the chair.

The Bill was reported complete with amendments, the report to be considered Monday.

THE ASSESSMENT ACT.
On motion of the Hon. Mr. Turner, the house went into committee on the message of his honor of 4th February, with the Assessment Act.

The committee rose, reported progress, and the house adjourned at 6 o'clock.

NOTICES OF MOTION.
Mr. Smith—Monday—Returns of correspondence and all papers connected with the intestate estate of the late D. M. Martin, of Lillooet.

Mr. Cotton—Monday—To introduce an Act to amend the Vancouver Incorporation Act of 1886, and the Vancouver Incorporation Act of 1889-90.

THE LEGISLATURE.

THE PREMIER'S POLITE SIMILE ON JOHN CHINAMAN.

A Little Adventure of the Attorney-General—The Libel Bill Not Quite Fair to the Newspapers Yet—The James Bay Mud Flats, etc.

The speaker took the chair at 2 o'clock.

Prayers by Rev. Mr. McLeod.
Col. Baker presented a petition from the Upper Columbia & Kootenay Navigation, Tramway and Railway Co., praying for incorporation.

Mr. Eberts, on behalf of a company, to construct a railroad from Victoria to Beachy Bay.

Mr. Cotton introduced a bill to incorporate the New Westminster & Burrard Inlet Telephone Co.

On the motion to refer this bill to the private bills committee Mr. Beaven moved in amendment that the committee be requested to insert clauses restricting the employment of Chinese upon the work to be undertaken.

Mr. McKenzie seconded the motion without speaking to it.

Hon. Mr. Robson remarked that the leader of the Opposition appeared determined to put John Chinaman wrong end foremost into the House under circumstances, and at times calculated seriously to injure the cause he (Mr. Beaven) appears to have so much at heart. The premier stated that he was ready to deal with this question fairly when the time came up, but the present was not the proper time. But bringing this matter up so persistently simply means fighting the battle over twice.

The question was put and resulted in a defeat of the amendment by 3 for, 17 against.

Ayes 5—Beaven, Semlin, McKenzie, Milne, Cotton.

Nays 17—Baker, Hall, Fletcher, Rogers, Booth, Stoddard, Eberts, Vernon, Davie, Robson, Pooley, Turner, Croft, Brown, Smith, Kitchen, Sword.

Mr. Kitchen introduced a bill to incorporate the British Columbia Dyking and Improvement Co.

Mr. Beaven moved his amendment, saying as he did so that no threats of the Provincial Secretary would turn him from doing his duty (hear, hear). This question, said Mr. Beaven, is one of the most important that will come before the House this session.

The Premier—The hon. gentleman is killing it all the same.

Mr. Beaven answered that he was not responsible for the votes of hon. members. He had endeavored to show to the House the reasons that should guide them in giving their decision in this matter; but the Provincial Secretary and his satellites always think the time is inopportune to express their opinions upon it. They haven't even got the backbone to formulate a policy upon it, and although they are all ready to talk in favor of the restriction of Chinese, they are never ready to vote against it. "The time is inopportune."

Mr. Robson thought that the House had sat on this question in the most emphatic manner.

The question was put, and resulted in a similar vote to the previous one.

Mr. Kitchen introduced the bill of the Burrard Inlet and Fraser River Valley railroad company.

Mr. Beaven pointed out that as this bill referred to the incorporation of a railway, he gave the provincial secretary credit for the ordinary intelligence of knowing that it required labor to construct that road, and it was very necessary that that labor should not be Chinese.

The same vote was cast, the nays being reinforced by the arrival of two government members.

Dr. Milne introduced a bill for the establishment of a pharmaceutical association in this province.

Read a first time and put down for second reading Tuesday.

Mr. Sword—A bill to amend the British Columbia Railway Act, 1890. Second reading Monday.

Mr. Milne moved for copies of all orders-in-council and correspondence, not already printed in the sessional papers of British Columbia, relating to the transfer to the city of Victoria, of public land covered with water, or otherwise, lying between James Bay bridge and McClure street, Victoria. He referred to the fact that not only from the rapid growth of the city, but from a sanitary point of view, this place has been for a number of years a great nuisance to the citizens of Victoria, who are anxious that the city should take it over and make it a different place from what it is to-day. Mr. Milne hoped the Government would afford some information as regards the negotiations going on with a view to the transfer these flats to the city.

Mr. Beaven expected that the Government would have given some information on this matter. There has been a very serious misunderstanding with regard to this matter, the general opinion being held that the property belonged to the municipal council. But Mr. Beaven found by reference to an old book that in 1879 there was one acre of land on this spot transferred by Mr. James Douglas to the H. B. C. and afterwards, it seems, by them to the Crown. The flats, that is the land covered by water, had been formally transferred to the city, but there was no record of this acre of land having been so handed over. It was mainly through the exertions of Mr. Duck that this transfer was made. This of course brings up the large question of the fore share rights of the province regarding the ownership of the land between high and low water mark.

Mr. Davie said the leader of the Opposition had found out this matter about the acre about twelve years ago, and had slept on it ever since. He thought the municipal council were quite able to look after their own rights.

Hon. Mr. Beaven explained that he had drawn attention to this matter when Mr. Duck brought it up.

Hon. Mr. Robson did not recollect his doing so.

Mr. Semlin did not pretend to be very clear on the subject, but he was strongly of the opinion that he had heard the leader of the Opposition refer to it when Mr. Duck brought it up. Mr. Semlin certainly could not remember that he had got his knowledge of it anywhere else. As far as the Attorney-General was concerned, he has been a member for Victoria city for the past eight years, and in view of that it was not his place to reflect on his colleague for dereliction of duty.

Hon. Mr. Pooley remarked that the resolution of Mr. Duck referred only to what are known as the James Bay mud flats, and there was nothing about an acre of land.

Mr. Grant read the deed transferring the acre of land in question to the H. B. C. It had only recently come to his knowledge that there was a doubt about the title of a portion of this land, but he considered that it should be given to the city. He thought this one of the small concessions that the government might make.

Mr. Robson—It is a very great concession.

Mr. Grant—Not so great as the number of lots and squares that have been given to New Westminster.

Mr. Robson—They have only been given the right to sell them.

Mr. Grant—If we had the right to sell Beacon Hill Park, the city would realize a great deal over it.

Mr. Robson explained that as the city of New Westminster found they had a surplus of squares they asked leave to sell some of them so as to raise money for public works. The Government in authorizing them to do so gave them no concession.

The motion was carried.

Mr. Baker introduced a bill to amend the Crow's Nest & Kootenay Railway Act, 1883, and Mr. Beaven followed with the Chinese restriction clause, of which he had given notice.

The same vote was cast for it.

Mr. Brown asked the chief commissioner of lands and works: Is it the intention of the Government to construct during this year, a traffic bridge across the Pitt river at some point near its confluence with the Fraser?

Hon. Mr. Vernon regretted that he could not say what the Government's intention was in this matter.

Mr. Brown asked the leader of the Government—"Would the Government look upon a traffic bridge over the Fraser at New Westminster as a work of provincial importance, ranking as an undertaking entitled to substantial aid from the provincial treasury?"

Also, in the event of the municipalities directly interested undertaking, with the assistance of the Dominion Government, to build a traffic bridge or (in conjunction with a railway company) a combined railway and traffic bridge, across the Fraser at New Westminster, would the provincial government aid the work by a grant of money?"

Mr. Robson (to first question): Yes, certainly; but to second, as to what material aid, if any, the Government would be prepared to give, would be a matter for consideration.

SHUSWAP GUARANTEE ACT.

In reply to a query from Mr. Cotton as to the security which the Government held for these bonds, Hon. Mr. Turner and Mr. Davie gave replies, which elicited from the several members for Vancouver a more definite reply.

Mr. Sword, to bring the question to a point, moved that the House go into committee on the bill.

Whereupon Mr. Davie called upon the hon. member to either declare himself a member of the Opposition at once, and not go masquerading as an Independent, while he endeavored to place the Government in as false a position as any of its most direct enemies could do. He intimated that Mr. Cotton was responsible for Mr. Sword's motion. He withdrew his motion to adopt the report.

Mr. Cotton did not propose to take up the time of the House in using language such as the Attorney-General had resorted to on the other side of the House. He would remind the hon. gentleman that in his position he had not only his own dignity and that of the House to maintain, but also that of the crown (hear, hear). Mr. Cotton assured the House that he had had nothing whatever to do with Mr. Sword's resolution; as a matter of fact he had declined to second it. It was no doubt due more to ignorance of the question than anything else that the Attorney-General had failed in giving the required information.

Mr. Davie wished to state to the House that if he had said anything offensive to the hon. gentleman he would withdraw those statements; but he wished to say that if there was one gentleman more than another who appreciated Mr. Cotton properly it was the senior member for Vancouver. Mr. Davie then went on to read an article in the News-Advertiser of Feb. 5th, which he accused Mr. Cotton of writing.

Mr. Sword rose to explain that he had moved the resolution to go into committee on his own responsibility.

Mr. Beaven said that the motion to withdraw the report of the bill was a wise step of the Attorney-General, under the circumstances. Mr. Davie assumed that the senior member for Vancouver had written the articles referred to in the News-Advertiser simply because Mr. Cotton was editor-in-chief of that paper. Now if the Attorney-General had the smallest instincts of a gentleman, he would have believed the word of the hon. member when he had stated to the House that he had had nothing to do with writing these articles.

The first time that the Attorney-General came particularly to the notice of Mr. Beaven was when Mr. Beaven's Government was in power, and the parties were very evenly divided, so that a member or two either way would lead to the defeat of the Government. Mr. Davie undertook a plan to get a certain gentleman up to inspect the Maqui bank, at a time when his vote was needed the following day in an

important division. The member allowed himself to be escorted by Mr. Davie on board the steamer overnight. He saw him to bed, but when Mr. Davie had gone away, he got up and went home, to come down to the House next day. When the division bell rang the member came calmly out, to the bitter discomfort of Mr. Davie. Mr. Davie should not begin to talk about members of the House, but rather adopt the better plan of endeavoring to become a respectable citizen of this community. (Laughter.)

Mr. Davie had no recollection of the circumstances of the case, but would like to know if that member was one of two who were kept drunk in a saloon in this city until their vote was wanted.

Mr. Brown referred to the pleasure the House experienced in the resuscitation of those political corpses, and here the matter dropped on the Speaker calling the House to order.

MR. DAVIE'S LIBEL BILL.

Mr. Davie introduced his libel bill, which he said was taken from the Ontario law with one or two exceptions. One was that reports of public meetings should not be privileged, because any one might prompt an irresponsible person to slander a man under the cover of a report of a public meeting. The other omission was that no notice should be given a newspaper proprietor of the intent to institute an action for libel.

Hon. Mr. Beaven was glad to see that Mr. Davie had followed a good law, but if he had left it alone and introduced it in its entirety, it would have been a far better one. He did not understand why the clause regarding the notice in writing which should be served on a newspaper proprietor was omitted. Surely it was only fair to give a person an opportunity of explaining or retracting a statement. This is one of the great defects of the present libel law, and in the bill of which Mr. Beaven had given notice, provision was made against this. Mr. Beaven also regretted the omission of the clause relating to public meetings. He would certainly vote for the second reading of this bill as a step, though a small one, in the right direction, hoping that the desired changes would be effected in committee.

Mr. Semlin would also vote for the second reading of the bill on the same grounds. Every libel law had a tendency towards liberalizing the law so far as journalists were concerned, but this bill seems to want the very clause which would effect that. He hoped the amendments would be made in committee.

Mr. Cotton thought that at least one clear day's notice, time to admit of another issue of the paper, should be allowed before taking action on an alleged libel.

Hon. Mr. Davie assented to this.

Mr. Grant pointed out the difficulties that often exist in a small community in the verification of news where a man has so many different things to attend to. He thought it only fair that notice should be given.

Mr. Pooley objected to the clause compelling a man vindicating his character to put up security for costs.

The bill was read a second time.

NOTICES OF MOTION.
Mr. Sword—Monday—Returns showing the acreage, ownership and situation of all land assessed for wild land tax, when the acreage in any individual assessment exceeds 500 acres, the acreage, ownership and situation of all lands (not being the property of the Crown) exempted from taxation, and the reason for such exemption; what timber lands under lease are assessed, the holder of same and valuation; all existing timber leases, the holders, situation of limits, terms, and how far those terms have been complied with.

Hon. Mr. Beaven—To refer the Chinese exclusion clauses to the committee on railways, with a request to insert them in the bills to incorporate the Nelson & Fort Sheppard R. R. Co. to incorporate the Burrard Inlet Railway & Ferry Co., to incorporate the Chilliwack R. R. Co.

Mr. Kitchin—To insert in the Bill for the benefit of mechanics and laborers, sections to provide that all persons contracting for supply of timber or logs shall demand from the person supplying said logs, a pay roll of the wages due his men; to make the persons receiving the logs liable for the men's wages, if payment is made to the contractor, without requiring production of pay-roll; the amounts due, as per pay-roll to be retained for the men.

Mr. Brown—To introduce a Bill to prohibit the sale or gift of tobacco to minors in certain cases.

QUESTIONS.
Mr. Sword—Monday—(a)—What applications to purchase under section 29 of the Land Act are now subject to forfeiture?

(b)—What land has been applied for under this section, the purchase of which has not been completed?

(c)—What are the names of the parties who have not completed the purchase under this section, the dates of their application, the situations and acreages?

THE LEGISLATURE.

THE GOVERNMENT AND WELLINGTON MATTER.

Mr. Davie Theorizes as to What Have Happened—Mr. Pooley and the Militia Were Wanted—The Matter, etc., etc.

The speaker took the chair at 2 o'clock.

Prayers by Rev. Mr. Coverdale.

Mr. Martin reported that the ing orders had been complied with the petition of the Burrard Inlet way and Ferry Co.

Mr. Cotton for the present drop the Greer matter from the orders.

NEW BILLS.
Mr. Cotton—An act to amend Vancouver Incorporation Act and the Vancouver Incorporation Amendment Act of 1889, 1890.

Mr. Milne, Sunday Observance Read a first time, and placed for a reading on Wednesday.

Mr. Martin—The Nelson and V. Telegraph Co.; also to incorporate Vernon and Okanagan Railway Both were read a first time.

Mr. Rogers—To amend the Act and Cariboo Railway Act, 1890.

Mr. Smith moved for all returns of correspondence and telegrams concerning the intestate estate of the late D. M. Martin, who died in Lillooet about the month of October, specifying therein whether the estate was sold by private sale or by auction; the total amount realized such sale; the expenses incurred Government in connection with estate, and what disposition has been made of the balance, if any.—Assent.

THE WELLINGTON DETACHMENT.
Mr. Keith moved that a select committee be appointed to inquire into cause that led to the late strike or out at the Wellington coal mine, power to send for persons and papers, and to report thereon to the select committee to consist of Mr. Forster, Semlin, Booth, Hall and mover.

Mr. Keith remarked, that in this resolution, he did so in the belief that the information obtained in the House would be of great value in the future, as would do away with such trophies as that which occurred in last, by which some six hundred men of them with families dependent upon them, were thrown out of work since then, things have been very unsettled state; some of the stayed on here, others went away, men have suffered by the loss of wages, but the province has suffered very great loss as well. For some time the miners were in daily hopes that speedy settlement would be arrived at, but instead of drawing nearer each other, employer and employee drawn further away. A few weeks after the strike the miners were sent with a writ to vacate their homes which were owned by the Robert D. Muir company, and they were given seven days in which to clear out. The speaker did not oppose the right of man to his own property, but in case he could not help saying that was one of the greatest hardships that could well be inflicted. It was on those things we don't even read of once in a century. Their homes, knows, were miserable enough; were the most miserable shacks that white people could be asked to live in. They had been in the first built by the Chinese, and vacated by the white people. They did not belong to them, for no white people could acquire property from the Dunsmuir company. Apart from this question were homes, and endeared to the people. The destitution of these people can be partially imagined when it is known that in the whole district there was but one empty house to accommodate 180 homeless families. The kindness of Victoria, Vancouver, Nanaimo and New Westminster provided sufficient canvas was obtained to tents, and here numbers of those families are living to-day. To the last credit of the miners, be it said, went out peaceably when ordered, has been a mercy that the weather been so mild so far, or the suffering these poor people would have been terrible. And this in our boasted province of British Columbia, where there is room for millions. Two weeks ago this wholesale eviction there is, on requisition of three magistrates in Victoria, an armed force sent up to Wellington; sent up to coerce these people into doing "what was right," when there was never the slightest intention on their part to do anything unlawful. There were some six or seven specious constables there, and as far as could be learned they had not made an arrest. Still the force was sent up, the lasting disgrace of the men who signed the requisition, whoever they were. There could be no proceeding more calculated to rouse a feeling of animosity than sending an armed force into such a place as Wellington, and such a time—as a matter of fact, the miners placed pickets and patrol watch, not only their own property, that of the company, so that no danger might result. But this strike resulted in a manner that was worse than loss of the miners wages. There positive proof that the company visited Seattle and San Francisco and brought back to this Province the sum of money to work alongside honest men. Mr. Keith hoped that the resolution would result in such laws as would vent the painful recurrence of such event.

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THE LEGISLATURE.

THE GOVERNMENT AND THE WELLINGTON MATTER.

Mr. Davie Theorizes as to What Might Have Happened—Mr. Pooley Positive the Militia Were Wanted—The Muir Matter, etc., etc.

MONDAY, Feb. 6.

The speaker took the chair at 2 o'clock.

Prayers by Rev. Mr. Coverdale Watson.

Mr. Martin reported that the standing orders had been complied with in the petition of the Burrard Inlet Railway and Ferry Co.

Mr. Cotton for the present dropped the Greer matter from the orders.

NEW BILLS.

Mr. Cotton—An act to amend the Vancouver Incorporation Act of 1886, and the Vancouver Incorporation Amendment Acts of 1889, 1890. Read a first time.

Mr. Milne, Sunday Observance Act. Read a first time, and placed for second reading on Wednesday.

Mr. Martin—The Nelson and Vernon Telegraph Co.; also to incorporate the Nelson and Okanagan Railway Co.—Both were read a first time.

Mr. Rogers—To amend the Ashcroft and Cariboo Railway Act, 1890.

Mr. Smith moved for all returns of correspondence and telegrams concerning the intestate estate of the late D. M. Martin, who died in Lillooet district about the month of October, 1889; specifying therein whether the property was sold by private sale or public auction; the total amount realised by such sale; the expenses incurred by Government in connection with the estate, and what disposition has been made of the balance, if any.—Assented to.

THE WELLINGTON DETACHMENT.

Mr. Keith moved that a select committee be appointed to inquire into the cause that led to the late strike or lock-out at the Wellington coal mine, with power to send for persons and papers. Said committee to consist of Messrs. Forster, Semlin, Booth, Hall and the mover.

Mr. Keith remarked, that in moving this resolution, he did so in the hope that the information obtained might lead the House to enact such legislation as would do away with such catastrophes as that which occurred in May last, by which some six hundred men, most of them with families dependent upon them, were thrown out of work. Ever since then, things have been in a very unsettled state; some of the men stayed on here, others went away. The men have suffered by the loss of their wages, but the province has suffered very great loss as well. For some time the miners were in daily hopes that a speedy settlement would be arrived at; but, no; instead of drawing nearer to each other, employer and employee were drawn further away. A few weeks after the strike the miners were served with a writ to vacate their homes, which were owned by the Robert Dunsmuir company, and they were given seven days in which to clear out. The speaker did not oppose the right of any man to his own property, but in this case he could not help saying that it was one of the greatest hardships that could well be inflicted. It was one of those things we don't even read about once in a century. Their homes, God knows, were miserable enough; they were the most miserable shacks that white people could be asked to live in. They had been in the first place built by the Chinese, and vacated for the white people. They did not belong to them, for no white people could acquire property from the Dunsmuir company. Apart from this question they were homes, and endeared to the people. The destitution of these people can be partially imagined when it is known that in the whole district there was but one empty house to accommodate 180 homeless families. Thanks to the kindness of Victoria, Vancouver, Nanaimo and New Westminster people, sufficient canvas was obtained to make tents, and here numbers of those families are living to-day. To the lasting credit of the miners, be it said, they went out peaceably when ordered. It has been a mercy that the weather has been so mild so far, or the sufferings of these poor people would have been terrible. And this in our boasted Province of British Columbia, where there is room for millions. Two weeks after this wholesale eviction there is, on the requisition of three magistrates in Victoria, an armed force sent up to Wellington; sent up to coerce these people into doing "what was right," whereas there was never the slightest intention on their part to do anything unlawful. There were some six or seven special constables there, and as far as could be learned they had not made an arrest. Still the force was sent up, to the lasting disgrace of the men who signed the requisition, whoever they were. There could be no proceeding more calculated to rouse a feeling of animosity than sending an armed force into such a place as Wellington, and at such a time. As a matter of fact the miners placed pickets and patrols to watch not only their own property, but that of the company, so that no danger might result. But this strike resulted in a manner that was worse than the loss of the miners' wages. There is positive proof that the company visited Seattle and San Francisco and brought back to this Province the sum of that country to work alongside honest men. Mr. Keith hoped that the resolution would result in such laws as would prevent the painful recurrence of such an event.

Mr. Foster seconded the resolution, saying that he expected the proposition to appoint a committee would be met with the objection that such a proceeding interfered with private rights. But he pointed out the nature and danger of the coal mining industry, and held that the Government had a right to enquire into it. He had an interest in this question and could not let it pass without expressing the hope that the Government would see their way this session to bettering the state of the coal miner.

Mr. Robson said this is a subject that may be viewed differently by honorable members. The resolution asked for the appointment of a select committee to enquire into the causes that led to the lock-out at Wellington, consequently it asks for a committee to enquire into

differences between a private company and their employees. It is very difficult to judge to what extent the Government or the House may go in a question of that kind, although it might fairly be considered in the public interest to inquire into this particular case with a view to possible future legislation to prevent a recurrence. Every one must regret this occurrence which has resulted in so much loss not only to the miners themselves, but also to the Province by the paralysis of an important industry. Mr. Robson, however, would like to have seen the resolution given wider scope instead of being restricted to one particular company. He complimented Mr. Keith on having brought the matter up.

Hon. Mr. Pooley opposed the motion as out of order, adding that it intended to interfere with personal rights. He had been counsel for Messrs. Dunsmuir in the legal proceedings against the miners, and in that capacity had been in a position to learn a good deal about the question. He was of opinion that there was danger apprehended before the militia were sent up.

Mr. Brown did not wish to take part in this debate, but he could not help seeing that the hon. President of the Council looked at it from a point of view very different to that of a majority of the people of British Columbia. His view was that the owner of a coal mine has the right of absolute dictation. The general public did not think that. Mr. Brown was in Wellington in 1877 and also in the recent lockout, and he had to admit, on the testimony that he gathered, that he saw no necessity, on either occasion, for the calling out of the military. He ventured to say that if three magistrates in Vancouver, Victoria or anywhere else signed a requisition for an armed force to garrison New Westminster, the people there would not take it as quietly as the miners at Wellington, though he did not wish to say that his people were lawless.

Hon. Mr. Speaker here ruled that the motion was perfectly in order.

Mr. McKenzie also maintained that there was no real necessity whatever for the sending of a force of militia to Wellington. As to holding processions and demonstrations, there was no harm in that.

Mr. Booth, as one of the committee, did not think that much good was to be derived from confining the resolution to one particular case. He asked the mover to withdraw it and re-introduce it in a more comprehensive shape. He was quite sure that the leaders of the strike did not intend that any harm should be done, but in cases like this no one can be responsible for what may be done. He thought, too, that there was no reason to find fault with the sending of the militia to Wellington; it was only a feeling of sentiment against it.

Hon. Mr. Davie went into considerable detail to show that the sending of the militia was a wise precaution, and also undertook to show what disastrous consequences might have resulted if the force had not been sent up.

The resolution was carried unanimously.

THE J. N. MUIR MATTER.

Mr. McKenzie moved that a select committee, composed of Messrs. Milne, Brown, Cotton, Baker and the mover, be appointed for the purpose of enquiring into the circumstances connected with the refusal of the board of examiners for 1890 to grant a certificate of qualification to teach in the public schools to J. N. Muir, or to any other teacher applying for a certificate on grounds other than a qualifying examination, with power to call for persons, papers, and the documents bearing on the subject, and to examine witnesses in connection therewith.

Mr. McKenzie pointed out that in the returns sent down to the House on this question there was no explanation whatever of the board having refused Mr. Muir's certificate, and he therefore had good cause of complaint. This certificate was Mr. Muir's means of living, and when a man is deprived of his means of living in this Province, things go hard with him. It was believed that he had had some disputes with the Superintendent of Education, but that was previous to his application of 1890. If he had offended, he had been punished, and it was not right that that punishment should be made continuous.

Hon. Mr. Robson said he would have to oppose this resolution on several grounds. In the first place there is now no board of examining teachers in existence. The duties of the board close immediately they have finished their work and handed in their report; so that there is no board to call to account. Another ground is that it would be highly improper to call a board of gentlemen, constituted for such a purpose, to account for reasons for plucking one candidate and passing another. It must be obvious that no gentleman of any independence of mind would refuse to act on such a

board. Mr. Robson thought it would be foolishness and well as wrong to pass such a resolution, and he must distinctly oppose it.

He referred the House to the report of the committee of last session on this matter. As to the minister's certificate of good character, it was, practically annulled before the school certificate was refused. The character that rev. gentleman would give Mr. Muir now would be of an entirely different kind, because he has made discoveries since as to the moral character and standing of that gentleman which would make it impossible for him to grant a certificate.

Mr. Semlin explained that the board of examiners might have ceased, but their action had not. If that action created a hardship which exists now, the House could call them to account, and from this resolution it is plain that a hardship does exist. Mr. Semlin thought that a reflection on a man's private character came with a very bad grace from the leader of the Government. It is very strange that this man held some of the highest educational offices in the Province, and has been specially commended by the department; but the moment he has the courage to disagree with that department they discover that he is not, and has not been a competent teacher, nor a fit and proper person to teach in the public schools.

Hon. Mr. Davie contended that the gentlemen constituting the board were above reproach, and incapable of acting unfairly.

Hon. Mr. Beaven while agreeing with this pointed out the fact that both Mr. Anderson and Mr. Pope, of that board, were Government employees. He also pointed out that by statute any person who had a teacher's certificate on the 1st January, 1888, should be entitled to have that certificate renewed till 1893. Mr. Muir had that qualification. Why was not the law complied with?

Mr. Grant liked to see fair play, and as Mr. Muir seemingly had nothing to the Government against him, Mr. Grant drew attention to the high esteem in which the department held Mr. Muir until he disagreed with them; and also showed that two very important letters, testifying to Mr. Muir's ability and good character, were not in the printed report of the evidence submitted to the committee, although they were laid before that body.

Mr. Croft, who happened to have been secretary of that committee, did not remember any such letters, but Mr. Semlin assured him that they were submitted. Mr. Croft showed they were not in the minority report of that committee.

Messrs. Turner, Booth, Milne and Brown made a few remarks, and the question was put, resulting in, ayes, 8; nays, 20.

Hon. Mr. Robson read a message from His Honor, transmitting a bill entitled, "An act respecting the public schools," upon which he moved that the house go into committee to-morrow.

Hon. Mr. Beaven submitted that the committee should not sit until a later date. The bill was a long and important one.

It was agreed that the house would go into committee on the bill on Wednesday.

Mr. Sword moved for returns showing: The acreage, ownership and situation of all lands assessed for wild land tax where the acreage of any individual assessment exceeds 500 acres; The acreage, ownership, and situation of all lands (not being the property of the Crown) exempted from taxation, and the reasons for such exemption; What timber lands under lease are assessed, the holders of same, and valuation; What timber lands under lease are assessed, the holders of same, and valuation; All existing timber leases, the holders, situation of limits, terms, and how far these terms have been complied with.

NOTICE OF MOTION.

Col. Baker—For a request to the Dominion Government for a patrol of Mounted Police to be sent during the spring from Fort Macleod to Fort Steele, in the Upper Kootenay Valley, to patrol the country between Fort Steele and the boundary, in view of the warlike actions of the Indians across the border.

The House rose at 6 o'clock.

THE LEGISLATURE.

A ROUND ABOUT WAY OF PASSING MR. BEAVEN'S BILL.

Mr. Davie Wants to Improve the Tone and Ability of the Press, Forgetting That Reform Should Begin at Home—A Fairly Good Libel Bill.

The Speaker took the chair at 2 p. m. Mr. Brown introduced "An Act to prohibit the sale or gift of Tobacco to Minors in certain cases."—Read a first time.

Mr. Sword moved the second reading of the Railway bill, which provides for the amendment of the B. C. Railway Act by adding the following sub-section: "Notwithstanding anything contained in any portion of the act, the company shall be liable for all damages done to stock of any description straying on any part of their right of way, except highway crossings, unless they prove that such damage has been caused by the culpable negligence of the owner; and it shall not be imputed to the owner as culpable neglect that such stock may have got on to the right of way directly from land not in his occupancy."

Mr. Hunter did not think that the amendment was fair to the company. He referred to the British Columbia Railway Act in which there is no provision for farm crossings, but the Dominion act is far more strict. He thought, however, that the British Columbia Act is thoroughly fair both to the farmer and the company, and should therefore be left alone.

Hon. Mr. Davie said the proper time to oppose this amendment would be on the second reading, and not allow it to go to committee. Mr. Davie would be inclined to oppose the amendment were it not that this parliament has a right to deal with the question of fencing as its own peculiar prerogative. If the House had a right to deal with this question, he would not have it restricted to the railways constructed under the British Columbia Railway Act.

Mr. Sword asked leave to postpone the debate, and the Premier moved in that sense.

MR. BEAVEN'S LIBEL BILL.

Hon. Mr. Beaven introduced his Libel Bill (No. 18) for second reading, and stated that he had complied with the wishes of hon. members to consider the Ontario Libel Law if it were placed before the House.

Hon. Mr. Davie objected to have two bills go into committee having the same import. His own bill was identical with that of the hon. leader of the Opposition, with the exception of a couple of exceptions, which could readily be introduced in committee. Those exceptions were the privileging of a report of the proceedings at a public meeting, and the fact of giving notice to a publisher of proceedings having been instituted. The Attorney-General stated that even the newspapers did not understand how the law stood. He proceeded to state that the papers in Ontario do not complain of the law of libel; English papers do not complain. The reason is simply that in dealing with public questions they attack measures, not men, or only attack men in conjunction with those measures. But the fact exists in this province that the newspapers attack, not the measures but the private character of the man. Mr. Davie remembered reading an article a short time since which contained the term "Honest John" no less than twelve times. What was that meant to imply but knave and rogue? The papers, he said, have not the ability to discuss public questions, and so they descend to gross personal calumny.

Mr. Semlin had voted for the Attorney-General's measure because he considered it a step in the right direction. But when it was possible to have the additional clauses in a bill already before the House, it is easier to incorporate them at once than take another bill which hadn't them and go to the trouble of inserting them. Mr. Davie complained of the journalists of this country revelling in personalities. Well about "Honest John," there is nothing very bad in that. The English papers refer to Mr. Gladstone as the "grand old man," and surely there is nothing libellous in that. Mr. Semlin recollected something from days gone by when the leader of the Government met a gentleman up country and introduced himself by saying "You are Mr. so and so." "Yes, but I don't think I have the pleasure of your acquaintance." "Oh!" said the honorable gentleman, "I'm Honest John." (Laughter.) There was nothing libellous in that. Mr. Semlin hoped the present bill would be allowed to go to committee, as being the more expeditious mode of doing business.

Mr. Brown thought the Attorney-General's remarks reminded him of a farmer who bought a new cart, the shafts of which were too long. He complained that if they were too short they could be spliced, but did not know what to do with them as they were. It was the same with the Attorney-General. His own bill was too short, and he proposed to splice it; but Mr. Beaven's was too long and he did not know how to shorten it. It seemed to Mr. Brown that the best course to take was to commit the bill, and if the extra clauses were objectionable they could be amended. Mr. Brown differed with the statement that the English papers did not complain of the law. He also had it on high legal authority that our laws are not fair to the newspapers, and it is often a case of whether the paper chooses between its public duty, and standing a libel

suit. There is very much of a personal nature in criticism of public men, but it is not altogether confined to British Columbia. As a matter of fact, according to the law, everything one says is libellous, and the papers, not knowing exactly what the law is, have become reckless. He thought that if the House showed itself prepared to meet the newspapers half-way and treat them fairly, it would have the effect of

improving their general tone. He hoped the present bill would be commended.

Hon. Mr. Robson thought there were good points in both bills, but he could not see that because there were some good things in the bill now under discussion, that therefore it is necessary to send that bill into committee, while the bill of the Attorney-General had been in committee, and he had promised to receive any additions or amendments that might be considered necessary. Mr. Robson referring to the question of personalities, said there was no one who had received more of this kind of abuse than he, but he did not complain of it, personally; on the contrary, Mr. Robson could not see that reports of public meetings should be privileged, because in a report of this kind the paper might easily be made the vehicle of slander.

Mr. Grant was of opinion that the newspapers in this Province are entitled to more protection than they receive at present. The bill before the House contained all the conditions asked for, and as far as he could see, Mr. Grant thought the Ontario libel law had been followed closely. He hoped the bill would go before committee and so save trouble. As to the question of reports of public meetings being privileged, the person libelled could pursue the libeller in a criminal suit, in which case a term of imprisonment would be far more salutary than a mere fine. Mr. Grant repeated that he did not see why this bill should not, as it was complete, go before the committee.

Mr. Booth said every report made of a public meeting should be privileged so long as it is in the public interest, but the point is where to draw the line of public interest. The objection he had to the first libel bill was that it gave altogether too much limit. The leader of the government had said that scarcely a week passed that he had not good grounds for libel against one or more papers of this province; that ought to convince him that the law as it stands at present is not good, and where the law is not good a jury will not convict. Mr. Booth must certainly agree that this clause privileging the fair report of public meetings should be inserted in the bill.

Mr. Cotton asked the house to vote for this bill, on the very grounds laid down in the remarks of the attorney-general. He would like to reply to that hon. gentleman's remarks about the publishers and editors in this province, but would pursue the better course of discussing the business before the house. If the law is good enough for Ontario, and the papers are satisfied with it, the newspaper proprietors ask for it here. There is no newspaper of standing in this province desirous to be given any unfair or undue license. That was why Mr. Cotton voted against the other bill, it gave too much liberty. The question having been put resulted for the bill going into committee—13, against, 17.

Ayes—Semlin, Grant, McKenzie, Sward, Kitchen, Cotton, Milne, Beaven, Brown, Foster, Keith, Stoddart, Booth—13.

Nays—Horne, Smith, Baker, Robson, Davie, Vernon, Eberts, Hall, Nason, Pooley, Turner, Martin, Croft, Hunter, Rogers, Anderson, Fletcher—17.

The House went into committee on Mr. Davie's bill with Mr. Keith in the chair, and when it rose to report the bill complete with amendments, it was after the additional provisions of Mr. Beaven's bill had been incorporated.

Hon. Mr. Turner presented a message from his honor the Lieut.-Governor enclosing an act to amend an act providing for the collection of taxes on persons.

The bill was ordered to be committed to-morrow.

Hon. Mr. Vernon presented the report of the Department of Lands and Works.

Hon. Mr. Turner presented a statement of special warrants issued in 1890. On motion of Hon. Mr. Davie the report of committee on the Shuswap Railway Guarantee Bill was read a third time and passed.

Mr. Martin presented the report of Standing Orders and Private Bills, reporting two bills.

NOTICES OF MOTION.

By Mr. Kellie—On Monday: That whereas the owners, resident in Kootenay district, have expressed themselves grievously dissatisfied with effect of certain of the provisions in the Railway Act, 1890; a respectful address be presented to the Lieut.-Governor, praying him to take such steps as may be necessary for the speedy removal of such grounds of complaint.

Hon. Mr. Davie—on Thursday: To ask leave to introduce a bill, entitled "An Act to Amend the Summary Convictions Act, 1889."

The House rose at a quarter to six o'clock.

THE LEGISLATURE.

THE HOUSE ON THE QUESTION OF SUNDAY OBSERVANCE.

The Various Opinions Advanced go to Show That It Is Inadvisable to Interfere With Individual Action—Some Good Oratorical Efforts.

The Speaker took the chair at two o'clock. Prayers by Rev. Mr. Coverdale Watson.

Mr. Brown presented a memorial from the W. C. T. U., praying for the passage of an act prohibiting the sale of liquor to minors. The petition was received.

Mr. Kitchen moved that the quorum of the select committee on municipalities be reduced from four to three.—Carried.

Colonel Baker moved, that whereas considerable excitement is created in the minds of the Upper Kootenay Indians by the warlike action taken by the Indians across the boundary; and whereas such excitement is likely to lead to trouble if it is not allayed; therefore he enacted, that a respectful address be presented to his honor the lieutenant-governor, praying him to move the Dominion government to cause a patrol of mounted police to be sent during the coming spring, from Fort McLeod to Fort Steele in the Upper Kootenay valley, there to patrol the country between Fort Steele and the boundary.

Hon. Mr. Robson said there would be no objection to this, and the motion was carried.

SUNDAY OBSERVANCE ACT.

Dr. Milne introduced his Sunday observance act for second reading, and said he had followed the wishes laid down by the house that a measure should be introduced which would be intelligible to the people of the interior or upper country, as well as in the cities. He had copied copiously from the Ontario act, but had eliminated several points to meet the wishes of the house. He hoped the bill would be endorsed by hon. members, as he had endeavored to make it as liberal as possible.

Hon. Mr. Davie did not intend to pass a silent vote on this question, nor yet did he intend to support the second reading of the bill before the House. He was entitled to give his individual opinion for so doing, and he must say it was not in favor of the bill. For his part he believed in freedom of action, and so long as a man does not trespass on the rights of his neighbor he has a right to do as he pleases, whether on Sunday or any other day. The mere question of morals is one entirely for himself and his Maker. As for trying to legislate for morality, it is a mistake altogether. Mr. Davie was perfectly prepared to admit that the sanctity of the Sabbath should be kept, because it is in the public interest that it should be, and it is very proper that there should be a law preventing its desecration, and stopping riotous behavior, but that law should not interfere with private rights. If one has a billiard room and asks a friend to come and have a game of billiards on Sunday or any other day, he has a perfect right to do so. This act has the very same fault that the old Elizabethan act had, to which Mr. Davie made reference the other day. The persons mentioned in clause 2, with the general term "or any other persons" simply meant those people. Therefore this is a law in favor of what are called in the old statute, "gentlemen." It will restrict the workingman, or anyone who has to work for a living, from everything almost, on Sunday, and will give the rich man, or the one who has the most freedom, as to tipping (what ever that might be), why should that be forbidden on Sunday any more than on other day in the week, if it is wrong. And then gambling with dice. Why is the act restricted to this, while anyone who is inclined can go into the back parlor and play faro or poker, which are infinitely worse. Then why should the man who had been working hard all the week be prevented from taking his gun and doing a little potting on Sunday? Did it do anyone any harm? That clause is too ridiculous to be entertained. As for Sunday excursions, perhaps it were better they were not allowed; but the act says they shall not be carried on for money. They must not ply for hire. You can have as many free excursions as you please; so that if one has a piece of property over at, say Anacortes, one can get up a free excursion and boom up the property on Sunday. Altogether Mr. Davie considered the act an undesirable measure, as being entirely unnecessary, and as endeavoring to infringe upon private rights. It would be a retrogressive movement to pass it.

Col. Baker, although he would not vote against the second reading of this bill was inclined to agree with the Attorney-General that it is not desirable to restrain individual rights.

Mr. Brown grew with a great many things which the Attorney-General had said, but did not agree with the spirit in which he had criticised the act. A very large part of that criticism was on matters of detail. Mr. Brown quite agreed that we have no right to interfere with individual rights. It is the spirit of the act that is at present to be dealt with, and he thought that it would be well to pass a bill like this. We find that as civilization advances, there is a demand made for seven days' labor instead of six, and capital is endeavoring, all over this continent, to break down this last bulwark of the workingman and trying to prevent him from having the Sabbath rest.

Hon. Mr. Robson would be sorry to have to say that British Columbia should be the only Province in the Dominion without a Sunday law. He thought it would be a serious stain on the otherwise bright escutcheon of this fair Province. Unfortunately it is almost the case; we have a very imperfect Sunday law in one portion of the Province, and not in another. An attempt was made at a previous stage of this session to remedy this, but did not prove successful; the present effort is a more fortunate one, and entitled, Mr. Robson thought, to the favorable consideration of the House. This is a very important question, calling for the most careful consideration. Hon. members must recollect that they are legislating for a British country, and they must remember that the very basis, so to speak, of the British throne is the bible. He believed that Great Britain is great because she is a Christian nation. This being a branch of that nation, an important question like that before the House should be discussed in a spirit of sobriety and earnestness, desiring to place this Province in at least as good a position in regard to legislation of this kind as the other Provinces of the Dominion. He was sorry he could not agree with the remarks of the Attorney-General. It was a very broad view to take that a man should be allowed to do as he liked, so long as he did not interfere with the rights of his neighbor. But this question of the advisability of a Sunday law can be defended on a secular as well as a religious ground. The Almighty, in instituting the Sunday, did so for the temporal and physical as well as the spiritual good of man; and the consequence is that an examination into this subject, by parliamentary committees, commissioners and otherwise, shows that it is for the best interests of man that there should be a relaxation to the extent of at least one day in seven. It follows then that it is only right, to make its enjoyment general, that there should be one particular day set apart for this. If every man was allowed to choose his own Sabbath, there would be confusion. Therefore if one man closed his place of business on Sunday, and another man does not, the latter is infringing on the rights of his neighbor. Mr. Robson instanced two saloons in this connection, but the fact applies to all avenues of business. But there is more in the Sabbath than from a merely secular point of view. It imposes a great obligation upon us—we must observe it not only as a day of rest, but of worship. Mr. Robson hoped he was right in saying that this House represents, at all events a nominally Christian community. Now if a man is allowed to do as he pleases the Sabbath disappears altogether in the light of a Christian obligation. The history of nations undoubtedly leads us to the conclusion that it is the nation which observes the Sabbath that is the most successful in every sense of the word, and therefore Mr. Robson thought it would be most unfortunate if we were to attempt to copy the customs of some of those continental countries which have disposed of the Sabbath altogether. The hon. member for New Westminster had said that the Sabbath is the great bulwark of the working man. There can be no question that there is very great danger that the working man will suffer if the Sabbath is set aside. British Columbia would lose nothing in self respect, nor in the respect of surrounding nations if a fair and reasonable Sunday law were in force. The question comes what shall be a fair and reasonable law? The bill before the House is susceptible of considerable amendment; but who can bring in a complete bill on this subject? He thought the hon. member deserved considerable credit for his courage in persevering so far, and he (Mr. Robson) considered it his bounden duty to vote for its going to committee.

Hon. Mr. Pooley referred to the statement of the leader of the Government that it would be a standing disgrace to British Columbia not to have a Sunday law. Mr. Pooley took exactly the opposite view of the matter. He considered it a great credit to British Columbia that there has never been any necessity to pass a law of that kind (hear, hear). British Columbia has always been a most orderly, well-conducted province. Why a law of this kind is needed, he did not understand; the country is as well conducted to-day as when he first came into it twenty-eight years ago (hear, hear). The hon. member for New Westminster had stated that football, cricket and other games are an annoyance to certain members of the community. Mr. Pooley had never seen any of these games played on Sunday, but if they did take place, he would not seek them if they were an annoyance to him. Why should people, who do not like these matters, go for a walk on Sunday after church? They are taking their enjoyment in their own way; why should not others, who also engage in innocent amusement, also take their recreation? Mr. Pooley could not see why this should not be, and while saying this, he was a church man, but would not say to his neighbor "You must do as I do" (hear, hear). He thought it a bad class of legislation to bring into the house. Mr. Pooley personally believed in staying at home and enjoying the rest which the Sunday gives, but he did not think it his duty to legislate that a man may not do as he wishes (hear, hear). He would vote against the bill.

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Mr. Rogers referred to the peaceable nature of his district, there not having been, so far as he knew, a criminal case in the court for the last ten years (hear, hear). He therefore thought it was unnecessary to legislate to make a man good, for if a man's conscience will not lead him to do right, no law will compel him.

Mr. Smith pointed out that a law of this kind would work a great deal of injury in the upper country, especially among the miners. It was a bad feature of the act that any person laying information should get a portion of the fine.

Mr. Martin believed in a proper observance of the Sabbath, and promised to all his support to any measure closing the saloons during divine service. But he did not think it is in the interests of the working man to say he shall not go out and enjoy a day's shooting, fishing or riding, so long as he does not annoy his neighbor. He could not see why the house should pass such an act as that before it. As to excursions, he did not know but that they are in the same category as other Sunday amusements. The house may pass any legislation it likes; it may even legislate a man into church, but it can't legislate him into praying when it gets him there (hear, hear).

Mr. Booth, while admitting that the bill wanted considerable amendment, said he would vote for second reading. Mr. Forster was opposed to the bill, though he certainly was not in favor of Sunday breaking. Still it is a matter that should come from the people themselves (hear, hear). If the same amount of energy were expended in endeavoring to prevent the carrying on of works on Sunday, as there was in trying to get that bill through the House, Mr. Forster could not help feeling that Sunday work would cease altogether (hear, hear). He stood up for the right of one day in the week when a man ought to be allowed to do as he likes so long as he does not interfere with the rights of his fellow men. One hon. gentleman said that England is great because of her Christianity; but the essential principle of Christianity is toleration. There is no knowing where this act would stop in its operation; if carried out in its entirety, it would stop at nothing, and it was on account of this want of tolerance that he opposed it (hear, hear).

Mr. Croft opposed the bill as being against the working man and in favor of the drones or idlers. The hon. leader of the Government had referred to England. There we find at the present time that an act has been passed throwing open the museums, picture galleries and other places of public resort to the workingman on Sunday, as being the only day on which he can enjoy these things for the improvement of his mind (hear, hear). Mr. Croft would vote against the second reading of the bill.

Mr. Keith could not see his way to support the bill, because he considered it too narrow in its operations. It was not liberal enough. One speaker had referred to Christian England. There are more steamboats running excursions in England on one Sunday than in British Columbia all the year round. And there is the river Clyde in Scotland, where there are steamboats carrying hundreds of thousands of passengers on Sunday, and they have a perfect right to travel if they see fit (hear, hear). Take the position of the miners. When they come up of an evening it is generally six o'clock, too late after they have washed and eaten to enjoy the fresh air. Would it be right to debar them from enjoying an excursion on the water of a Sunday? Mr. Keith's idea of the Sunday's rest is to enjoy himself with the best results, physically and mentally. He held that this bill does away, to a greater extent than any other, with individual rights. An individual under this bill has no right to live at all (applause). Religion is admirable, and elevating in its way, but it is not everything. Open your picture galleries and museums to the working man, and don't attempt to restrict or confine him in all reasonable enjoyment (applause).

Hon. Mr. Turner believed that there should be an act for the observance of the Sunday. With respect to the bright example of England, he could thoroughly endorse the observations of the last speaker as to the benefit these excursions had on the working classes. As the Sunday excursion increased, so did the morality of the people; the people come back from the woods and green fields better able and more fit to commence their labors and worship their Creator. Mr. Turner did not think this bill would induce people to go to church; they do not like to be forced there. He voted for the bill because he believed in the principle, but the bill itself would require considerable change in committee.

Mr. Horne, although believing in Sabbath observance, did not consider this bill other than as very imperfect. The law as at present in force is better adapted to the wants of the country.

Mr. Cotton thought this a most difficult question to legislate upon. He thought he had gone on very well in the past, seeing that up to last week they didn't know there was a Sunday law in existence. He considered it would be taking a backward step to refuse legislation on this question. He hoped the bill, though wanting considerable amendment, would at least reach committee.

Mr. Grant believed he was one of those in the House who believed that the introduction of this bill was but the tail end of the blue laws of Connecticut (laughter). If there was anything he liked from one man towards another, and which he expected, it was liberty

of conscience and action with passing on the rights of another (hear, hear). A law such as the House is not desirable. A great deal of it is unnecessary for right here in this municipality convicted of misdemeanor. There are clauses which are not desirable class of the community. It would prevent the getting their stores, and doing necessary work at the only time they can get an opportunity. And questioning the miners who their work in the mountains of Columbia, brought this province what it is to-day. The miners have a right to get to it for his part only once a week, and that on the very change of going is relaxation, to say nothing of the nature of his work, which it necessary for him to be very of time. He has not the time away during the week. With to Sunday excursions, Mr. Grant emphatically entered his protest against anything in the way of attempt to put a stop to this the workingman taking the air, week, a recreation which it is sible for them, without losing their employment, to enjoy on working. There were times when these excursions were condemned; but those times the religious opinions of the have undergone considerable. Not many years ago, even in the states, there were some extraordinary laws in force, but the been repealed one by one, at attributed by more liberal laws. due to the change which public has undergone. Mr. Grant b that no laws could be passed to better regulated or more orderly munity than there is at present in British Columbia. (Applause.) There is no showing another province. Dominion where there is better maintained, or more good will between one man and another than British Columbia. Mr. Grant has on the trouble to enquire of the sts of crimes in other parts of the ion, and he found that if the C and Indians are taken off the is criminal calendar is practically a plane) and that right here in Vi which has been so badly brand certain gentlemen who possess a ence of opinion. He most dec

objected to that intolerance of dict to others what they should do on day. Moderation he believed in so long as the people of British Co bria conduct themselves as they present. It is not necessary to hav more extraordinary Sunday law as before the House. "Just so soon act like this is made law, just so do I for one, pack up my traps and to some country where there is liberty." The bill forbids pub meetings on Sunday, but it say thing about interfering with clergy who when winding up their sermon Sunday indulge in a political chat to congregation. If it is wrong to h political meeting on Sunday then wrong to hold one on Monday. H right for men to tipple from Mond Saturday why is it not right to do Sunday? What Mr. Grant wishe see was the people of British Colu conduct themselves in a manne which they need not be ashamed, all reasonable laws, and deal with other honesty. (Hear, hear.) He quite sure that the man who made loudest professions as a religious was not always an honest man, a not a sign of honesty and upright to be seen going to church. The ligious hypocrite is certainly not honest man, and Mr. Grant had a hatred of hypocrites. Passing do the clauses of the bill Mr. Grant sho that several of them are altogether necessary from the fact that they already in force, and as to stoppi steamboats and ferries, why not backs and street cars at once. A matter of fact it was lost sight of Sunday was made for man, and man for the Sabbath.

Mr. Hunter considered there w great necessity for a Sunday bill he would be very glad to support principle of this bill. He would e necessary from the fact that they satisfied that British Columbia w be the gainer.

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Col. Baker rose to explain that sh he had promised to vote for the sec reading, he had examined the clau more carefully and found only sev lines he could agree with, and as th seven would have to be amended, wished to state that he could not v for the second reading, under the circumstances.

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ed that there servance of o the bright could thore- ations of the benefit these ing classes, increased, so people; the woods and ad more fit and worship er did not e people to like to be or the bill the principle, equire con- e, believing in ot consider imperfect, ce is better country, most diffi- upon. He very well in o last week a Sunday sidered it rd step to ation. He ntug could at least

was one of eled that was but the Connecticut anything he e another, was liberty

of conscience and action without trespassing on the rights of anyone else (hear, hear). A law such as that before the House is not desirable in this province. A great deal of it is unnecessary; for right here in this municipality, persons convicted of misdemeanors mentioned in this act are punished. But then there are clauses which would inflict considerable hardship on a very desirable class of the community. Take clause 5. It would prevent miners from getting their stores, and doing other necessary work at the only time they can get an opportunity. And it is unquestionably the miners who have, by their work in the mountains of British Columbia, brought this province up to what it is to-day. The miner may be miles from a store, and finds an opportunity to get to it for his provisions only once a week, and that on Sunday. The very change of going is to him a relaxation, to say nothing of the peculiar nature of his work, which renders it necessary for him to be very careful of time. He has not the time to throw away during the week. With regard to Sunday-excursions, Mr. Grant most emphatically entered his protest against anything in the way of an attempt to put a stop to this means of the workingman taking the air once a week, a recreation which it is impossible for them, without losing their employment, to enjoy on working days. There were times when these excursions were condemned, but those times, like the religious opinions of the people, have undergone considerable change. Not many years ago, even in the east-ern states, there were some most extraordinary laws in force, but they have been repealed one by one, and substituted by more liberal laws. This is due to the change which public opinion has undergone. Mr. Grant believed that no laws could be passed to have a better regulated or more orderly community than there is at present in British Columbia. (Applause). There could not be shown another province in the Dominion where there is better order maintained, or more good will existing between one man and another than in British Columbia. Mr. Grant had taken the trouble to enquire into statistics of crimes in other parts of the Dominion, and he found that if the Chinese and Indians are taken off the list, our criminal calendar is practically nil (applause) and that right here in Victoria which has been so badly branded by certain gentlemen who possess a difference of opinion. He most decidedly objected to that intolerance of dictating to others what they should do on Sunday. Moderation he believed in, and so long as the people of British Columbia conduct themselves as they do at present, it is not necessary to have any such extraordinary Sunday law as that before the House. "Just so soon as an act like this is made law, just so soon do I for one, pack up my traps and go to some country where there is more liberty." The bill forbids political meetings on Sunday, but it says nothing about interfering with clergymen who when reading up their sermons on Sunday indulge in a political chat to the congregation. If it is wrong to hold a political meeting on Sunday then it is wrong to hold one on Monday. If it is right for men to tattle from Monday to Saturday why is it not right to do so on Sunday? What Mr. Grant wished to see was the people of British Columbia conduct themselves in a manner of which they need not be ashamed, obey all reasonable laws, and deal with each other honestly. (Hear, hear). He was quite sure that the man who made the loudest professions as a religious man was not always an honest man. It is not a sign of honesty and uprightness to be seen going to church. The religious hypocrite is certainly not an honest man, and Mr. Grant had a holy hatred of hypocrites. Passing down the clauses of the bill Mr. Grant showed that several of them are altogether unnecessary from the fact that they are already in force, and as to stopping steamboats at wharves, why not stop hacks and street cars at once. As a matter of fact it was lost sight of that Sunday was made for man, and not man for the Sabbath.

Mr. Hunter considered there was a great necessity for a Sunday bill and he would be very glad to support the principle of this bill. He would even vote for the whole of the bill; feeling satisfied that British Columbia would be the gainer.

Hon. Mr. Beaven thought it would be fatal in many respects, for the legislature of British Columbia to say they are not in favor of the observance of the Sunday, as the defeat of this measure would undoubtedly mean to say, He was aware that there were many defects in the bill, but they could be remedied in committee. He would vote for the principle of the bill, feeling as he always did, that for the man who works six days out of the seven, it is only right that he should have one day for rest, and that day Sunday. If it were provided that the laboring man should have not only one day in the week as a day of rest, but a half holiday as well, Mr. Beaven thought it would do more to bring about a proper observance of the Sunday.

Col. Baker rose to explain that since he had promised to vote for the second reading, he had examined the clauses more carefully and found only seven lines he could agree with, and as those seven would have to be amended, he wished to state that he could not vote for the second reading, under the circumstances.

Mr. Mason, Hon. Mr. Vernon and Mr. Eberts said they would vote against the bill, and Mr. Semlin and Mr. Anderson stated their intention of voting for the principle of the bill.

The question for second reading was put and resulted in yeas—16, ayes—14. Ayes—Robson, Turner, Hunter, Stoddart, Booth, Anderson, Brown, Kellie, Cotton, Sword, McKenzie, Beaven, Milne, Semlin—14.

Nays—Pooley, Davie, Vernon, Martin, Eberts, Croft, Rogers, Fletcher, Nason, Baker, Keith, Foster, Smith, Horne, Grant, and Kitchen—16.

VANCOUVER WATER WORKS ACT.

Mr. Martin introduced a bill to amend the Vancouver Water Works act. Read a first time, and referred to the private bills committee.

A QUESTION OF PRIVILEGE.

Mr. Hunter rising to a question of privilege, said that there are no less than 20 railway bills now before the House. It was impossible for any member to legislate intelligently, unless a general map was provided with the prospective railways marked thereon.

Hon. Mr. Davie called attention to the fact that the order paper contained the notices for the second reading of two libel bills, both of which had been discussed and debated. There was no necessity for these dead issues encumbering the order paper.

NOTICES OF MOTION.

By Mr. Pooley—To move to strike out sec. 9, on consideration of the report of the Libel Bill, No. 17.

The house rose at ten minutes to 6 o'clock.

THE LEGISLATURE.

THE NIGHT SESSIONS DO NOT ADVANCE WORK MUCH.

A Number of Bills Taken Up and Considered Yesterday Afternoon and Evening.

—The Libel Bill, Mechanics' Lien, and the Chinese Question.

The speaker took the chair at 2 p.m. Prayers by Rev. Mr. Fraser.

PETITIONS.

Mr. McKenzie—From J. Bryant and 123 others, re liquor selling on Sunday.

Mr. Brown moved—That in the opinion of this house it is advisable that a commission should be appointed, under the presidency of Mr. Speaker, to revise, during the recess, the rules and orders for the conduct of the business of this house.—Carried.

In response to a request from the president of the council, the speaker ruled that a bill, whether public or private, cannot be committed unless it is on the orders of the day for such committal; that it cannot be committed the same day on which it has been read a second time; and that the words "a mere formal sequel" mean the order for committal for which a day is set, and not the committal of the bill immediately after the second reading, as has been the practice in this house for some years when dealing with public bills.

Mr. Keith moved—Whereas the "Chinese Immigration Act of Canada" has proven in a great measure beneficial, but in some respects defective, more especially as the 5th section permits vessels to carry one Chinese immigrant to any part of Canada for every 50 tons of its tonnage; but we are of opinion that a much larger restriction should be imposed, and fewer Chinese carried on each vessel, or their importation prohibited;

And whereas the 8th section imposes only an entrance duty of \$50 on every person of Chinese origin entering Canada, when \$100 is in our opinion the lowest entrance duty that should be charged, if Chinese are allowed to enter Canada at all;

And whereas the 4th sub-section of the 8th section provides that the entrance duty of \$50 shall not apply to any Chinese person who resided or was resident within Canada, on 1st January, 1896; and the 18th section authorizes the issuance of a certificate of leave to depart and return to Chinese who wish to leave and return to Canada; but, in our opinion, the entrance duty should apply to all Chinese other than those mentioned in sub-sections a and b of section 8, and the issuance of the above mentioned certificate should be entirely abolished;

Be it therefore resolved, that a respectful address be presented to his honor the lieutenant-governor, requesting him to move the Dominion government to cause the "Chinese Immigration act of Canada" to be made more restrictive in the manner indicated.

He would not have brought up the question again had he not thought it was absolutely necessary for the good of the country.

The speaker thought the resolution was out of order. It was almost word for word a resolution that had already come up and been rejected on the 24th inst.

Hon. Mr. Beaven, however, contended it was in important respects different and quoted many as authority for introducing the resolution.

Hon. Mr. Davie moved that the previous question be put and the resolution was carried on the following divisions: Ayes, Semlin, McKenzie, Kitchen, Cotton, Kellie, Milne, Beaven, Horne, Brown, Forster, Keith, Robson, Davie, Stoddart, Booth, Martin, Rogers, Fletcher—18. Nays, Sword, Smith, Baker, Vernon, Hall, Pooley, Turner, Croft, Hunter, Anderson—10.

Further Report Libel Bill was then taken up.

Hon. Mr. Davie moved in amendment to insert to amend section 5 by inserting in line 2, between the words "publication" and "the," "one clear day must be allowed to elapse between the cause of action complained of and the issue of the writ thereupon, and to give newspapers a chance of retracting."

Hon. Mr. Beaven said the difficulty was that a newspaper may publish what another person thinks is not right. The writ is issued before he knows what was the trouble. He ought to have notice of what the libel is, or he would not know what to apologise for. He had known such a case.

Mr. Grant thought the amendment should read one day after notice. The leader of the opposition had early stated the case when a paper published a proper explanation should not be prosecuted.

The clause was carried.

Hon. Mr. Davie moved to amend section 5 sub section (a.) in line 1 by striking out the word "act" and insert "section and sub-section," to make it read that the provisions of the particular section should not apply to certain cases.—Carried.

Hon. Mr. Davie moved to amend sub-section (a.) of the said section 5 in the second line by striking out "for a public office in this province," and insert "whether for a parliamentary or a municipal election," providing that the section should not apply in the case of candidates whether for parliamentary or municipal elections unless the charges were retracted five days before elections.

Mr. Beaven moved to amend section 8 in line 18 that the defendant should not be entitled to security for costs unless he satisfies the court or judge that the action is trivial or frivolous.—Carried.

The report was adopted, and the bill read a third time and passed.

Adjourned committee pharmacetical bill, Mr. Hunter in the chair.

Mr. Smith moved an amendment to insert a clause that every person giving a prescription to a qualified person to be filled should be entitled to get back the original prescription. This was carried.

Hon. Mr. Robson's amendment to insert a clause giving the government

power to appoint a public analyst was also carried.

An amendment by Mr. Eberts saying that nothing in the act should prevent a duly qualified surgeon or physician from carrying on the trade of apothecary or chemist.

Section 7 was reconsidered, and a clause added providing that the by-laws should be subject to the approval of the lieutenant governor in council.

The committee rose and reported the bill complete with amendments.

The speaker reversed his ruling in regard to Mr. Cotton's complaint the other day, that the Colonist had reported the school bill passed on division. The speaker at that time decided that the mere taking of ayes and noes constituted a division. Since then the speaker had upon consulting authority come to the conclusion it was not a division.

The house rose for recess at 5:40.

EVENING SESSION.

NOTICES OF MOTION.

By Mr. Nason—That as the present mail service for the Chilcotin district, (from Soda Creek to Hauseville) is fortnightly in the summer and monthly in the winter, to the great inconvenience of the district; that the Lieutenant Governor be prayed to take steps, to cause the said mail service to be changed from monthly to fortnightly in January, February, March and April; and from fortnightly to weekly for the rest of the year.

Hon. Mr. Turner, on Monday—That the speech of His Honor the Lieutenant Governor, at the opening of the present session, be taken into consideration on Thursday next.

For the evening session, the speaker resumed his seat at 7:20.

Adjourned debate on consideration of report Mechanics' Lien Act.

The bill was re-committed, Mr. Keith in the chair.

The Attorney General moved to insert his amendments to the bill (11 sections) that practically changed it into an amendment to the present law, and materially altered it.

Mr. Brown said the principle had been accepted that the material man should be left out.

The Attorney General's amendments practically made it a new bill, with but a few lines of the present one. It was a radical change from first to last, and left the present act in force. Under the present act the material man got away with everything, and the workman's chance, to get his wages was small, because his case could be defeated by a small technicality. There were cases pending now for two years. If the house accepted the amendment, it practically went back on its decision. And the workman would say it was not an act they wanted. The attorney-general proposed to give two justices power in this way. Take the Small Debt act; that was repealed because it gave powers in this way. A case was brought under it, the decision was challenged, the attorney-general notified, but he did not appear; but the act was repealed, and the case was never pressed. According to these amendments a workman could sue the contractor and could go after the owner at the same time.

By section 4 a workman could get his wages from the contractor and by collusion with him could swindle the owner. There would be no provision for a pro rata division, and it would be a rush to see who would get there first, when a lien was brought. Rather than put the amendment, it would be better to leave the present act in force.

The Attorney-General defended his amendments. The provisions in them he considered were not unconstitutional and the small debts act he considered was constitutional. It was repealed because its provisions were abused; and because, on account of county court judges being appointed, it was not necessary. They had the right to create courts of both civil and criminal jurisdiction. He did not think a case could be brought where a workman had lost his money, under the lien act.

Mr. Brown said the Attorney-General's one wish was to kill the bill.

Hon. Mr. Robson said he had come to the conclusion that the act should be for the exclusive benefit of workmen.

The Attorney-General withdrew his amendments; when the first one was lost.

A number of amendments, some of them very long, but not affecting the spirit of the bill, were inserted. The committee rose and reported the bill complete with amendments.

Adjourned committee re sale of tobacco to minors. A great deal of amusement was caused by Mr. Martin moving an amendment saying that the act should not apply to Chinamen unless they came from Hong Kong. The amendment was lost.

The committee rose and reported the bill complete with amendments.

Adjourned committee, bill to incorporate the Order of Oblates of Mary Immaculates.

Mr. Smith in the chair. The committee rose and reported the bill complete without amendments.

The house adjourned till Monday.

THE LEGISLATURE.

A MISUNDERSTANDING EXPLAINED BY THE SPEAKER.

New Bills Introduced During Yesterday's Session.—Discussion on the Ashcroft and Cariboo Railway.—Petition to Close Saloons on Sunday Presented.

THURSDAY, Feb. 26.

Speaker took the chair at 2 o'clock. Prayers by Rev. Mr. Fraser.

The speaker gave an explanation in regard to a misunderstanding between himself and Mr. Beaven yesterday. He (the speaker) had directed the sergeant-at-arms to convey the report back to the member for Fort Kootenay, the sergeant-at-arms, having been previously asked by Mr. Beaven to bring the report to him, and not understanding, (as he has since explained) the direction of the speaker, carried the report to Mr. Beaven, who, being unaware of the speaker's instruction, retained it. A few minutes later, continued Mr. Speaker, I was amazed and annoyed to find that the report was in the hands of the leader of the opposition, instead of Col. Baker's hands; and, knowing nothing of the request of Mr. Beaven, commented generally upon what I conceived to be an irregularity on his part. Since yesterday the matter has been explained by the sergeant-at-arms, and I have now no hesitation in saying that the leader of the opposition was in no sense to blame for what occurred, and I offer him an apology for what I said.

Hon. Mr. Beaven accepted the explanation, but remarked that the Colonist, in a report of the matter said that he secured the railway report as the messenger was conveying it to the speaker. This was incorrect. He had sent the messenger for it after it was in the clerk's hands, as, of course he had a perfect right to do.

NEW BILLS.

Mr. Vernon introduced an act respecting land surveys, which was read first time.

Mr. Milne asked leave to introduce a bill intitled "an act to amend the 'graveyard act,'" which was read first time.

Mr. Sword asked leave to introduce a bill intitled "an act to amend the 'British Columbia railway act,'" which was read first time.

Mr. Martin moved the following:—That whereas at the present time the mail service for the Osoyoos district is a monthly service to Camp McKinney, to the great inconvenience of the inhabitants of the said district;

And whereas it would be for the greatest benefit of the inhabitants of the said Osoyoos district to have the said mail service extended to Rock Creek and changed to a fortnightly instead of a monthly service;

Be it therefore resolved, that a humble address be presented to his honor the governor-general in council, praying him to take steps to cause the mail service to be extended to Rock Creek, in the Osoyoos District, and to change the same to a fortnightly instead of a monthly service. Carried.

Mr. Cotton moved the second reading—New Westminster and Burrard Inlet Telephone Co. (No. 21).

The object was to give them powers to extend their lines. Their original charter was for Port Moody; then it was extended to Vancouver. Now they want powers to increase their lines, as they were working now over a largely increased district.

The bill was read a second time. The House went into committee of the whole on the Westminster and Vancouver Street Railway Company (No. 20). Mr. Smith in the chair.

In committee, Mr. Cotton moved to insert section 17, "That the company shall complete and equip that portion of its works, equipment, line, and roadway lying and situate between the boundaries of the cities of Vancouver and New Westminster before December 31, 1901."

The committee rose and reported the bill complete with amendments, to be considered Wednesday.

Hon. Mr. Robson presented a petition signed by over 1,500 people in relation to liquor licenses.

Hon. Mr. Robson asked that the bill relating to "Gold and Other Minerals" be put down for second reading to-morrow.

Mr. Kitchen moved the second reading of the Burrard Inlet and Fraser Valley railway bill (No. 23).

Mr. Rogers moved the second reading of the Ashcroft and Cariboo railway bill (No. 25).

Mr. Semlin wanted the bill explained. He did not think the railway could be built for the amount of money named in the bill. (The capital was placed at \$1,000,000.)

Hon. Mr. Beaven said this railway had already received a liberal bonus, large grants of lands and a royalty of five per cent on minerals. They proposed to reduce their capital by a very large amount and to change their line. The least the gentleman could do was to explain it, or he would vote against it. He had been informed that before the charter passed the house it was offered for sale at a large figure. Parties who had got bills through the house had often made money by simply selling the charters. Unless some legitimate reason was given, he would vote against it.

Hon. Mr. Davie was rather puzzled to know what was asked for. There might be good reason for it. If \$10,000,000 were too much to build the road, he could understand the wish to have it reduced. Selling charters was a legitimate transaction. The promoters of charters were not as a rule capitalists, but when the charter was sold that was a guarantee that the work would be done. He only wished the Canada Western road would sell their charter. That would be the best guarantee the road would be built.

Mr. Cotton fully agreed that the road was a most important one; and for that reason explanations should be made.

Mr. Brown considered the road of the utmost importance. They were told that the object of reducing the capital stock was to build the road.

Mr. Nason asked that the debate be adjourned. Mr. Rogers was not well to-day, and satisfactory explanations would be made he felt sure.

The motion for adjournment was withdrawn.

Mr. Kellie would not vote for the second reading till the government took action in the matter of doing away with royalty on minerals.

Hon. Mr. Robson said that notice of a bill to do away with the royalty was on the clerk's desk. The fact of the bill coming from the railway committee was sufficient reason for him to vote for the second reading. The land grant was given, the house having knowledge that the road would cost \$8,000,000 to build. The road was of the most vital importance to British Columbia.

Mr. Horne spoke in favor of the second reading. They should not throw any impediment in the way of the road but assist them in every way.

Mr. Grant would be very sorry to put any stumbling block in the way of the progress of Cariboo. The district had resources, which if developed, would astonish the whole country. He had no doubt the railway could be built. The gold and silver mines alone warranted the building of the railway. When the Cariboo mines were developed the farmers would find a market for their produce. This province requires railways, if any province did. He was very loth to throw any obstacles in the way of the road.

Hon. Mr. Beaven had very grave doubts as to whether they were encouraging the building of the road. Should they by passing this bill assist the company to build the road or to sell the charter.

Mr. Nason—If the charter was sold it would not be sold for the purpose of holding it, but to build the road. He was positive it was one of the richest mineral countries in the world. The only way to develop it was by building a railway. The government reduction works showed they had plenty of ore that could be worked at a profit. He had been assured the railway would be started at once.

Mr. Baker remarked on the great financial crisis that had taken place this year and that was one reason why the railway had not gone on.

Mr. Semlin wished to withdraw his opposition to the bill.

The bill was read a second time.

Mr. Kitchen moved the second reading of the Chilliwack railway—Carried.

The Vernon and Okanagan railway act was read a second time.

Hon. Mr. Turner reported the acreage, ownership and situation of all lands assessed for wild land tax, where the acreage in any individual assessment exceeds 500 acres. The amount aggregated 306,272 acres.

Timber lands under lease, 6,812 acres near Cowichan lake, assessed at \$70,000.

As to land exempted, the boundaries and areas were not defined. No exemptions are made for others than those for which the act provides.

Hon. Mr. Robson presented the report of the insane asylum.

The house rose at 5:45.

NOTICES OF MOTION.

By Hon. Mr. Robson to introduce

THE LEGISLATURE.

THE LOCAL HOUSE DISCUSSES COLONIZATION.

A Government Supporter Brings Forward a Motion Which the Premier Considers One of Censure—The Question of Restricting Chinese Again Discussed.

WEDNESDAY, Feb. 25.

The speaker took the chair at 2 p.m. Prayers by Rev. Mr. Fraser.

Mr. Brown presented a petition from A. Van Volkenburgh and others, residents of New Westminster (re extension of the electoral franchise to women).

The standing committee on railways reported the bill of the Burrard Inlet Railway and Ferry Company, with amendments, and asked an extension of 8 days' time for reporting bills; the chairman explaining that otherwise several bills could not be dealt with.

The committee on private bills and standing orders reported the bill respecting New Westminster and Vancouver Tramway Co., and Westminster Street Railway Co.

Mr. Cotton asked leave to introduce a bill to incorporate the Vancouver, Northern Peace River and Alaska Railway and Navigation Co.

Mr. Kellie introduced a bill to incorporate the Nicola, Kamloops and Similkameen railway.

QUESTIONS OF PRIVILEGES.

Mr. Smith rose to a question of privilege saying the Colonial had reported him as reading yesterday a letter from his constituents opposing Chinese; on the contrary, the letter said if the Chinese were driven out the farmers would be starved out of the country.

Mr. McKenzie moved for a return showing the school reserves, Indian reserves or settlements, naval or military reserves, and reserves for general purposes within the limits of the grant to the Esquimalt and Nanaimo railway company, the several areas, and situations thereof.—Carried.

Mr. McKenzie moved for a return showing the area of all that portion of land conveyed to the Dominion government under section of an act intitled "An act relating to the Island railway, the graving dock, and railway lands of the province," lying to the northward of a line running east and west half-way between the mouth of the Courtenay river (Comox district) and Seymour Narrows.—Carried.

Mr. McKenzie moved for a return showing the area of the lands alienated up to 15th December, 1889, by Crown grant, pre-emption, or otherwise within the limits of the grant mentioned in section 3 of the act intitled "An Act relating to the Island Railway, the Graving Dock, and Railway Lands of the Province."—Carried.

Mr. Sword asked leave to introduce a bill intitled "An Act respecting damage done to stock. Read first time. Second reading Monday.

Mr. Eberts introduced a bill "to incorporate Hot Springs and Goat River Tramway Company." Read first time.

Mr. Sword moved that the report from the select standing committee on railways be adopted.

"Your committee respectfully recommends to the house that before the present private railway bills before the house are taken into consideration, the government be requested to consider the advisability of amending the present railway act by introducing a clause which will provide that the right of eminent domain, upon special conditions, but without the necessity of a special charter, be granted as a right to applicants for a railway line."

Hon. Mr. Robson asked for the postponement of the motion.

Mr. Baker explained it was to get an expression from the government, whether they would consider the question, but did not bind them in any way.

Mr. Sword had no objection to granting Hon. Mr. Robson's request.

Mr. Anderson moved "That in the opinion of this house the time had arrived when greater interest should be taken by the government in the settlement of public lands." He himself had expended a great deal of money in proving land. He found that the average holdings in his part of the country were 100 to 1000 acres; and he did not think that in clearing these lands the settlers could average more than 25 per cent. in 20 years. They had been told that in some parts of the province there was room for a large number of settlers; but to get them there the government must give them encouragement. In a great number of cases people have to hunt land for themselves, and after using up their money they are discouraged. If some person qualified to show settlers land were appointed, and he knew where they could be placed, many men would be glad to take up land. If in any way the government could see their way clear in this matter, it would be beneficial. There were thousands in the British Isles who would gladly take up such land. The settlers who have come have taken up more than they could clear, and to-day are "land poor." If lots of fifty or sixty acres were set apart for the poorer classes it would be a great help toward settling the country.

Hon. Mr. Robson said the government were doing everything possible to discourage speculation.

They were considering colonization schemes of placing several families on land in parts of the province. One was to bring out settlers from the old country without any financial charge on the province. There was a natural greed to acquire more land than could be utilized by settlers. The legislation

asked during the present session was to encourage small settlers and to discourage speculation. Last year land exploration was begun and this year much more would be done in that way. The wording of the resolution seemed almost to imply censure of the government; he hoped it would be withdrawn.

Mr. Beaven said there was always hope for repentance. The government had been so dilatory in this matter that the non-member who moved the resolution had evidently become impatient. The matter was of great importance and Mr. Anderson should be commended for the step he had taken. It was a laudable act that for want of information settlers have been compelled to leave the province. The administration of the land department for the last few years made it impossible to give information to settlers. The purpose that been made in such a way as to make it impossible to tell what lands were under timber lease, what taken up and what not. It was quite true some surveys had been made last year. He had been told, however, that in some cases the land was not just as represented by the reports. He could not, of course, vouch for them, but such impressions were abroad. He hoped the motion would not be withdrawn.

Mr. Anderson asked leave to withdraw the motion.

Mr. Semlin said they had been referred to the new land act and he defied anyone to show that by it the settler could obtain land any easier than before. He asked the government to tell the house about the settlers who proposed to come in from the States, as the subject was one of great interest.

The resolution was withdrawn.

Mr. Sword asked the chief commissioner of lands and works:

(a) What applications to purchase, under section 29 of the land act, are now subject to forfeiture?

(b) What land has been applied for under this section the purchase of which has not been completed?

(c) What are the names of the parties who have not completed their purchase under this section, the dates of their applications, the situations, and acreages?

Hon. Mr. Vernon replied:—

"A reply to a similar set of questions will be found in the Journals of the Legislature for 1899, folio 26."

(a) Since that date applications aggregating about 250,000 acres, which were made more than six months ago, have not yet been completed, and are subject to forfeiture, except in cases where good and sufficient cause can be shown to the contrary.

(b) About 54,000 acres have been applied for within the past six months, the time for the completion of the purchase of which has not yet expired.

(c) The question is so comprehensive that it cannot be briefly answered. If the hon. gentleman will call at the lands and works office he can more readily obtain the desired information."

Mr. McKenzie asked the hon. president of the executive council:

(a) Did any person, verbally or otherwise, consult with, or communicate with, the provincial government, or any of its members or deputies, concerning the sending of the militia to Wellington last summer, prior to the calling out of that force?

(b) If so, what was the purport of the consultation or communication, and what course was advised?

Mr. Pooley—"No," not to my knowledge.

Mr. Martin moved the second reading of Vancouver water works bill.

Mr. Cotton asked that the bill should be postponed, as the subject was an important one to Vancouver and he would like to let the city have an opportunity to see the bill.

Mr. Martin objected, claiming the city had had plenty of time to see the bill.

Mr. Horne asked that the second reading should not be pressed. He had not had any opportunity of reading the bill and he thought the people of the city of Vancouver had not.

After some further discussion, hon. Mr. Robson said he considered the interests of Vancouver as a city were entitled to consideration. He was surprised any member would move for the reading of the bill. It would be very extreme thing for the bill to be forced.

The debate was adjourned till Tuesday.

The adjourned debate on Mr. Brown's resolution re Chinese tax was resumed.

Hon. Mr. Robson believed the action yesterday on the Chinese question would nullify the whole thing at Ottawa. He had been over-ruled in his desire to have the tax increased in a moderate degree. So that the Dominion would more willingly consent to the increase.

Mr. Semlin thought the motion now before the house was to include the Japs.

Mr. Booth wanted the whole motion re-considered, and the sum put at a more reasonable figure.

Hon. Mr. Robson maintained that to wait till the Japs began to come, before taking steps to prevent them, would be the Chinese evil over again. That was just how the Chinese trouble came about. An ounce of prevention was better than a pound of cure. It should be applied now that they were granting franchise for public works. Why should they legislate against the Chinese and allow the Japs to come in. Chinese were being imported by the thousand when the C.P.R. was being put through and that would be the case in regard to the Japs. Nothing could impair the measure passed yesterday, because it was reasonable and right. His objection to that was the sum was placed too high.

Mr. Brown said he hoped the amendment would be withdrawn. He thought the better way would be to withdraw the original motion and put the tax to \$100.

The amendment was withdrawn.

Hon. Mr. Robson suggested that the whole thing should be negative, and settled by bringing in a new resolution. The question was proposed—"Shall the resolution as amended pass," and was negatived on the following division:

Yeas.—Messrs. Semlin, Grant, McKenzie, Cotton, Kellie, Milne, Beaven, Horne, Brown, Forster, Keith, Davie, Stoddart, Fletcher—14. Nays.—Messrs. Sword, Kitchen, Smith, Baker, Robson, Vernon, Booth, Hall, Nason, Pooly, Turner, Martin, Croft, Hunter, Rogers, Anderson—16.

The house then went into committee on the Westminster and Vancouver Street Railway act. Mr. Smith in the chair.

The committee rose, reported progress and asked to sit to-morrow.

Hon. Mr. Davie presented 17th annual report of births, marriages and deaths.

The house adjourned at 6 p.m.

THE LEGISLATURE.

SOME MORE DISCUSSION ON THE CHINESE QUESTION.

Mr. Brown's Motion to Increase to Poll Tax to \$200, and Mr. Beaven's Amendment to Abolish Return Certificates, Carried—The Speaker's Ruling.

TUESDAY, Feb. 24.

The speaker took the chair at two o'clock.

Prayers by Rev. Mr. Fraser.

Mr. Cotton remarked that the Colonial had said the second reading of the school bill was carried without division. He contended there had been one.

Hon. Mr. Robson differed with him. The second reading had passed without division.

Mr. Beaven said though no names were taken it was a division.

The following petitions were presented:

By Mr. Kitchen, from Matthew Hall and others, opposing dyking of the Sumas river.

By Mr. Cotton, from 570 residents of Vancouver, opposing Sunday observance bill.

By Mr. Grant, from 1,008 residents of Victoria, opposing Sunday observance bill.

PETITIONS.

The following petitions were read and received:

From Alphons Desracher and others, residents of Nicomen settlements, re exemption of Fraser river dyking bill.

From Cornelius McKay and others, residents in Townships 10 and 7, Langley Prairie, asking that government road work be done by contract.

From J. B. Leighton and others, re stock killed by C.P.R. company on railway right of way.

From Mrs. Boddy and others, re extension of the electoral franchise to women.

From James Murray and others, residents of Chilliwack, opposing private bill for power to direct water of Vedder creek into the Luc-cuk-cuk river.

Mr. Cotton introduced an act to incorporate the Vancouver and Lulu Island railway company.

Leave granted.

Mr. Cotton introduced an act to incorporate the Liverpool and Canoe Pass railway company.

Mr. Kellie introduced an act to incorporate the Toad Mountain and Nelson tramway company.

Mr. Horne introduced an act to incorporate the Vancouver and Lulu Island electric railway and improvement company.

Col. Baker presented a report from the select standing committee on railways with reference to an act to incorporate the Nelson and Fort Sheppard railway company.

The report was adopted.

Mr. Martin presented a report from the select standing committee on standing orders and private bills, that the standing orders in connection with the following petitions have been complied with, viz.:

The Toad Mountain & Nelson tramway company.

The Vancouver & Lulu Island electric railway and improvement company, limited.

The Vancouver waterworks act, 1886.

The report was adopted.

The Speaker gave the following decision: I am asked to rule on a question of privilege raised by the member for East Kootenay, upon the following points:—

"If a private bill comes before the standing committee on railways or private bills, and is passed by the committee with or without amendments, and the report from the committee is received and adopted by the house, can petitions afterwards be brought before the house against the bill on its second reading, or on the future stages of the bill?"

Neither May nor our own rules and orders place any restrictions on the right to petition the house on any subject that is not in violation of the rules of the house. According to rule 37 of this house, all petitions before or against a bill are considered as referred to the committee on private bills; but if the time limit for the consideration of a petition by that committee shall have expired, it would be an arbitrary high.

and unconstitutional to authority to deny the petition right to approach the house of the subject. The house is entitled to light that can be thrown, by otherwise, on a measure upon which is asked to legislate. In the before me, I think the interest petitioners occupy a secondary position—the value of the information in the petition to the house first consideration.

May (9th edition), page 62: "When petitions relate to the subject matter of any motion pointed for consideration, a may present, at any time during the commencement, at any time during the house." So jealous right of petition guarded in the of commons, that on one of motion for the speaker to chair was withdrawn, in order able a member to present a petition was repeated as soon as the had been received.

I rule that the presentation, tion to the house, under the stances set forth by the hon. for East Kootenay, is in order.

Mr. Martin introduced a bill able the Okanagan Land and ment Co., (limited) to construct was read a first time.

Hon. Mr. Robson asked the to rule whether there was a di the school bill last night. He w an impression a division did place. The senior member f couer thought there was a divi

Hon. Mr. Beaven contended when ayes and noes were ca though no names were taken i division.

The Speaker ruled that the for ayes and nays constituted a THE CHINESE QUESTION.

Mr. Brown moved: Whereas introduction of Chinese into the is highly prejudicial to the best interests of the country, as Chi never been content in any tr of the world: Therefore, be it t That a humble address be p to his honor the lieutenant-governor, him to take such steps as may s to him to induce the Dominion ment to increase the tax on coming into the country from \$200.

Hon. Mr. Robson was in favor d but was not prepared to go the of \$200, because if they went to s extreme he did not think it w possible to succeed at Ottawa in tax increased. They were man g to succeed if they asked for \$100 would like an amendment giv province more than one-third o tax which was all they got at p If the province could keep the C out to a great extent and derive benefit from the revenue raised those who did come in, it would sirable.

Mr. Horne thought the resolu move in the right direction. He like to see it \$500, but was afrat Dominion government would o He thought the best way was to them out of the country altogether.

Mr. Semlin did not agree that was a sufficient tax. The principl to keep the Chinese from coming the country. The best method w put on a high instead of a low tax tax increased. They were man g Hon. Mr. Robson—"If we can g Mr. Semlin contended this was a half measure.

Mr. Martin thought \$100 would the support of the house.

Mr. Hunter thought this a mo the wrong direction. The legis had all the power they wanted i matter. He thought in some inst the Chinese were necessary. He v not deal with an abstract resolu but would hold himself free to when any question came up.

Hon. Mr. Davie said from the im of the poll tax on Chinamen influx had been less. More good b done by a poll tax on China than any other way. The propo was to prevent the Chinamen co to the country, but once he was had a right to earn his daily bread, would not vote for a measure prev ing him from working. Sometimes ought to be excluded, as in p works, or in works for which tran were given by the House.

He agreed with Mr. Robson. 2 would be defeating the object in v by making the tax too high.

Hon. Mr. Beaven thought the m was of considerable importance to province. It might be argued that Provincial Legislature had nothing do with it, but it was well the h should pronounce upon it. Many portant public works were going and contractors would again in large numbers of Chinese unless check were placed upon them. T was a large railway development g in Washington, and no Chi were employed upon them. The Un States law was more stringent than Canadian. Our laws should be i many with them in this respect. is an international question. We s urge it upon the Dominion Gov ment, who do not recognise the imp ace of the question. There shoul a member in the cabinet from Pacific coast. A Chinese interpr had been appointed at Vancouver Victoria. He was satisfied that must be white men who would done more effective work than Chinamen could. Under Chinese migration law a vessel could b one Chinaman for every fifty burden. The tonnage should be larg increased. As to return certifi this house should call the attention the Dominion government to the facts in the statistics. Mr. Beaven m in amendment, seconded by Mr. Ho

The bill passed its second reading, and was committed, Mr. Stoddart in the chair. After trifling amendments to the first section, the committee rose, reported progress, and asked to sit tomorrow.

The adjourned debate on second reading of the school bill was then taken up.

Mr. Semlin resumed his remarks of Friday. Before speaking on the question he explained that the Times of Saturday had reported him as adverse to the school system being vested in any government. He had said that it might work in other provinces perfectly well, but here the conditions were different and the present government could not be trusted in the matter.

His argument was that the government was trespassing upon the powers of the trustees; that it was detrimental to do so; and the true policy was to give them more power. Suppose the management of British Columbia schools was centered in the city of Victoria. Could these schools be governed properly that way? He contended not as to nominating trustees. Wherever the trustees do not agree perfectly with the government, trouble would immediately ensue. He recollected one case. It went very well until the trustees elected a teacher who was not approved of by the department; and the result was the school was closed. In another case the department ignored the trustees of a school and appointed three new men. The new board endorsed the old board and from that day the school was in difficulties and was finally closed. The fact that three trustees nominated by the government and four by the city, satisfied him the government intended to control the schools. Instead of advancing the school interests he was afraid they would advance their own political interests. He took exception to the proposition of centralizing power in the government. They had not time to devote properly to that and their departments. Why did the government interfere with teachers' institutes. Teachers were intelligent enough to govern their own institutes. This school bill was a retrograde measure. Those interested in education criticised it very much. The general tendency of it was centralization in the government. He would not support the second reading. The second reading was carried. To be committed to-morrow. The house rose at 9.30.

NOTICE OF MOTION.

Mr. Cotton—On consideration of the act regarding the Westminster and Vancouver Tramway Co., and Westminster Street Railway, in committee of the whole, to move to add the following new section: That the company shall complete and equip that portion of its works, equipment, line and roadway between the boundaries of the two cities before Dec. 31st, 1891.

Mr. Sword—To ask leave to introduce a bill respecting damage done to stock.

Mr. Sword, on Wednesday 25th, to move the adoption of the report from the standing committee on railways, providing that the rights of eminent domain upon special conditions, but without the necessity of a special charter be granted as a right to applicants for a railway line.

Mr. Beaven, to add the anti-Chinese clause when the following be considered in committee of the whole:

To incorporate Burrard Inlet and Fraser Valley Railway; to incorporate the Chilliwack Railway Co.; to incorporate Vernon and Okanagan Railway Co.; to incorporate Nicola Valley Railway Co.; to incorporate Ashcroft and Cariboo Railway Co.; to incorporate Vernon and Nelson Telephone Co.; to incorporate Toad Mountain and Nelson Tramway Co.

THE LEGISLATURE.

THE LIBEL BILL GHOST AGAIN HAUNTS THE HOUSE.

Class Nine Stands on a Very Close Division—Clause Five Stricken Out—The Debate on the Libel Bill Again Taken Up and Adjourned.

THURSDAY, Feb. 20.

The speaker took the chair at 2 p.m. Prayers by Rev. Mr. Dobbs.

PRIVILEGES.

Mr. Brown rose to state that an editorial in the Vancouver telegram of last Wednesday was wrong. It accused him falsely of making an annexation speech. He wished to deny the whole matter.

PETITIONS.

Col. Baker presented the report of the railway committee, which transmitted the Burrard Inlet and Fraser river valley railway bill with amendments.

The report was adopted. Mr. Smith submitted the report of the mining committee, which reported the bill relating to gold and other minerals, excepting coal with some amendments.

Hon. Mr. Beaven suggested that each bill be endorsed at its different stages.

Col. Baker in moving the following resolution: That this house take into consideration the adoption of the report from the standing committee on railways, namely: "Your committee respectfully recommend to the house that before any of the private railway bills before the house are taken into consideration, the government be requested to consider the advisability of amending the present railway act by introducing a clause which will provide that the right of eminent domain, upon special conditions, but without the necessity of a special charter, be granted as a right to applicants for a railway line pointed out that it was desirable to obtain the opinion of the government on the matter.

Hon. Mr. Robson could not understand the object of the hon. member had in bringing the resolution forward.

The speaker did not think the resolution was properly before the house.

Col. Baker said he had only carried out the wishes of the railway committee.

Hon. Mr. Beaven thought that a misapprehension existed. There was a distinction between considering the matter and adopting it.

Col. Baker moved the adoption of the resolution.

Hon. Mr. Robson would ask the hon. member to do nothing of the kind at this time.

Col. Baker again pointed out that he was bound to obey the wishes of his committee. However, he would be willing personally, to withdraw the resolution.

The resolution was accordingly withdrawn.

Mr. Cotton asked the hon. minister of finance the following question: What were the amounts received during the fiscal year ended 30th June, 1890, and during the half-year ended December 31st, 1890, from the provincial revenue tax in the cities of Vancouver, Victoria, New Westminster, and Nanaimo.

In answering, Hon. Mr. Turner said: That during the year ending 30th June, 1890, the returns had been Victoria, \$8,619; New Westminster, \$3,033. At that time neither Vancouver nor Nanaimo had made separate amounts, but had been included in Victoria and New Westminster. For the half year, ending December, 1890, the figures had been, Victoria, \$221; Nanaimo, \$564; New Westminster, \$523 and Vancouver, \$900.

Mr. Cotton in moving the second reading of the companies bill, said that certain important changes were needed in the act so that the powers of the act might be better known. To give a better opportunity to capitalists the bill should be changed that the issuance of stock might be facilitated. He also explained how the bill would materially assist business.

Hon. Mr. Davie did not see anything objectionable to the bill. On the contrary, he believed it a very beneficial measure, as certain changes in the present act were desirable.

Hon. Mr. Beaven did not quite coincide with the views of the others. To his mind the bill would hardly apply to companies at present formed. However, he should vote for the second reading, as with amendments it was a beneficial bill.

Bill read a second time and ordered committed on Tuesday next.

The Hon. Mr. Davie moved on consideration of the report on bill (No. 17) entitled "An act respecting actions for libel and slander," the following amendments:

In section 4, to insert the words "or by admission" between the words "denial" and "he" in line three.

To strike out the whole of section 5 and to substitute therefor the following:

"5. (1.) In an action for libel contained in a public newspaper or other periodical publication the defendant may plead that the libel was inserted in the newspaper or other periodical publication without actual malice and without gross negligence, and that before the commencement of the action, or at the earliest opportunity afterwards, he inserted in the newspaper or other periodical publication a full apology for the libel; or if the newspaper or other periodical publication in which the libel appeared be one ordinarily published at intervals exceeding one week that he offered to publish

the apology in any newspaper or publication to be selected by the plaintiff in the action:

"(2) In any such action the plaintiff shall recover actual damages only, if it appears on the trial of the action that the article was published in good faith, and that there was reasonable ground to believe that the same was for the public benefit, and if it did not involve a criminal charge, and if it appears that the publication took place in mistake or misapprehension of the facts, and that a full and fair retraction of any statement therein alleged to be erroneous was published either in the next regular issue of the newspaper or other periodical publication aforesaid, or in any regular issue thereof published within three days after the issue of the writ, and was so published in as conspicuous a place and type as was the article complained of:

"(a) Provided, however, that the provisions of this act shall not apply to the case of any libel against any candidate for a public office in this province, unless the retraction of the charge is made editorially in a conspicuous manner at least five days before the election."

In section 6, to strike out the words "of the plea" in the 9th line, and substitute therefor the word "thereof."

To strike out the whole of section 7. In support of the amendments submitted, the attorney-general showed how the amendments were calculated to be of benefit.

The changes of section four were then passed.

Hon. Mr. Davie moved to arrange several clauses leaving out the following sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. He said that he had given notice in writing, specifying the statements complained of, such notice to be served in the same manner as a plaintiff's statement of claim is served, or by delivering the notice to some grown-up person at the place of business of the defendant. His experience was that the newspapers only made matters worse when a retraction, or correction was asked of them or when given a chance to retract before suit, for instance a paper says publishes of Mr. Jones that he had stolen a horse. Jones gives notice under the act, and is met with something after this fashion: "We were wrong about Jones stealing the horse, and we apologize for doing him an injustice. We should have said that he received the beast in a questionable way and the receiver is worse than the thief—being thus libeled worse than before—owing to his having given the statutory notice—he can do nothing regarding the second libel until he gives a second notice, and then possibly the retraction assumes this shape: "It was all a mistake about the horse, but what was Jones to say about his having forged his uncle's name once upon a time to a cheque for \$500, for which he narrowly escaped the penitentiary?" Poor Jones can do nothing yet until he serves a third notice, and so on, the publisher dancing ahead of him each time like a "Will o' the Wisp," every effort to put him straight being met with fresh calumny.

Since the last discussion upon the libel bill they had had an exact case in point. He had called attention the other day to a misreport in the Colonist which had wrongly inferred that both he (Mr. Davie) and the premier had stated that a lady had approached them by a corrupt offer to recognize a certain claim. The Colonist had published a correction of a certain sort, but had accompanied it with a paragraph of "Billingsgate" headed "Evil be to him who evil thinks." That was just the treatment that a man wronged by calumny from such a journal would be subject to if the section now proposed be struck out were allowed to remain. The editor of that newspaper had said, referring to the libel bill, that the editor had asked for bread and he had given them a stone. He thought if reference were also made to the scriptures he could find another illustration. He (Mr. Davie), in this case, had asked for a fish but they had given him a serpent. The public would find this to be the way in which they would be treated if the press were given more latitude.

He (Mr. Davie) would not have brought this matter forward were it not for the pointed illustration furnished by the Colonist in this case, and which afforded a fair example of how the public would be treated were the law requiring notice allowed to prevail. The difficulties in the way of, or the grievances of newspapers to which allusion had been made, were more imaginary than real. There could be difficulty arising out of the fact of a newspaper not being notified. If it chose to retract immediately on being served with a writ, the costs would amount to a mere matter of \$10 or \$15. To put in this would only save this expense, whereas, on the other hand, the injustice done to the party attacked would have been grave indeed.

Hon. Mr. Beaven contended that it would be a serious mistake to strike out those words. He could not see why the press should be deprived of the opportunity given by the clause. He could speak on the subject from his personal experience. He had never instituted a libel suit, though he had had many favorable opportunities. As at present, the suit was begun by the mere issue of the writ, which did not set forth the offence complained of. That was only known at a later stage, and he therefore did not see why that particular part should be struck out. He moved an amendment to insert the clause which Mr. Davie had moved to strike out.

Mr. Cotton would not say that he had asked the Attorney-General for a fish and had received a serpent, but he had asked that the delay of a day should be allowed to elapse after the publication before the issue of the writ.

Mr. Davie had no objection.

Mr. Beaven's amendment was then put and lost and Mr. Davie's motion carried by a vote of 23 to 6.

Hon. Mr. Beaven could not see why the section should be struck out. He thought it a very simple thing for anyone who considered themselves aggrieved to make a proper statement of what they complained of. He thought the Ontario act covered the matter fully.

Mr. Cotton asked that one day be allowed to elapse after the appearance of the alleged libel before the issuance of a writ.

Hon. Mr. Davie assented to this. Amendments passed.

Hon. Mr. Pooley moved that clause 9 of the libel bill be struck out, and explained the legal reasons for so doing.

Hon. Mr. Beaven spoke against striking out section 9, as it was necessary that security for costs should be put up at the commencement of a case.

Hon. Mr. Robson should support the resolution as the putting up of cost was in the way of a poor man getting justice. It would be no hardship for a rich man to put up costs. He did not consider it probable that men of straw would bring foolish charges against a newspaper.

Mr. Milne thought the law should be retained. It had acted well in Ontario, and would, he believed, act well here. He knew of instances where papers have been harassed by men who had no real grievance. Personally he believed that the papers of this province were conducted by fair-minded men who were not anxious to abuse or misrepresent anyone.

Mr. Eberts pointed out what the newspapers could do in the event of an action of libel being brought, but he did not think the resolution asking for costs was one calculated to be a hardship to anyone. He did not think that any judge of the supreme court would be in any way lenient towards the newspapers, and should support the original clause.

Mr. Brown coincided with Mr. Eberts. He was sure that in the event of any honest poor man being abused by a paper, there would be no difficulty to get costs. It was often the duty of newspapers to draw attention to the acts of persons in the public welfare, when the publication of such things were in the eyes of the law libellous.

Mr. Cotton thought the matter had been pretty thoroughly thrashed out. The opinion of the house had been taken the other day. He was in favor of the resolution as it now stood.

Hon. Mr. Davie was in favor of striking out section 9 altogether, and at considerable length explained how much better the act would be without the section.

Mr. Semlin said he was surprised at the attorney-general, who must, from his own confessions, have been in the habit of associating himself with a very low set of rascals of journalists, who should, if what the attorney-general said was true, have been sent to the penitentiary long ago. The speaker had an idea that the organ of the attorney-general had had a difference with him. He thought too much attention was given to the poor man in this discussion, when as a matter of fact the poor man was not likely to care whether there was a libel law or not.

Mr. Booth was in favor of the clause and what had been said by the attorney-general had made him even more determined to support it. He thought if the lawyers would advise some means to decrease the costs of actions some real good would be done to the working man. He had heard of cases where benevolent lawyers had taken up cases and carried them through with a hope of future reward.

The attorney-general—They would lay themselves liable to the penitentiary if they did.

Hon. Mr. Beaven—Do you mean to say they do not?

Mr. Booth continued, saying he should vote for the retention of section 9.

Hon. Mr. Robson here rose to read an item in the Westminster Ledger, referring to the carelessness of the government with public documents. He would say that there was not the slightest truth in the statement. There were newspapers and newspapers in the province. Many of them were well and carefully conducted, while others were—well—not.

Mr. Grant was in favor of section 9 in reference to costs being retained, as it would be a protective measure for a paper and keep it from being shut up by a charge of libel. At present to discuss a case after a writ was served was contempt of court, and by the issuance of a writ all comment could be stopped. He did not think any honest public man should be afraid of having his actions criticised. He thought that the item in the Ledger should be investigated, and its truth or falsity ascertained. If it was wrong it should apologize. He thought it right that all actions of the government should be criticized, and he believed what was all right in other countries was all right here in respect to libel.

On being put to the vote the clause was declared to stand 15 ayes, 14 noes. Hon. Mr. Beaven moved several minor amendments to the libel bill.—Carried.

With Mr. Semlin in the chair, the adjourned committee on the supreme court bill asked that an order for their discharge be given.—Carried.

With Mr. Smith in the chair, the school bill was again opened up. Semlin in reopening the debate said that the educational interests of the country were very important, considerable length he reviewed the history of educational matters in the province. He felt it desirable, considering the large amount of expenditure on educational matters, that the school should closely watch the department. He thought it necessary to do with any political head to educational matters. Why the head of government should represent the province, he failed to see. He was sure that the government did not present the majority of the electors of this province. In view of the thought that no political head in shape of government control should be allowed to exist. He knew that social feelings now often existed in control of schools, as too much power was placed in the hands of the executive. He pointed out that the head departments could use undue influence. Under the conditions of law proposed the executive could domineer, exacting and unjust no redress could be had. This would all be changed. No such power should be allowed to rest in the hands of a provincial secretary, as the executive had endeavored to retain the right of appointment of trustees. He would ask the house if the conduct of the school system of education had been such as to warrant the granting of more power. Several cases could be cited where the power had been abused. It had been stated by the provincial secretary that trustees were not rule trustworthy; the speaker was disputing this, and he was a loss to know why the trustees of the province could be entrusted with the powers given the trustees of the other provinces. Good reasons had been given why they should not be so trusted. If the department of education had control of the affairs of the schools, then they in the past broken their own laws, particularly so in the case of the now disgraced Mr. Muir, whose certificate had been cancelled in defiance of an act which said no such cancellation should be allowed. If this non-observance of the law was an instance of the method of the department of education, thought some enquiry was necessary. Somebody was responsible, either board of examiners or the department and the matter should be explained. Causes for cancellation had been referred to, but had not been specified. He thought it had been shown that certificates had been cancelled on account of personal dislikes, while other certificates had not been cancelled when they should have been. He believed that this had been proven, that the department of education was an inefficient machine. The action of the minister of education in giving the control of schools to city councils was a dangerous experiment. Aldermen might not be good civic rulers but be failures as directors of schools.

PUBLIC SCHOOL BILL.

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At this point the debate was adjourned.

Mr. Brown, by permission, read item from the Westminster Columbian contradicting the statement of the Legislature of the carelessness of the Government officials with public documents. He drew attention to the fact that the Legislature was a Government organ, the Columbian an Independent.

Hon. Mr. Robson in moving the adjournment of the house, gave notice that next week night sessions would be commenced, being held on Monday, Wednesday and Friday evenings.

The house then rose, it being 9 o'clock.

NOTICES OF MOTION.

Mr. Eberts—On the consideration of the report of the bill respecting actions for libel and slander, to move the following amendment: In section 9, strike out in the ninth line the words "or" and insert in lieu thereof the words "and."

Hon. Mr. Beaven—On consideration of the report of the Libel Bill, to amend section 8, line 9, by striking out "and," and inserting "and," also, in line 18, insert "or judge that the action is frivolous or."

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With Mr. Smith in the chair, the bill to incorporate the order of Oblates of Mary Immaculate was taken up. After discussion, the committee rose, reported progress, and asked leave to sit again. It was carried that the public accounts up to date should be referred to committee.

PUBLIC SCHOOL BILL.

The adjourned debate of the public school bill was again opened up. Mr. Semlin in reopening the debate, said that the educational interests of the country were very important, and at considerable length he reviewed the history of educational matters in the province. He felt it desirable, considering the large amount of expenditure on educational matters, that the house should closely watch the department. He thought it necessary to do away with any political head to educational matters. Why the head of the government should represent the head of the schools, he failed to see. He was sure that the government did not represent the majority of the electors of this province. In view of this he thought that no political head in the shape of government control should be allowed to exist. He knew that personal feelings now often existed in the control of schools, as too much power was placed in the hands of the executive. He pointed out that the heads of the departments could use undue influence. Under the conditions of the law proposed the executive could be domineering, exacting and unjust, and no redress could be had. This should all be changed. No such power should be allowed to rest in the hands of the provincial secretary, as the executive had endeavored to retain the right to the appointment of trustees. He would ask the house if the conduct of the so-called minister of education had been such as to warrant the granting of even more power. Several cases could be cited where the power had been abused. It had been stated by the provincial secretary that trustees were not as a rule trustworthy; the speaker would dispute this, and he was at a loss to know why the trustees of the province could not be entrusted with the powers given to the trustees of the other provinces. No good reasons had been given why they should not be so trusted. If the department of education had control of the affairs of the schools, then they had in the past broken their own laws, particularly so in the case of the now celebrated Mr. Muir, whose certificate had been cancelled in defiance of an act which said no such cancellation should be allowed. If this non-observance of the law was an instance of the methods of the department of education, he thought some enquiry was necessary. Somebody was responsible, either the board of examiners or the department, and the matter should be explained. Causes for cancellation had been referred to, but had not been specified. He thought it had been shown that certificates had been cancelled on account of personal dislikes, while other certificates had not been cancelled when these should have been. He believed when this had been proven, that the department of education was an inefficient machine. The action of the minister of education in giving the control of the schools to city councils was a dangerous experiment. Aldermen might make good civic rulers but be failures as directors of schools.

At this point the debate was adjourned.

Mr. Brown, by permission, read an item from the Westminster Columbian contradicting the statement of the Ledger re carelessness of the Government officials with public documents. He drew attention to the fact that the Ledger was a Government organ, the Columbian an independent.

Hon. Mr. Robson in moving the adjournment of the house, gave notice that next week night sessions would be commenced, being held on Monday, Wednesday and Friday evenings.

The house then rose, it being six o'clock.

NOTICES OF MOTION.

Mr. Eberts—On the consideration of the report of the bill respecting actions for libel and slander, to move the following amendment: In section 9, to strike out in the ninth line the word "or" and insert in lieu thereof the word "and."

Hon. Mr. Beaven—On consideration of the report of the Libel Bill, to amend section 8, line 9, by striking out "or" and inserting "and;" also, in line 18, to insert "or judge that the action is trivial or frivolous or."

THE LEGISLATURE.

Yesterday a Day of Routine Work in the Legislative Assembly.

THURSDAY, Feb. 12.

The Speaker took the chair at two o'clock.

Mr. Keith presented a petition on behalf of the Nanaimo Electric Street Car company, seeking incorporation.

Col. Baker, chairman of the standing committee on railways reported, recommending to the house that before any of the present private railway bills before the house are taken into consideration the government be requested to consider the advisability of amending the present railway act by introducing a clause which will provide that the right of eminent domain, upon special conditions, but without the necessity for a special charter, be granted as a right to applicants for railways.

Mr. Cotton introduced a bill entitled the Burrard inlet railway and ferry company, which was read a first time and referred to the standing committee on railways.

The house went into committee of the whole on the message of the lieutenant-governor, conveying the school bill, at 2:15 and rose at 3:40, when the message of his honor was reported to the house, the bill read a first time and put down for second reading Tuesday.

The house again went into committee on the message conveying the revenue tax bill, Mr. Forster in the chair. Mr. Turner explained that the object sought by this measure was the handing over of the personal tax to the corporations of the four cities.

The message was reported, and the bill read a first time.

THE ASSESSMENT ACT.

The house having gone into committee to consider this message, Mr. Semlin said the government were going to make a mistake in this matter, if they sacrifice the interests of the stockholders of this province by reducing the taxes of at least one large corporation. It is well known that the country through which the C.P.R. runs is not fenced, and before the construction of the road it was one immense stock range, over which cattle roamed at will; since the construction of the road it is found that this industry is seriously interfered with. The engines of the C.P.R. are continually slaughtering the stock of the settlers, and no remuneration is ever received from the company for this loss. Mr. Semlin suggested that the government represent to the company when seeking a remission of taxes that they first take measures to protect the stock raisers by fencing in their line.

Mr. Davie pointed out that the duty of the house was first to amend the laws of the country in this respect and then compel the company to fence in their line irrespective of any assessment act.

Mr. Beaven moved an amendment that the act is insufficient in several respects, and does not authorize the assessor to make the distinction between improvements on lands and those made by a railway on its roadbed.

The amendment was lost and the committee rose.

On the motion to report to the house Mr. Beaven moved that same amendment, on the ground that this act proposes to exempt the improvements of a wealthy corporation, and leaves the actual settler outside.

Mr. Grant thought it wise that the people should be encouraged to make improvements and not be taxed for doing so.

Hon. Mr. Robson spoke in the same sense, but thought that legislation should gradually lead up to this question. But it could readily be seen that this motion was merely one of want of confidence in the government. They were perfectly prepared to give this matter the greatest and most careful consideration, "when the time comes."

Mr. Semlin was in full sympathy with the leader of the government. He acknowledged that the opposition were quite right in their views, but there is one great obstacle in the way and that is to carry the question now would be to defeat the government. That sentiment was perfectly natural.

The amendment was lost.

The land registry bill was read a third time and passed.

NOTICE OF MOTION.

By Mr. Cotton—To introduce a bill to amend the companies' act.

By Mr. Davie—Monday—Bill to amend the supreme-court act.

The house rose at 6 p. m.

THE LEGISLATURE.

MR. HORNE EXPLAINS THE REASON WHY HE WAS ABSENT.

The Mechanics' Lien Act Again Submitted to Committee—The Debate on the Pharmacy Bill Adjourned Until Next Week—Work Ahead.

FRIDAY, Feb. 13, 1891.

The Speaker took the chair at 2 o'clock and business was at once proceeded with.

Mr. Keith introduced a bill to incorporate the Nelson and Fort Sheppard railway company for the purpose of constructing a line of railway from a point on the outlet of Kootenay lake, near the town of Nelson, thence to a point at or near Fort Sheppard, by way of the valley of Cottonwood, Smith creek and the Salmon river, with power to construct and maintain branch lines, and also to construct and operate telegraph and telephone lines in connection with the railway. The capital stock of the company shall be \$1,500,000, divided into 15,000 shares of \$100 each, which shall be applied, first, to the payment of all costs and expenses incurred in the passing of this act, and the remainder for the purposes of the company's undertaking.

Mr. Keith, as chairman of the Wellington committee, asked the house for the appointment of a secretary.

QUESTION OF PRIVILEGE.

Mr. Horne rose to a question of privilege regarding the recent anti-Chinese meeting at Vancouver, at which a resolution censuring Mr. Horne for being absent from the debate on this question in the house. Mr. Horne was laid up with illness at the time. He had never shirked a vote, and never would.

Hon. Mr. Beaven thought that those gentlemen who passed the vote in question must have been misinformed with reference to Mr. Horne. To Mr. Beaven's personal knowledge that gentleman was indisposed and in bed at the time. Mr. Beaven felt sure that Mr. Horne would never shirk a vote on any question. He thought they had, both accidentally and unintentionally, done Mr. Horne an injustice.

Hon. Mr. Robson agreed with the sentiments of the last hon. member, because he (Mr. Robson) was aware of the fact that Mr. Horne was very sick at the time. He wished to say, however, that it is most unfortunate that these organizations called working-men's organizations, are sometimes so precipitate in coming to conclusions of this kind, thus doing an unintentional injustice to their best friends. He hoped this would be a warning. In the present case they had been misled.

Hon. Mr. Beaven said the hon. leader of the government in defending Mr. Horne had done an injustice to an absent body. He was very glad to see workingmen take an interest in public matters, and thought they were to be commended for so doing.

Mr. Davie presented a return regarding the estate of the late Armistead Buckler, (intestate).

MECHANICS LIEN ACT.

On this question being resumed Honorable Mr. Beaven moved to amend section 12 by striking out all the words after "behalf" in the fifth line down to and including "may" in the eighth line, and insert "a pay roll containing the names of all laborers who have done work for him upon such works or improvements, with a receipt in full from each of the said laborers, with the amounts which were due and have been paid to each of them, set opposite to their respective names, which pay roll shall" Also to amend schedule C so as to show the amount earned and the amount paid.

The amendment was read a first time, and on the motion to read it a second time.

Mr. Beaven moved that the bill be recommended, as there were other amendments to be made.

Mr. Beaven did not see why this should be, and went into another explanation of the bill.

Hon. Mr. Robson thought it would be wiser if the hon. member would consent to the bill being referred to committee, as several members had come to the conclusion that the bill required some other amendments. Mr. Robson, personally, was inclined to have the workman's lien confined to two weeks' wages. He thought this amendment would not be against the interests of the working man; on the contrary, it would do away with those long periods of credit which do not benefit the workingman. Then, again, Mr. Robson would favor giving the workingman first lien, and the material man second lien in respect to the material he had supplied.

After considerable discussion Mr. Hunter pointed out that this bill had been introduced as one for the benefit of mechanics and laborers, it had been discussed and accepted as such, and he for one was not going to stultify himself by retracting the ground, that has been gone over in the first instance.

The debate proceeded on the merits of the bill, which have already been reported, while there were three questions before the house.

After amendment and counter amendment had been made, the debate was adjourned until Friday next.

Dr. Milne moved the second reading of a bill to establish a Pharmaceutical Association in this province, and explained the provisions of the act. It provides that it shall be unlawful for any person to practice, or attempt to practice, the profession of a chemist, druggist, apothecary, or dispensing chemist, within the limits of an incorporated city or town in the province of British Columbia without having first received a diploma from the faculty of some reputable college of pharmacy duly authorized by the laws of Great Britain and its dependencies, or the laws of some foreign government, and without having issued to him a certificate under the provisions of this act; provided, that all persons who, at any time before the coming into force of this act, were practising in this province on their own account as druggists and chemists or apothecaries, or in partnership with any other person or persons so practising, are entitled to be registered in conformity with this act as licentiates of pharmacy upon producing before the registrar of the association evidence of their having exercised their profession as aforesaid: Provided, also, that all clerks who have acted in that capacity for at least four years prior to the passing of this act, and are, at the same time of the passing of this act, so engaged in this province, shall be entitled to be placed on the registry as licentiates, and that all apprentices, who are acting as such at the time of the passing of this act, shall be entitled to be placed on the registry as certified apprentices, and the time they have already served in such capacity shall be allowed them.

Some discussion ensued on matters of detail, till the Attorney-General asked to hear the views of the leader of the Opposition. He had opposed all other bills in this respect, and Mr. Davie was anxious to see what Mr. Beaven's course would be on this matter.

Hon. Mr. Beaven very rarely liked to disapprove the Attorney-General. He had read this bill very carefully, and as far as he had tried to understand the working of it, he had to confess that it is not a bill for which he could vote for second reading. In the first place this bill proposes to establish a pharmaceutical association in this province, and to that association it is proposed to grant the power to frame by-laws. And this is the essential feature of the whole bill; there is no limit to the framing of those by-laws; they can alter or amend them just as they please. Every person who wants to practice pharmacy in this Province must obtain a certificate to do so, and comply with the by-laws of this association. Now there is no knowledge of what is the scope of those by-laws. The clause governing certificates provides that in some cases persons who possess certificates from other places may be permitted to practice here. If the object of the clause is to protect the public, Mr. Beaven could not see why if a person passed an examination in another country, he should not pass another in this before he could practice here. Mr. Beaven thought as the hour for adjournment was drawing near, and there was a great deal to say on this subject, the debate had better be adjourned.

The motion was passed.

NOTICES OF MOTIONS.

Mr. Cotton—Tuesday—For a select committee, composed of Messrs. Semlin, Eberts, Hall, Forster and the mover, to investigate all matters connected with the seizure of the Hesperus and her crew, with power to call for persons and papers, and to report to the House.

Mr. Kitchen—To amend section 12 of the Mechanics' and Laborers' Bill, by providing that a contractor shall put up on the works or improvements a copy of the receipted pay roll, from the hour of noon until 1 p.m., on the first legal day after pay day.

Mr. Brown—To amend sub-section 2 of section 23, of the Mechanics' and Laborers' Bill, so as to secure to laborers six weeks' wages instead of a month.

Hon. Mr. Davie—Certain amendments to the Libel and Slander Bill, when up on third reading.

Hon. Mr. Beaven—Certain amendments to the Libel and Slander Bill, when it comes up for third reading.

**PREMIER DEFENDS HIS
SCHOOL BILL.**

WEDNESDAY, Feb. 18.
 Baker took the chair at two
 by Rt. Rev. Bishop Cridge.

REPORTS.
 n presented the report of
 bills and standing orders
 reporting several bills.
 r presented the report of
 committee, reporting the
 and Kootenay railway bill,
 ments.

PUBLIC SCHOOL 107

The system of education in British Columbia for a long series of years or less change, is one which Robson felt, British Columbia ought to feel proud. When the revenue of the Dominion is taken into account, he said that British Columbia spent more on education than any other province in the Dominion. He said that our educational system was the best and most liberal

But there has been of the municipalities with the education- their bounds, and this to say, was a step in Mr. Robson then pro- the bill, of which, as it based largely on the force, he only took the use 4, which provides of the executive coun- a council of public-

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in the province.
enables the coun-
struction on proper
d or cancel the
oy teacher, and
bsection provides
of cases of appeal

First Cycle.

Section 26. The lieutenant-governor in council shall be at liberty at any time to remove from office any trustee appointed by him, under the provisions of this act, and to appoint another trustee to act in the place of and for the residue of the unexpired term of the trustee so removed; and the city council shall have the same power with respect to trustees appointed by them. Mr. Robson was aware this section had caused a good deal of adverse criticism. A good deal of it, too, was erroneous. Section 30 enacts that the municipalities shall pay one half of the teachers' salaries and the government the other half. Section 56 says that no certificate shall be given to any person as a teacher who does not furnish satisfactory proof of

Hon. Mr. Robson moved the second reading of the bill.

WHO PAY COMPENSATION? NOTHING, and shall they have the right to say who shall be trustees? Mr. Beavers ventured to say that when the provincial secretary had proposed to impose taxes in this city he did not contribute probably more than the provincial revenue and the road tax. And yet it is such men as this who are to say who shall be trustees. Such a thing is enough to create a revolution in any other country which would host these men to the streets and hang them. I know that the people rule. It is enough to make any one's blood boil to see such retrogressive measures—attempt to take away the power from the people and place it in the hands of a few irresponsible persons (hear, hear). The trustees that the Government may appoint, if it can get men who will be degraded as to accept such an appointment, will be at the mercy of the executive of the day. They will have to do exactly as the provincial secretary and the executive shall say, and they must be dismissed at any moment. They are to receive no remuneration for their services. But Mr. Beavers thought he did not think they should be paid. His opinion they should.

GROWN WITH PUBLIC SENTIMENT,
and he regretted that this step which is
so retrogressive, should have been
taken. If a greater burden is cast

Mr. Brown did not object to certain amount of autocratic power being vested in some person in the management of the school system. He thought the proper safe guard of public opinion would prevent an abuse of that power. There should have been a school board, composed of the best of the inspectors of public schools, who should not be confined to his office, as at present, but should go about the country making himself acquainted with the working of the system, and directing affairs generally. There is one unfortunate thing in the present school system, and that is that the control of the schools is vested in the political head of the province, and this gives them a certain political tinge. There will always be complaint so long as this state of things exists. He thought that the best way of getting rid of it should be by the superintendent. There were two objections which Mr. Brown had to the provisions regarding trustees—they should be elected, not appointed; and then the cities should have five representatives instead of four. The remainder of Mr. Brown's speech was a review of the conditions of the bill.

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**ANTI-CHINESE CLAUSES CAUSE
MUCH DISCUSSION.**

THURSDAY, Feb. 19.
The speaker took the chair at two o'clock.

Mr. Martin presented the report of the committee on standing orders and private bills, announcing that a number of petitions for private bills were in order.

Colonel Baker moved the following resolution — Whereas, the introduction of what is known as the anti-Chinese clause into private bills may

tax. He thought that the present \$500 a day was quite sufficient. It had been argued that the importation of Chinese labor meant the reduction of wages; this might be and might not be. In the old days of Charles VIII, four pence a day for the laborer went for more than a half a crown for the farmer; an abundance of labor produced an abundance of raw material, hence an abundance of Chinese labor was calculated to be of benefit in some degree; again there were many industries in this province which without Chinese could not exist, the margin of profit was so small, and the Chinese were, beside being cheap, peculiarly adapted to do the work. Again in railway building Chinese were necessary. Without them railways would not be built, and thus no employment given to a large class of working men. If capitalists are to invest their money in this province, they must first ask the price of labor, and if prohibitive rates are demanded the capitalist with draws. A stock argument had been used that the Chinese laborer took away from the country all he saved, but the speaker contended that the fruit of the labor was left behind. Legislation on this restrictive line meant in the future that only a man who could prove by pedigree that he was a British subject would be able to get a job. He did not think it advisable to agitate in this matter blindly, and so had asked that the judgment of the supreme court might be availed of.

Mr. Smith seconded the resolution and stated that his views were much of the lines of the mover. Personally he was anxious to aid the working man in every way, but he did not think in any part of the country he represented that there were any great detriments. Rather the reverse, for in many cases they bought the productions of the farmers, and also the Chinaman's mine and developed country which was not productive enough for white men. In reference to cheapness of the labor market and the depression of the laborer, he would say that when the capitalist was determined to get cheap labor he would do so, and if Chinamen could not be obtained, the eastern provinces could be drawn upon. Mr. Semlin—Hear, hear.

Mr. Smith continuing, said he was in favor of having that constitutionality

Mr. Foster thought the member for East Kootenay had two strings to his bow. One was that the exclusion was unconstitutional, and the other that Chinese labor was best for the country. It should be the aim of the house to legislate on human rights, and throwing aside the questions of legality, the question of fairness to white men should be considered. If cheap labor were to be obtained, let us get white men and not Chinese, whose peculiarities made them obnoxious if nothing else.

that he would not pander to the ignorance of the working classes in this matter for the sake of applause, was a direct slur on those members of the house who had voted in favor of Chinese exclusion.

Mr. Baker said he did not mean anything of the kind.

Mr. Semlin was glad of this, but he was still not in Chinese immigration. It was the desire of this house to build up the province and get it developed, the Chinamen should be excluded and white people employed. It might be to the convenience of the employers to have Chinese here, but it was not to the benefit of the province. It was against the Chinese States to even go one further than to exclude Chinese and had sought to keep out other objectionable classes. It was not desirable that Chinese be allowed here; it was not in the interests of the province. Why should the house challenge its own acts and seek to see whether the Chinese States were legal or whether their works was legal or not. To his mind the resolution before them was unnecessary and uncalled for.

Hon. Mr. Robson said he might throw himself open to the charge of being on the fence in this matter, but although sorry, he could not quite see his way clear to support the resolution by the House. He thought that the present condition of the labor market was such that the Chinese were very convenient, for without them the large contractors were powerless and at the mercy of a limited labor supply. He felt this state of things was due to the fact that large numbers of Chinese had been brought in to build the road. Had the Chinamen never been brought here the labor market would have leveled itself. When at that time he was connected with the press he had written against the importation of Chinamen, and he believed to-day that the present lack of labor for the road would oppress the Chinese here. He was inclined to move an amendment to have it in the form of an address to the Dominion government asking that the poll tax on Chinese be increased from \$50 to \$100. He did not think it dignified for the House to stultify itself by passing such a resolution. The resolution was out of place, as the House should not challenge its own acts. (Applause.)

Hon. Mr. Beaven was glad to see that the eloquence of the member for East Kootenay had not prevailed on the leader of the government to support the resolution, as the resolution was entirely uncalled for. The speaker showed in a strictly parliamentary sense that such a resolution was out of place. He pointed out that he had been elected during the past six years by this house in the matter of the introduction of anti-Chinese clauses. He contended it would be suicidal for the house to cast a doubt upon its own legislation. He was with the provincial secretary in the matter of having the poll tax raised to \$100. He should, however, go further, and recommend that the issuance of return certificates be done away

Hon. Mr. Robson—I am of the same idea. They should be done away with altogether.

Hon. Mr. Beaven continued, saying it was a matter of congratulation to see the provincial secretary of the same mind. The speaker would introduce an amendment to the resolution before the house as follows:

"Whereas the introduction of Chinese labour into the province is highly prejudicial and has proved injurious, by retarding enterprise and impoverishing the province by largely withdrawing the capital brought in and expended upon public works and enterprises, thus transferring capital from Canada to the Chinese Empire; and whereas, prior to the construction of the Canadian Pacific railway in British Columbia large cargoes of the residents of the Chinese Empire were imported into the province, who were practically slaves, who caused the province heavy expense in maintaining law and order and in administering justice, who have no interest in the welfare of the province, and who have excluded of our own kind and kindred races, and prevented many from finding employment here; And whereas there are now before the Legislative Assembly a number of private acts to incorporate railway and other companies for the construction of enterprises; And whereas a select committee of the house, appointed 7th December, 1898, reported on 10th January, 1899, that it was their duty to recommend that the Government should take future private bills granting franchises or rights contain provisions against the employment of Chinese on any work to be undertaken in pursuance of the

...would support the proposed export duty... might be some objection... of the railway... large opportunities for... If the C. P. R. desired... country this would... them to do so: The... be opened; because the... bipped.

...ported the bill. The... it had not impressed... When unrestricted rec... proposed, of course, it... it meant annexation;... like this could not hurt... Restriction never... country languished for... you could not help the... teting communication... tell one part to remain... rest of the province... assistance. We pro... highways come in from... pleased. He thought... would give communi... older parts of the prov... connect with the Great... Great Northern ran...

...thought the impos... by the United States on... regulate the trade, and... coke near by would... of smelting. The... district should be con... not complain of coal... of this country. There... on goods coming in... and he did not think... would benefit at the... province. The railway... ore, and they should... be going into the coun...

...in favor of the bill... id there was no valid... opening of the mines... did not aid in the pros... country, as do the coal... the benefit of Vanou... R. the district was to...

...his sentiments were... railways for British... here Kootenay, he be... ear future, would give... reater than any other... ce. He did not be... any portion of the... outlet. If a road had... to Kootenay fro... did not have thoug... but whether railway... States or Canada be... em.

...ought the people of... not wish to deprive... of railway communi... could support the sec...

...ught the greatest good... umber should be the... can. The smelting of... on the side, he feared... ee to the good of the... e railway would be... he would not hesita...

...id vote for the second... he did not believe in... y from getting what... on she wished.

...the people of Victoria... have railways that... go to bonus an Ameri... into their city.

...ped that the house... second reading.

...en said the bill pro... powers of the com... feel assured that... tney railway com... uld vote for the sec... the system of grant... out restrictions was... gument against the... it would give Koot... with the States.

...arly a rebellion on... We had two other... outh in the province... actually crossed the... ves. The principal... otenay was raw ore... y a duty of \$30 a ton... any had not done... provisions were put... ould be done he was... or the second read... e would not. The... se should be taken...

...ght that the C.P.R... unless they had to... fish policy, that be... ot draw trade to a... should not have a... support the second... Cotton, Horne, Sem... enting.

...NG LAND BILL.

...in moving the sec... the land acts... years \$600,000 of... out half of which... actually crossed the... not fit for agricul... r things the bill does... agents to be placed... limits the amount... s. The land was... asses; \$5 for first... and \$1 for third... no mineral but coal... and. It will enable... mineral claims on... if it was public... k of land in this... accessible without...

...ourned.

...recess at 5:00.

EVENING SESSION.

The house re-assembled at 7:30. The house went into committee of the whole on the school bill.

In committee clause 1 came in for some criticism. The clause provides that the members of the executive council shall constitute a council of public instruction, three of whom shall constitute a quorum.

Hon. Mr. Beaven suggested that the whole clause be struck out and the lieutenant-governor in council made the council of public instruction.

This was defeated. The words "3 of whom shall constitute a quorum" were struck out.

Mr. McKenzie wanted the school age to be between 5 and 20 instead of 6 and 16 as in the act. Children of 5, he considered quite old enough to attend school.

Messrs. Keith and Semlin supported this; but Hon. Mr. Robson said it would interfere with the older children to have the schools filled with young ones who should be in the nurseries.

The age was left as it was in the bill.

Mr. McKenzie suggested that the examiners for teacher's certificates should themselves be teachers. Hon. Mr. Robson said there was a good deal in the suggestion, and the government had last year appointed the board of gentlemen who were practical school teachers.

Section 6, subsection 11.—To suspend or cancel for cause the certificate of any teacher, was amended by adding an amendment of Mr. Beaven to add after cause, "as expressed by the lieutenant-governor in council." Mr. Semlin moved substitute "for immoral conduct" in place of "cause," but it was rejected.

Mr. Brown moved to add to the duties of the superintendent, that he should deliver lectures—practical educational lectures, to the teachers of schools.

Mr. Hunter considered the superintendent should be at his office.

Mr. Brown thought, on the contrary, that the head of the schools ought to go about the country and look after the working of the schools.

Hon. Mr. Robson agreed with Mr. Hunter, that the superintendent should remain at headquarters, but that the inspectors might deliver lectures. He suggested that the council would, as possible, lectures would be delivered by the inspectors and superintendent.

Mr. Brown withdrew his amendment.

In section 8, clause 7, the words "and conduct" were struck out, in reference to the government organizing teacher's institutes.

The bill passed as far as end of section 20.

The committee rose, reported progress, and asked leave to sit again.

The house rose at midnight.

THE LEGISLATURE.

A NEW SUNDAY OBSERVANCE BILL DISCUSSED.

The House does not Decide Whether it Will Adjourn for the Dominion Elections.—Miscellaneous Legislation before the House—Nothing of Importance.

TUESDAY, March 3.

Speaker took the chair at 2 o'clock. Prayers by Rev. Mr. Jenns.

Some discussion arose on the advisability of adjourning over election day, but nothing was decided.

SECOND READING SUNDAY BILL.

Hon. Mr. Robson observed that after the discussion that had taken place on the subject it was unnecessary to say much. He believed that there was no need to deal with it on religious grounds. He quoted authorities to show that experience in England was, that it was highly in the interest of man to have one day of rest every week. It would be a great pity if the province did not have a Sabbath law. He hoped the House would pass the second reading unanimously; and they would amend it in committee.

Mr. Baker agreed that one day a week should be set apart as a day of rest; but the great difference in religion made it impossible to legislate people into the observance of Sunday. He would vote for the second reading, on the principle of rest on the seventh day, but held himself free to act as he pleased in committee.

Hon. Mr. Davis thoroughly agreed with Mr. Baker.

Mr. Brown approved of the principle of the bill and would vote for the second reading.

Mr. Keith thought the wish of the country was contrary to passing such a law. He was in favor of a day of rest; but did not see how this bill would in any way further it. Every municipality had already the power to pass by-laws on the subject. Only one-tenth of the population went to church and why were not the other nine-tenths allowed to amuse themselves as they wished on Sunday. When a man worked six days of the week, he should be allowed to go on excursions if he wished on Sunday. The bill infringed on personal liberty. Such a law was not needed in the province.

Mr. Hall moved that the previous question be put.

The motion was lost.

Hon. Mr. Pooley rose to a point of order, and said that the previous question had been put the bill could not be discussed again the same day.

The speaker ruled this was correct.

Second reading Nelson and Fort Sheppard Railway.

Mr. Kellie in moving it drew attention to the richness of that part of the country in mineral resources. If the road was constructed from Nelson southward it would open up one of the richest mining countries in America. The same arguments as applied to the Ashcroft and Cariboo Railway yesterday would apply to this.

Hon. Mr. Robson thought it quite unnecessary to occupy the time of the house after yesterday's discussion. The house had declared on the question and he would support the bill.

Mr. Cotton upheld the same position.

Mr. Martin said this was to run on practically the same route as the Ashcroft railway, and he did not think there was room for two. He had not changed his views of the matter.

Mr. Brown said the companies merely asked to build the railway, and it was their look out whether it paid or not. He saw no reason to refuse the request.

Mr. Baker said the reasons against the railway were the desire of the C. P. R. to keep up its monopoly. To say that because there is a smelter at Revelstoke we were not to have communication with the United States was absurd. If we facilitate these railways we should see the country teeming with population in a short time.

Second reading carried.

Adjourned Committee Compaules Bill was then taken up. Mr. Hall in the chair. The committee reported the bill complete with amendments.

Hon. Mr. Robson presented returns showing the area of lands alienated up to 19th Dec., 1883, by crown grant, pre-emption, &c., within the limits of "An Act relating to the Island Railway, Graving Dock and railway lands of the Province."

Also the area of land conveyed to the Dominion Government under the same Act, lying to the north of a line running east and west half way between the mouth of the Courtenay River (Comox district) and Seymour Narrows.

Also a return showing the school reserves, Indian reserves, settlements, naval and military reserves, and reserves for general public purposes within the limits of the grant to the E. & N. Railway Co., the several areas and situations thereof.

Mr. Cotton moved second reading New Westminster and Boundary Inlet Telephone Co., which was passed.

The bill of the Burrard Inlet Railway and Ferry Co., was also read a second time.

Report of Pharmaceutical bill. Dr. Milne moved the adoption of the report.

Mr. Hall moved in amendment to strike out all of the act from clause 1 and to put in a section authorizing the lieutenant-governor in council to appoint a board of examiners.

Mr. Grant thought this was already dealt with in the bill, which made the by-laws subject to the lieutenant-governor in council.

The amendment was lost and the report was adopted.

The bill was read a third time and passed.

Second reading live stock bill.

Mr. Hall said it really was an amendment to the Dominion Railway act; and wished to know if it was in order.

Hon. Mr. Davis was free to admit there was some question as to the constitutionality; but on the whole he was inclined to think it was constitutional. Railways for the general good of the country were under the Dominion act; but this pertained to civil rights in the province, therefore he was inclined to think it was under the provincial jurisdiction.

Hon. Mr. Beaven said, then, Mr. Hall raised the point as to whether, in granting railways wholly in the province, right of way over provincial lands, the Dominion was not infringing on provincial rights.

Hon. Mr. Robson said they should content for the right of procuring the property of the people in the province. The other provinces would be as a unit with them in this, and the Dominion would be obliged to grant them that right, if they did not already possess it.

Mr. Brown said if the act was not constitutional, it ought to be. They could not begin too soon to say that within certain limits the province should be supreme. We should insist on legislating on the affairs that pertain to the province.

The bill was read a second time.

Hon. Mr. Vernon moved second reading of the land surveyor's bill.

Hon. Mr. Beaven said there was a good deal of dissatisfaction expressed about the act passed last year relating to land surveyors, and this bill, he feared, would not improve matters. He had not yet had time to inform himself properly on it.

Mr. Brown was lead to believe that the bill needed a good deal of amendment. A clause should be inserted that nothing in the bill should prevent a qualified civil engineer from doing work, without being a provincial land surveyor.

After some discussion, the second reading passed.

The house adjourned at 6 o'clock.

NOTICES OF MOTION.

By Mr. Keith.—To introduce a bill to further amend the "Coal Miner's Regulation Act."

By Mr. Brown.—To strike out clause three of Bill No. 34, relating to the sale or gift of tobacco to minors.

THE LEGISLATURE.

A DAY OF DULL ROUTINE IN THE LOCAL HOUSE.

A Number of Sundry Bills, Railways and Other Corporations up for Discussion in their Various Stages—Other General Matters of Slight Interest.

WEDNESDAY, 4th March.

The speaker took the chair at 2 p.m. Prayers by Rev. Mr. Jenns.

The committee on private bills reported the following bills. The bill relating to the Okanagan Land and Development Co., limited.

Nanaimo Electric Tramway Co. Upper Columbia Navigation and Tramway Co.

An act to Amend the Vancouver Incorporation act 1884.

Mr. Martin introduced a bill to enable Okanagan Land and Development Co., to construct telephone lines and tramways in the towns of Enderley and Vernon.

Mr. Brown moved for copies of all correspondence between the Bishop of New Westminster and the department of lands and works, relative to a certain reserve situated in suburban block XII., in the city of New Westminster, together with copies of orders in council (if any) relating thereto, and a tracing of the part of New Westminster suburbs in which said reserve is situated, as shown on the map attached to the field-notes of the original survey of New Westminster city and suburbs, and a tracing of the said field-notes, including the said reserve. Carried.

Mr. Brown moved the following resolution: That a select committee, composed of Messrs. Fletcher, Booth, Stoddard, Semlin, and the mover, be appointed to examine and report to the House on the answer given by the honorable the chief commissioner of lands and works on Wednesday, 26th Feb., to section (c) of the question asked by Mr. Sword; and also to ascertain whether lands applied for under section 29 of the "Land Act" are placed on the assessment roll when such application is made. Carried.

Adjourned debate second reading Vancouver Water Works bill.

Mr. Sword said an agreement had been arrived at between the company and city, and there only remained the question of how long the monopoly would last.

Mr. Hunter wanted information as to the nature of the agreement.

Mr. Cotton said the wish of both parties was that the bill would go into committee with the understanding that amendments agreed between them should be put in.

The bill was read a second time, to be committed Friday.

Mr. Milne, in moving the second reading of the Graveyard Act, referred to the number of bodies exhumed by the Chinese last summer, saying that the manner in which the exhuming was conducted was unseemly and unsanitary. The act now proposed to give to the cities and municipalities which have boards of health under the "Public Health Act," power to deal and control the exhuming of dead bodies within their jurisdiction. It was certainly necessary that some provision be made in this way, as Mr. Milne had seen in one of the Ross Bay cemetery no less than fourteen bodies taken up by Chinamen, no provisions being made for its proper sanitary regulation. He thought this matter should be in the hands of the Board of Health in each city or municipality, and hoped the measure would be passed. This bill provides that in municipalities it shall be unlawful to remove the remains of any dead person from the cemetery or place where any dead person may have been interred, or to exhume the bodies or remains of any dead person without the permission in writing of the municipal council, or by the direction of the coroner. In districts which are not municipalities, where a local board of health is not established, the permission in writing of the provincial secretary, or of a Government agent for the district, shall be effective in place of the permission of a local board of health.

Hon. Mr. Robson said while the Board of Health should have control the fact that a certain revenue was obtained under the act rendered it impossible that a private member should bring in a bill dealing with it.

A discussion ensued on the objection raised by the Premier.

The debate was adjourned.

SECOND READING RAILWAY BILL.

Mr. Sword said the object was to distinctly state when railways were liable for stock killed by them.

Mr. Hunter would not object to the second reading; but hoped in committee some amendments would be made to give railways some kind of protection. Second reading passed; to be committed next sitting of the house.

The house went into committee on An Act to amend the "Crow's Nest and Kootenay Lake Railway Company Act, 1888" (No. 29). Mr. Kitchen in the chair.

The committee rose and reported the bill complete with amendments.

Second reading Nicola Valley Railway. Mr. Semlin said the road was to connect the rich agricultural Nicola country with the C.P.R. at Spence's bridge. The second reading was carried.

Second reading Kootenay Lake Telephone Co.

The Companies' Act report was adopted, and the bill read a third time and passed.

Committee Nelson and Fort Sheppard Railway, Mr. Cotton in the chair. Hon. Mr. Beaven moved to insert the Chinese restriction clause.—Lost. The committee rose and reported the bill complete with amendments.

Committee stock bill, Mr. Hall in the chair. The question of the power of the Province to deal with the question was again discussed, the attorney-general fearing it was ultra vires, after a fuller consideration of the question.

The committee rose, reported progress, and asked leave to sit again.

Report Westminster and Vancouver Street Railway Co. Hon. Mr. Beaven moved to insert his anti-Chinese clause, which was defeated.

The report was adopted.

Report, Mechanics' Lien Bill. Mr. Brown moved adoption of report.

Hon. Mr. Davis said there should be a committee appointed to find out if any wages had been lost under the present act, and if it was found to be so they could guard against it occurring again. The bill was the same as the act existing that it left out the material man. Mr. Brown remarked he had before said this act was essentially different from the old act. The affidavit filing was simplified very much, and there were many and important other changes. Every care was taken to make the act perfect, and the attorney-general now wanted it referred to a committee that might sit for ever. It had been before the house a long time. He must give the attorney-general every credit for trying to kill the bill. The attorney-general himself in the election campaign had pledged himself to assist in the passage of any new lien act. Hon. Mr. Davis denied having done so.

Mr. Brown said a telegram to that effect, signed by Theodore Davis had been read by Mr. Cunningham on the platform in New Westminster.

Hon. Mr. Davis said that if such was the case the telegram was a forgery.

The house rose for recess at six o'clock.

NOTICE OF MOTION.

Mr. Hall, to move that the Dominion Government be asked for an efficient mail service on what is known as the Northern Coast route, by steamers of good speed and accommodation, equal to the American steamers plying to Alaska. The present requirements are: Victoria to Port Simpson, Naas river and way ports. Mails to leave Victoria on the 15th of each month, calling at Massett and Skidegate on Queen Charlotte Islands on alternate trips.

By Mr. Martin on the consideration of report on Crow's Nest and Kootenay Railway bill to move that "This act shall not come into force until such time as the Dominion Government have placed a duty on the exportation of ores from British Columbia."

Hon. Mr. Robson on Friday to introduce an act relating to placer mines.

EVENING SESSION.

For the evening session, the speaker resumed his seat at 7:20.

Mechanics Lien Bill report was adopted.

Mr. Brown moved the bill be read a third time.

Mr. Croft rose to a point of order, asking whether the report could be read a third time on the same day as the report was adopted.

After some argument the speaker ruled that the bill could be read a third time.

The bill was read a third time.

Hon. Mr. Davis moved the second reading Religious Institutions Act. He thought religious bodies should have a right to acquire what land they required, and the amendment was to give them that right.

The bill passed the second reading.

Mr. Brown moved to suspend the standing orders for the purpose of moving the third reading.

Hon. Mr. Beaven thought the bill should not be hurried through, and Mr. Brown withdrew his motion.

The bill is to be committed tomorrow.

The speaker ruled that the Graveyard Act was in order.

Mr. Milne moved the second reading, which was carried; to be committed tomorrow.

Committee Burrard, Inlet and Fraser Valley Railway, Mr. Stoddard in the chair, section 27 providing that municipalities could give the railway exemption or commutation from taxation for 21 years, came in for a good deal of criticism. The clause was finally struck out. Hon. Mr. Beaven moved to insert the Chinese clause. The amendment was lost.

The committee rose and reported the bill with amendments. To be considered.

COMMITTEE ASHCROFT AND CARIBOO RAILWAY BILL.

Mr. Rogers moved that it be referred back to committee to make some changes in regard to the initial point.

Mr. Stoddard objected as the bill had been thoroughly gone over in committee.

It was suggested that the same thing could be done by letting it go before the house. Mr. Rogers then dropped his motion.

The house went into committee of the whole on the Act to Incorporate the Chilliwack Railway. Mr. Keith in the chair.

Hon. Mr. Beaven's Chinese Amendment was put and lost.

The committee rose and reported the bill complete with amendments.

Committee Vernon and Okanagan Railway, Mr. Croft in the chair.

Hon. Mr. Beaven's Chinese clause was voted down again.

The committee rose and reported the bill complete with amendments.

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HON. MR. ROBSON remarked upon the peculiar interest of this debate. He protested against the idea that it was only the Opposition side of the House who favored the reduction of the hours of labor. Indeed, he held that the most cogent arguments in favor of a reduction of the hours of labor had come from the Ministerial side. While, however, the greatest minds of the age were hesitating as to the manner in which to deal with this difficult matter, the leader of the Opposition came in with his ill digested resolution to settle it all at once. He endorsed the remarks of the member for Comox, and was proceeding to discuss the principle of eight hours' labor when,

HON. MR. BEAVEN raised the point that the resolution did not affirm the principle as a law, but was only a recommendation that eight hours should be the limit of Government works.

HON. MR. ROBSON claimed that the debate had been a general one and went on to say that though the resolution really applied to Government works, it was only the thin end of the wedge for the introduction of legislation on the general subject. Moreover, were this the rule for Government works, it would be unjust to other people who would be compelled to fall in with it. It was all nonsense to pretend that the laboring men would put in as much work and energy in eight hours as in ten, but even were it possible, the economic question arose, would he do so? So far as the Government were concerned the question was not one with which they had to deal. As a Government they were bound to carry out the wishes of the people. But the matter was not sufficiently before the public, nor had their opinions been sufficiently expressed to enable the administration to act in the matter. He yielded to no one in his desire to see better relations between capital and labor. There was a lack of balance between them, as the member for Comox had pointed out, the fact being that laborers were entitled to a larger share of the products of labor and capital less than at present. Were it not for what he knew of the leader of the Opposition, he should be inclined to think that his resolution was a mere piece of buncombe. When the leader of the Opposition came into power the hours of the printers in the Government office were from 10 to 4, and he, by Act of Parliament, fixed them at from 8 to 6, while he made the hours of the clerks and deputies in the comfortable offices from 9 to 5 only. Was he acting in the true interests of the workingman when he kept the printers from 8 to 6, and only kept the clerks from 9 to 5? Had he been acting in the interest of the workingman he would rather have reduced the hours of the printers who worked under by no

means the most healthful conditions. The next question at issue was how shall we place the relations of capital and labor on a satisfactory basis? Was it not, he asked, humiliating to witness what had taken place—an important resolution such as had been submitted and so ably discussed—with its mover confessing that he did not know what legislation had taken place on the matter. In fact he had come in with his mind all a blank, and yet had asked members who were in the dark to pass a resolution which might complicate business and other relations that, at a time like the present, should be left perfectly free. The resolution was altogether ill-considered, and, moreover, was calculated to injure the interests of the workingmen. He was inclined to believe that the majority of the House favored the reduction of the hours of labor to nine hours, but the question was how to apply the principle to all vocations? For some classes nine hours might be too short, and for others too long. He regarded the proposal as a step in the dark—a rash and ill-considered step. He thought the House would do well to vote down the amendment to the amendment, to vote down the amendment, and to vote down the original resolution also.

The members having been called in the House divided, the amendment to the amendment being rejected by a vote of 24 to 7, the following being the division:

Ayes 7—Grant, McKenzie, Cotton, Milne, Beaven, Forster, Keith.

Nays 24—Semlin, Sword, Kitchen, Kellie, Horne, Smith, Brown, Baker, Robson, Davis, Vernon, Eberts, Stoddart, Booth, Hall, Nason, Pooley, Turner, Martin, Croft, Hunter, Rogers, Anderson, Fletcher.

Mr. Hall's amendment being put to vote was adopted on the following division:

Ayes 22—Grant, McKenzie, Kitchen, Cotton, Milne, Beaven, Horne, Smith, Forster, Keith, Baker, Davis, Stoddart, Booth, Hall, Nason, Turner, Martin, Hunter, Rogers, Anderson, Fletcher.

Nays 9—Semlin, Sword, Kellie, Brown, Robson, Vernon, Eberts, Pooley, Croft.

The following is the committee to whom the subject was referred, in compliance with the provisions of the amendment: Messrs. Hall, Smith, Beaven, Forster and Booth.

HON. MR. TURNER presented a return showing the sums of money received under the Election Regulation Amendment Act, and setting forth that at the last election eight candidates had forfeited their deposits.

PRIVATE BILL LEGISLATION.

HON. MR. ROBSON announced that, so far, not a single petition had been presented asking for a private bill, and stating that the House would not drag out its session to suit applicants. He stated, with reference to the inauguration of the New Westminster Southern railway, that a telegram from the secretary had been received, informing him that, owing to bad weather, and an accident the work had been delayed and the contractor had, therefore, been unable to complete it as expected. The House, therefore, would meet as usual on Friday next.

HON. MR. DAVIS stated that owing to the meeting of the next Friday, he and another member of the House would be unable to be present, both of them being engaged in the principal trial.

The House adjourned at 5 o'clock.

NOTICES OF MOTION.

By MR. MARTIN—To move for a return of the correspondence and telegrams between the Attorney-General and J. Lehman, J. P., of Ashcroft, relative to the prosecution and discharge of J. Carey, for alleged embezzlement.

By MR. EBBERTS—To introduce a bill to amend the B. C. University Act, 1890.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

SEVENTH DAY.

WEDNESDAY, Jan. 28.

The speaker took the chair at 2 p.m.

RETURNS.

HON. MR. ROBSON presented the return of reports, etc., asked for in connection with the examination of J. N. Muir in July, 1890;

Also a statement of the bonds deposited in the Provincial Secretary's office under the Civil Service Act;

Also a statement under section 11 of the Revenue Act.

Ordered to be printed.

ROYAL HOSPITAL.

HON. MR. DAVIS introduced a bill to amend an Act to authorize and facilitate the sale of the site of the Royal Hospital, with the buildings thereon.

Read a first time; second reading on Tuesday.

THE INDIAN RESERVE.

Mr. Hunter moved that whereas by the Terms of Union the management of the Indian Reserves of the province was assumed by the Dominion Government in trust for the use and benefit of the Indians;

And whereas, section 119, Esquimalt District, Victoria harbor, lying within the limits of the City of Victoria, is one of such reserves, and is the residence of the Songhees tribe of Indians, now few in number;

And whereas, the position of the said reserve renders it unsuitable as a place of residence for said tribe of Indians, and tends to their demoralization, and to prevent the progress and prosperity of said city, and makes it expedient that the tribe should be removed to some suitable locality, and the control of the said reserve be resumed by the Provincial Government;

Be it therefore resolved, That a respectful address be presented to the Lieutenant-Governor, praying His Honor to take whatever steps he may deem necessary to accomplish the above object.

It was very impracticable and inconvenient, he said, to have an Indian reserve in the centre almost of a great and growing commercial city like Victoria. The present situation of the reserve was not good for the Indians. He, himself, had witnessed scenes of revelry and drunkenness that were most revolting. The sooner the Government took the most active steps possible toward the removal of the Indians, the better for them and for the city.

HON. MR. ROBSON said that the words of the resolution would, no doubt, commend themselves to every member of the House. There was no question that the present location of the reserve was injurious, both to the Indians and to the city. The Government had been in correspondence with the Dominion authorities, and particularly the head of the department of Indian Affairs, upon this question during the past year, and the passage of this resolution would, no doubt, greatly strengthen their hands. The extension of the city limits made the case much stronger; the present condition of things could not be tolerated any longer.

HON. MR. BEAVEN contended that the city had made the reserve valuable, and the city should be rewarded as soon as possible, by receiving the reserve. Of course nothing should be done to deprive the Indians of their present home, without fully compensating them.

MR. HUNTER said that nothing could be done without buying the consent of the Indians, under the B.N.A. Act.

The resolution was unanimously adopted, without further debate.

VOTE 192 B.

MR. SEMLIN moved that a respectful address be presented to the Lieutenant-Governor, asking for copies of instructions sent the Commissioners appointed to carry out Vote 192b of last session, together with all correspondence in relation to the question adopted.

QUESTION.

MR. SMITH asked the provincial secretary if it was the intention of the Government, during the present session, to introduce an act to extend the boundary of Yale district for all Government purposes so as to include that portion of Lillooet district which is now, according to the Constitution Amendment Act, 1890, included in Yale district for election purposes?

HON. MR. ROBSON—Yes.

PRIVILEGE.

HON. MR. BEAVEN called attention to an error, which he was sure was unintentional, in THE COLONIST's report of Tuesday's proceedings. It was stated that the amendment to the amendment offered to his (Mr. Beaven's) eight hour resolution, was rejected by 24 to 7. In the division list the mover and seconder of this amendment were quoted as voting against their own motion. The fact was that the amendment to the amendment was not put; the amendment to the original resolution being presented first to the House.

HON. MR. ROBSON thought that every thing was in a tangle on this matter on Tuesday; he, himself, would have been glad to have voted for the nine hours motion.

MECHANICS' LIEN ACT.

MR. BROWN, in moving the second reading of the Mechanics' and Laborers' Act, explained his reasons for taking this question in hand. While the Lien Act of last year was a very good one in many respects, it was, in several ways, unworkable. In his bill he had eliminated the material men, who supplied lumber, hardware, etc., to the contractor. The bill also provided that it should apply only to workmen temporarily employed. This was fair, as a manufacturer or regular employer of labor, had his establishment and his commercial reputation as a guarantee to his men that their wage would be paid. The material men could protect themselves in many ways that were not open to the wage earners, and their presence was injurious to the successful operation of the act as applied to the laborers. The protection now given material men under the Lien act was, he claimed, the cause of much reckless building and many illegitimate business transactions. He had endeavored to simplify the act as much as possible, and had limited the jurisdiction under it to the County court. As far as he had been

able, he had submitted the draft of the bill to representative working men, and, as it now stood, it was thoroughly approved by them. Every care had been taken to make the bill a good, sound, well balanced measure, and he hoped it would pass the House with as little change as possible.

HON. MR. DAVIS referred to the circumstances connected with the passage of the Lien Act of 1888. The Oregon Lien Act was then proposed by the advocates of the laboring men, but was shown to be not a proper measure of protection to the laboring man, who was compelled by it to wait six months for his money. The workman was, by the Oregon Act, placed in the same position as the material man or sub-contractor, and that bill did not allow him to come upon the reserve fund in connection with the contract—it only provided for the lien holder following the building or work actual for his money. This was remedied under the Lien Act of 1888, and the workmen were much benefited thereby. As an instance, immediately after the passage of the '88 bill, the workmen employed under the contractor for laying streets in Vancouver, immediately got their pay. The bill of 1888 was carefully considered throughout, and was as good a lien act as existed in North America to-day, if not better than any other. The laborers' advocates could not at the time be made to see that the Lien Act of 1888 was better for them than the Oregon Act. While the Oregon Act went too strongly in favor of the material men, the measure introduced by the hon. member for Westminster City went to the opposite extreme and left out the material men altogether. This was a mistake, and had been remarked by the introducer the keystone of the bill which otherwise was a reproduction, almost entirely, of the Lien Act of 1888. The bill before the House proposed to cut off all proceedings in pending cases and to destroy existing liens. This would be most disastrous to present lienholders. Under the bill, the second reading of which had just been moved, not only the material men were given no protection, but it subjected his unpaid material to seizure by the workingmen to whom wages were due by the contractor—and under the term "Laborer" was included the architect and time-keeper, and the mental as well as the manual laborer. The provision for following a reserve fund for wages due, was herein omitted. (The Attorney-General proceeded to compare the contents of the bill before the House with the bill of 1888, showing that except the cutting out of material men, the act was a mere plagiarism on the one of 1888.) The bill introduced by the hon. member for New Westminster City specified that when the erection of any new building was decided upon, particulars thereof were required to be filed with the registrar of titles. There was no objection to this. He (Hon. Mr. Davis) contended that the present act was working well, and cases under it were being successfully carried on every day. In the last section of the new bill it was proposed to repeal several useful amendments.

If all that was wanted was to protect the working men, no Lien Act was necessary at all. All that was needed was to compel the contractor to produce his receipted pay roll every week, or every month, if every week was thought too often. The material man had as good a right to express an opinion on this question as the working man, under whose wing was included the architect, and, to use the language of the bill, "the men of laborer." What did the material men say? The present bill would destroy credit; and prevent anybody but a rich man undertaking contracts at all. The country had for twelve years been trying to get a good lien act, protecting the material men as well as the working men, and he did not think the House was prepared at present to abandon that principle.

MR. COTTON, while not prepared to say that the present act was unworkable, thought it was too cumbersome and expensive, and therefore gave the material men a great advantage over the workers. He endorsed the plan to have particulars of every contract filed with the registrar of titles, as a security against contracts being taken below their value. The bill would drive out of business a large number of shoddy contractors, and he thoroughly endorsed the measure.

HON. MR. POOLEY said that the bill now in operation was working well. Contractors were required to produce their pay rolls before temporary instalments were made, and thus all were protected. The present act covered every requirement, if it was put in operation. Material men were certainly entitled to a measure of protection. By the bill now under consideration the laboring man could seize material upon which he had expended no labor in improvement, which was certainly unfair. The old act was entirely fair. After giving the workmen the right to claim 30 days' pay, the material men should have a right to secure payment for their goods. Workmen should see that their pay was handed them at least once a month. The old act had been thoroughly tested during the past year, and he did not know of a single case where a wage earner was defrauded of his hire. He was opposed to the principle of this bill, as he considered the material men deserving of some protection.

MR. BOOTH thought that if a contract was taken at a fair price, the material men were amply protected by the building, which was the value of the material, plus the labor. A lien law should be one of the simplest on the statute book; one provision had been omitted, which would have been valuable, and that was the one enabling a judge to raise the price of a contract, when it was shown that the same had been taken too low, as a result of collusion between the owner and contractor. He was inclined to support the second reading of the bill.

MR. SEMLIN referred to the statement made by a late member for New Westminster City, that mechanics were leaving British Columbia, as they could not get justice under the laws of this country. He favored giving the bill before the House a fair trial.

MR. CROFT referred to the injustice which it was proposed to inflict on the material men by the measure before the House. He declined to support the bill in its present shape.

MR. FORSTER wanted the shoddy contractor kept out of the country. Very few genuine contractors did business on credit, and if the bill would keep the shoddy contractor out of the land, it would be doing good work.

On the vote being called, the decision was recorded as follows:

Yeas—Hunter, Anderson, Fletcher, Robson, Stoddart, Booth, Nason, Baker, Keith, Forster, Brown, Smith, Horne, Beaven, Milne, Semlin, McKenzie, Sword, Cotton, and Kellie—20.

Nays—Pooley, Martin, Rogers, Croft, Davis, Eberts, and Hall—7.

The bill was committed with Colonel Baker in the chair. The committee rose reporting progress; to sit again on Thursday.

The House adjourned at 6 o'clock.

NOTICES OF MOTION.

By MR. SMITH—To introduce a bill to amend the Game Protection Act of 1890.

By MR. KELLIE—To move for a Select committee, to examine the lease made by the Chief Commissioner of Lands and Works in 1886 with Mr. W. A. Baillie-Grohman and others, relative to the reclamation and colonization of certain lands in Kootenay and to ascertain whether the conditions of said lease have been fully carried out on the part of the Kootenay Syndicate (limited) and the said W. A. Baillie-Grohman.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

EIGHTH DAY.

Thursday 29th, 1891.

The Speaker took the chair at 10 o'clock.

HON. MR. ROBSON presented the following:

RETURNS.

Relating to the remission of the tax of \$105, imposed by section No. 1 of the Mineral Act;

Orders in Council, etc., relating to closing of the Cache Creek Board school;

Correspondence, etc., relating to sending of the Militia to Wellington. The annual report of the public schools of the province.

PETITIONS.

MR. COTTON presented the petition of the New Westminster and Burrard Telephone Company, asking for amendments to their act of incorporation.

MR. NASON—Of John C. Armstrong and others, asking for a bill to incorporate the Vernon and Nelson Telephone Company.

COL. BAKER—Of the Crow's Nest Kootenay Lake Railway, asking amendments to their act of incorporation.

MR. KITCHEN—Of Donald McGillivray and others, asking the House to pass an act to incorporate the British Columbia Dredging and Improvement Co., to dredge and drain certain lands in the New Westminster District, and also to drain Sula Lake.

ALLEGED INTERFERENCE WITH JUSTICE.

MR. MARTIN moved for all correspondence and telegrams between the Attorney-General and J. Lehman, Esq., J. P., of Ashcroft, relative to the prosecution and discharge of one J. Carey, for alleged embezzlement.

HON. MR. DAVIS said there would be no opposition to the motion. On the contrary he had only been too glad, when the member mentioned the matter, to urge on him the propriety of doing so. He had, he must say, been surprised that the senior member for Vancouver but not at the first opportunity, the House had sat, brought up this matter which he, in his paper, had professed to know all about. He naturally expected that he would have vindicated what he had written about at the bar of this House. It was, he said, to be regretted that the proprietors of newspapers sometimes published wild charges, and then dropped them, thus leaving the public attacked no opportunity of defence. One paper, had charged him (Mr. Davis) in connection with this case, with compounding a felony, but he had no content to wait for the meeting of the House, rather than do with the question. In connection with the present case, he had been charged with stifling a charge against Carey of embezzlement from the Canadian Pacific Railway and the Express Company, and with instructing the magistrate to interfere and prevent the case going further. No instruction whatever had been given to the magistrate, who, in reply to a communication sent to the Attorney-General, had been informed by telegram that he must use his own judgment. The Attorney-General having no order to give him. The case was subsequently dismissed by the magistrate, as he (Mr. Davis) was informed. In charges of embezzlement or obtaining money under false pretences, it was not unusual to the prosecution to be dropped, when titititit had been made, and the constable having charge of the case, had been formed that there would be no objection to this course.

MR. COTTON moved, in amendment seconded by Mr. Kellie, to strike out the words after "that," in the first line and insert—"a respectful address presented to His Honor, the Lieutenant-Governor, requesting His Honor to enquire into the propriety of the case, and to be placed before this House copies of all orders-in-council, telegrams, correspondence, or other information, in the possession of the Government or any of its members or officials, between the Attorney-General, or any official, his or any other department, or other person or persons, relative to the prosecution and discharge of one Edward Carey, for alleged embezzlement or any matters or proceedings connected therewith."

The hon. senior member for Vancouver denied that he had made any charge against the Attorney-General.

HON. MR. DAVIS—But you insinuate which is much worse.

MR. COTTON said he did not now propose to enter upon the matter, except to say that he had personally and received communications on the subject and when the papers came down should be able to discuss it.

HON. MR. BEAVEN wished to have matter ventilated, as it appeared that defaulter had only, when found out, return the money to secure his discharge.

The resolution as amended by Mr. Cotton was adopted.

HON. MR. DAVIS moved to discharge the order for the second reading of Municipalities Bill.—Carried.

PROVINCIAL LEGISLATURE

First Session of the Sixth Parliament.

EIGHTH DAY.

Thursday 29th, 1891.

The Speaker took the chair at two o'clock.

Hon. Mr. ROBSON presented the following

RETURNS

Relating to the remission of the tax of \$105, imposed by section No. 1 of the Mineral Act;

Orders in Council, etc., relating to the closing of the Cache Creek Boarding school;

Correspondence, &c., relating to the sending of the Militia to Wellington, also The annual report of the public schools of the province.

PETITIONS

Mr. COTTON presented the petition of the New Westminster and Burrard Inlet Telephone Company, asking for amendments to their act of incorporation.

Mr. NASON—Of John C. Armstrong and others, asking for a bill to incorporate the Vernon and Nelson Telephone Company.

Col. BAKER—Of the Crow's Nest & Kootenay Lake Railway, asking for amendments to their act of incorporation.

Mr. KROON—Of Donald McGillivray and others, asking the House to pass an act to incorporate the British Columbia Dyking and Improvement Co., to dyke and drain certain lands in the New Westminster District, and also to drain Sumas Lake.

ALLEGED INTERFERENCE WITH JUSTICE.

Mr. MARTIN moved for all correspondence and telegrams between the Attorney-General and J. Lehman, Esq., J. P. of Ashcroft, relative to the prosecution and discharge of one J. Carey, for alleged embezzlement.

Hon. Mr. DAVIE said there would be no opposition to the motion. On the contrary he had only been too glad, when the member mentioned the matter to him to urge on him the propriety of that course. He had, he must say, been surprised that the senior member for Vancouver but not at the first opportunity, after the House had sat, brought up this matter which he, in his paper, had professed to know all about. He naturally expected that he would have vindicated what he had written about at the bar of this House. It was, he said, to be regretted that the proprietors of newspapers sometimes published wild charges and then dropped them, thus leaving the parties attacked no opportunity of defence. One paper, had charged him (Mr. DAVIE), in connection with this case, with compounding a felony, but he had been content to wait for the meeting of the House, rather than deal with the question. In connection with the present case, he had been charged with stifling a charge against one Carey of embezzlement from the Canadian Pacific Railway and the Express Company, and with instructing the magistrate to interfere and prevent the case going further. No instruction whatever had been given to the magistrate, who, in reply to a communication sent to the Attorney-General, had been informed by telegram that the must use his own judgment, the Attorney-General having no orders to give him. The case was subsequently dismissed by the magistrate, as he (Mr. DAVIE) was informed. In charges of embezzlement or obtaining money under false pretences, it was not unusual to allow the prosecution to be dropped, when restitution had been made, and the constable having charge of the case, had been informed that there would be no objection to this course.

Mr. COTTON moved, in amendment, seconded by Mr. Kellie, to strike out all the words after "that" in the first line, and insert—"a respectful address be presented to His Honor, the Lieutenant-Governor, requesting His Honor to cause to be placed before this House copies of all orders-in-council, telegrams, papers and correspondence, or other information, in the possession of the Government or any of its members or officials, between the Attorney-General, or any official of his or any other department, and Isaac Lehman, Esq., J. P. of Ashcroft, or any other person or persons, relative to the prosecution and discharge of one Edward Charles Carey, for alleged embezzlement, or any matters or proceedings connected therewith."

The hon. senior member for Vancouver denied that he had made any charges against the Attorney-General.

Hon. Mr. DAVIE—But you insinuated, which is much worse.

Mr. COTTON said he did not now propose to enter upon the matter, except to say that he had personally and recently received communications on the subject, and when the papers came down should be able to discuss it.

Hon. Mr. BEAVEN wished to have the matter ventilated, as it appeared that a defaulter had only, when found out, to return the money to secure his discharge.

The resolution as amended by Mr. Cotton was adopted.

Hon. Mr. DAVIE moved to discharge the order for the second reading of the Municipalities Bill.—Carried.

LAND REGISTRY BILL.

Hon. Mr. DAVIE moved the second reading of the Land Registry Bill. Its object was, he said, to prevent the owners of property from being harassed by vexatious proceedings. In the past it had been possible to register charges against property, during whose pendency it was impossible for the owner to sell, no matter how advantageous the market and the terms offered. The Bill provided for the removal of the charges on such security as might seem to be satisfactory in making the order, the judge being empowered to take into consideration the probability of the success of such person on the action to be brought.

The bill was read a second time and referred to committee (Mr. Semlin in the chair), when amendments were made, on the motion of the Attorney-General, to confine the mode of cancellation and to do away with the necessity of having charges or transfers made with the use of the seal. It was also specially provided in another amendment, offered by the Attorney-General, that where land had been granted, or devised to two or more persons, other than executors or trustees, in fee simple, or for any less estate, it shall be considered that such persons

took or take as tenants in common, and not as joint tenants, unless an intention sufficiently appears that they are to take as joint tenants.

Several minor amendments were discussed, after which the committee rose, reported progress, and asked leave to sit again.

THE JURORS' ACT.

Hon. Mr. DAVIE moved the second reading of the bill to amend the Jurors' act, which he explained in the meantime for particular reasons specially applied to New Westminster in certain details. In explaining the bill he stated that the fees to jurors in civil cases were governed by rules of court, and these, it was intended, to have increased by special jurors. In regard to criminal cases the Jurors' act applied to them and the Government would move to place on the same footing as jurors in civil cases. The case of grand jurors would also be considered, but he did not think it would be deemed necessary to increase their fees, as it was under contemplation to abolish grand juries altogether. He (Mr. DAVIE) had, he might say, been one of the first to speak of the abolition of such jurors, and he now noticed that the Dominion Government had the subject under consideration.

The bill having been read a second time, was committed, Mr. Booth in the chair.

The committee having dealt with the bill at some length, reported progress and asked leave to sit again.

MECHANICS' LIEN BILL.

The House again went into committee on the Mechanics' Lien Bill, Col. Baker in the chair. The bill having passed through committee, was reported.

After some discussion as to whether or not the House should adjourn, in view of the fact that it was impossible for the New Westminster Southern railway to be opened, to which the members had been invited, the House adjourned until Monday.

NOTICE OF QUESTION.

By Mr. HORNE—To ask "Do the Government intend to open a Land Registry office at the city of Vancouver, and, if so, at what date will said office be opened, and ready to transact business?"

By Mr. KITCHEN—To ask the Attorney-General if it is the intention of the Government to provide for the payment of the Grand Jurors, and to increase the allowance now paid to Petit and Special Jurors?

NOTICES OF MOTION.

By Mr. BEAVEN—To move for all orders in Council, correspondence, papers, vouchers and receipts relating to the issue and cancellation of Crown Grant No. 2808, dated 17th June, 1883, and the issue of Crown Grant No. 4097 in lieu thereof.

By Hon. Mr. BEAVEN—To insert a Chinese restrictive clause in the following bills. To amend the Crow's Nest and Kootenay R.R. Act; to incorporate the B. C. Dyking and Improvement Co.; to incorporate the Vernon & Nelson Telephone Co.; to incorporate the New Westminster and Burrard Telephone Co.

By Hon. Mr. DAVIE—To introduce a bill respecting the corporation of New Westminster.

By Hon. Mr. VERNON—To introduce a bill respecting land surveyors.

By Hon. Mr. DAVIE—To introduce a bill to amend the Shuswap Railway Guarantee Act.

By Hon. Mr. ROBSON—To introduce a bill to amend and consolidate the laws relating to minerals.

By Hon. Mr. VERNON—To introduce a bill to amend the Land Act.

Mr. HORNE—To move, That whereas the commercial importance of the City of Vancouver is daily increasing, and there is every reason to believe that during the ensuing season and in the future a much greater number of ships will be passing in and out; and whereas, it is desirable to increase the facilities of the shipping; and it is necessary in the interests of shipping and commerce that certain natural obstructions in the Narrows and in that harbor should be removed, and that certain parts of the entrance thereto it should be widened by dredging, and that a fog alarm should be placed at the point known as Prospect Point, and that Burnaby Shoal be removed or a fog alarm

placed thereon; Therefore, be it resolved, that a respectful address be presented to His Honor the Lieutenant-Governor, praying His Honor to urgently request the Dominion Government to take immediate steps for widening and the removal of obstacles in the Narrows at the entrance of said harbor, and for the placing of a fog alarm on Prospect Point and at Burnaby Shoal in said harbor. And that His Honor be further respectfully requested to transmit a copy of the address and this resolution to the Dominion Government.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

NINTH DAY.

MONDAY, Feb. 2.

The speaker took the chair at 2 p.m. After routine, the following

PETITIONS

were presented:

Mr. COTTON—From the Corporation of Vancouver to amend the Act of Incorporation.

Mr. COTTON—From Henry Abbott and others, to incorporate the Vancouver and Lulu Island Railway Co.

Mr. COTTON—From H. V. Edmonds and others, for a bill to incorporate the Liverpool and Canoe Pass Railway company.

Mr. COTTON—From John Hendry and others to incorporate the Vancouver, Northern and Alaska Railway and Navigation Co.

Mr. MARTIN—From F. C. Innes and others to incorporate the Vernon and Okanagan Railway.

Mr. MARTIN—From the Okanagan Land and Development company, Limited, for a private bill.

Mr. COTTON—From the Corporation of Vancouver, opposing the bill to amend the Vancouver Water-works Act.

Mr. KITCHEN—From R. H. Alexander and others, for a bill to incorporate the Burrard Inlet and Fraser Valley Railroad Co.

Mr. KITCHEN—From the Westminster and Vancouver Tramway company and the New Westminster Street Railway, for an act to amalgamate them as the Westminster and Vancouver Tramway Co.

THE NEWCASTLE TOWNSHIP.

Hon. Mr. ROBSON presented a return, showing that in the grant made to the Esquimalt & Nanaimo Railway, there had been included that part, or section 1, Nanaimo district, known as the Newcastle Township Reserve, containing 724 acres, less the area of the various lots which had previously been alienated.

THE KOOTENAY SYNDICATE.

Mr. KELLIE moved that a select committee be appointed, consisting of Messrs. Baker, Booth, Kellie, Hunter and Brown, to examine the lease made by the chief commissioner of lands and works, in 1886, with Mr. W. A. Baillie-Grohman and others, relative to the reclamation and colonization of certain lands in Kootenay, and to ascertain whether the condition of said lease has been fully carried out on the part of the Kootenay syndicate, limited, and the said W. A. Baillie-Grohman. Such committee to have power to send for papers, etc., and to report to this House.

Hon. Mr. DAVIE introduced a bill respecting the corporation of New Westminster.

Hon. Mr. ROBSON introduced a bill entitled an act relating to gold and other minerals excepting coal.

LIBEL.

Hon. Mr. BEAVEN, in moving the second reading of the libel bill, began by speaking of the respective applications of the Dominion and Provincial laws and authority, with respect to libel. The existing law of libel was, in his opinion, most defective. Under it the presumption was that a libel was, in every case, malicious. Taking the case of newspapers, and the way in which they were got out, and the information obtained, it was a wrong presumption so to say that every libel was malicious. Again, it was only right and just when there had been a libel committed that the newspaper proprietor should be allowed the opportunity of making an ample apology for an inadvertent libel. The principles of ethics should be made to apply to newspapers as well as to individuals, and the publication of an apology given as wide a circulation as the original libel should prevent all possibility of a prosecution. Then the law ought to provide that the publication of reports of public meetings should be privileged, while a fair report of proceedings in a court of justice should render it impossible to enter a prosecution. Newspapers were obliged to gather news, or they would be behind in the race, and should be protected in carrying on their legitimate business. It ought, too, to be rendered impossible to drag a newspaper proprietor to a town, other than the one in which his paper was published, to undergo his trial, and, moreover, the newspaper man should have a right to demand security for costs, so as to prevent him being frivolously and vexatiously prosecuted on charges which would not stand investigation. Since this bill had been introduced, he (Mr. Beaven) had noticed a bill which was before the State Legislature of Washington that went still further than this bill. It provided that where a charge was not proved the person so making accusation rendered himself liable in damages. The public demanded news, the telegrams came in to the editor's office, the other

news arrived through various channels, and if the proprietor delayed to make minute examinations into every detail the information would be published elsewhere in advance of him. The presumption of the libel law, to-day, was that in every instance the offence was malicious. He desired to change the presumption and to place matters entirely on the other side.

Hon. Mr. DAVIE said he noticed that this bill had been, in a measure, taken from the libel law of Ontario, and had the member rested there, the bill would have been what was desired. He admitted that it was only just to allow a newspaper proprietor to plead that the libel was not malicious, and was an honest mistake. But this was already the law in this country, being, moreover, covered by what was known as Fox's act. So much of a mischievous nature was contained in this bill that if it were defeated, as he hoped it would be, he should be in a position to bring in a new measure to follow closely the lines laid down by the law of Ontario. He contended that unless, in many cases, malice were inferred it would be impossible to convict an offender, whether against life or property. The same principles applied in connection with libel. By a man's character he was able to live, and there fore the law considered the offence a more heinous one than even taking away a man's purse. A newspaper got hold of a piece of information from the enemy of an individual. The editor published it and under the presumption of malice the party aggrieved could either punish the offender civilly or criminally. But, were there no presumption of malice, what possibility could there be of redress? The publishers, however, could prove, under Fox's Act, that there had been neither malice nor negligence, in the same way as the individual charged with taking a life or stealing a watch, could defend himself. The second clause of this Act fell with the first, but the third was positively ludicrous—to compel the plaintiff to request a retraction or correction, when, as every one was aware, in making such correction it frequently happened that the publisher took the opportunity of perpetrating a greater wrong. The existing law of the province gave ample opportunity to the publisher to apologize, retract or correct. Again, as to making reports of public meetings privileged, it not unfrequently happened that irresponsible persons were put up to make scandalous statements in order, if possible, that they might find their way into the press. The Attorney-General warmly objected to the clause to make the reports of proceedings in the courts of justice privileged, inasmuch as, if published, they were calculated to prejudice cases when the matters were not really subject for public discussion, upon which it would not be right to comment. Proceedings before the courts, especially in Chambers, ought to be carefully safeguarded, or mischief might ensue. There was no justice, he went on to say, in providing that a libel suit should take place in a city or town where the paper had the power to prejudice the public mind adversely to the party aggrieved, nevertheless, there was no provision in the present Bill made for a change of venue. He regarded this Bill as most mischievous; if it passed, not even life would be safe, the public would be so calumniated, and it would be an evil day, indeed, for British Columbia, were this Bill to become law.

Mr. BOOTH suggested that this bill be withdrawn and the Ontario Act substituted.

Mr. COTTON strongly deprecated the placing of a newspaper on the same footing as taking a man's life or property. Supposing a newspaper published a fair report of a public meeting, duly called and advertised, and something had been said against an individual to which that party took exception. He at once took out action and the newspaper was at once served with legal proceedings, and considerable expenses incurred. Surely ample time should be given for a paper to make explanations or apologies. He objected to the removal of the place of trial from the place of publication, remarking that he and other publishers in the state had been put to great expense and inconvenience by having trials removed to a distance. He wished the law to be fair and just to both sides, and strongly deprecated anything approaching a muzzle of the press. He had come here to vote for this measure of the leader of the Opposition, but in view of the promises of the Attorney-General to bring down a measure he should vote against this bill.

Hon. Mr. POOLEY would not support a bill which would tend to make the press irresponsible. Were this bill passed any proprietor of a newspaper could publish any libel on the ground that it had been spoken at a public meeting. But were such statements published in the press they could be turned up at any time and to the prejudice of an individual. He characterized the present bill as tending to prevent a poor man from defending his good name, if he had not the power to put up the costs. It was impossible to say whether or not a charge was frivolous until it had been heard. Had we not a stringent libel law—we should soon see, as was the case in certain parts of the United States, life not unfrequently taken in satisfaction for a libel.

Hon. Mr. BEAVEN—And the English libel law prevails there.

MR. SEMLIN asked if the Attorney-General would introduce a bill based on the law of Ontario, were this measure rejected? He could not say from his own experience whether or not the law of Ontario were more liberal than this.

HON. MR. DAVIS said he asked the members to vote down this Bill because it was pernicious in principle. He wished to make no promises on this subject, nor had he any desire to influence the votes of members by any pledges he might make. It was perfectly competent for any member to introduce another Bill on the subject.

The motion was then put and lost, those voting in favor of the second reading being:

Ayes—Beaven, Milne, Semlin, Mackenzie—4.
Nays—Pooley, Turner, Martin, Croft, Hunter, Rogers, Anderson, Fletcher, Robson, Davie, Vernon, Eberts, Stoddart, Booth, Nason, Smith, Forster, Keith, Baker, Sword, Kitchen, Cotton, Kellie—23.

On motion of Hon. Mr. Davis the House went into Committee on the Animals Contagious Diseases Bill, Mr. Smith in the chair.

The committee rose reporting progress, and the House adjourned.

NOTICES OF MOTION.

By Mr. SWORD—to introduce a bill to amend the Railway Act.

By Mr. MILNE—to introduce a bill to establish a pharmaceutical association in British Columbia.

By Mr. MILNE—to ask for a return of all correspondence, etc., not already printed, relating to the transfer to the city of Victoria of the land known as the James Bay mud flats.

QUESTIONS.

MR. MILNE—To ask the Provincial Secretary: Is it the intention of the Government to place a sum on the estimates for the establishment of a Normal school in Victoria.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

TENTH DAY.

TUESDAY, Feb. 3, 1891.

The Speaker took the chair at 2 o'clock. After prayers, by Rev. Mr. Macleod, the following

PETITIONS.

were presented:

Mr. Semlin—From John M. Lefevre and others, asking for a bill to incorporate the Nicola Valley R. R. Co.

Mr. Horne—From J. W. Sexsmith and others, for a bill to incorporate the Lulu Island Electric R. R. and Improvement Co.

Mr. Kellie—For a bill to incorporate the Kootenay Lake Telephone Co.

Mr. Brown—From Right Rev. P. Durien, O.M.I., for a bill to incorporate the Order of Mary Immaculate.

Mr. Rogers—From D. Oppenheimer and others, for a bill to incorporate the Ashcroft and Cariboo R. R. Co.

Mr. Kitchen—From R. P. Cooke & Sons, for a bill to incorporate the Chilliwack R. R. Co.

Mr. Eberts—From W. P. Sayward and a large number of manufacturers, objecting to any change in the Mechanics' Lien law.

NEW BILLS.

Mr. Hunter introduced a bill for the protection of certain animals, birds and fishes, which was read a first time.

HON. MR. DAVIS introduced a bill, which was read a first time, to amend the Shuswap Railway Guarantee Act.

LAND REGISTRY AT VANCOUVER.

In answer to Mr. Horne, HON. MR. ROBSON said he was the intention to establish a land registry office at the city of Vancouver so soon as the books and records, which were in process of preparation, were ready; but the increase of business at New Westminster had been so great as to seriously impede the necessary preparations.

HON. MR. ROBSON submitted a return regarding public commons, etc.

CONTAGIOUS DISEASES' BILL.

On the order for the House to again go into committee on the Animals Contagious Diseases Bill.

HON. MR. BEAVEN submitted that the bill, so far, was irregular, as it had not been inaugurated by message from the Lieut. Governor or in committee of the whole, although it involved a charge upon the public revenue. This being the case, according to May, all the proceedings so far in connection with it were vitiated, and must be begun over again.

HON. MR. DAVIS contended that the bill did not contemplate a charge upon the revenue. All it provided for were inspectors who were Government agents already. The bill was merely to prevent the spread of contagious diseases among animals. The bill did not constitute a charge on the revenue, but gave the Lieut. Governor power to provide for the remuneration of inspectors in outlying districts.

THE SPEAKER said that any charge upon the revenue came under the conditions cited by the leader of the Opposition, and must be ruled out of order as not having been introduced by a message from the Lieut. Governor.

THE SUNDAY LAW.

MR. MILNE moved the second reading of the "Sunday Bill." The Sunday Law had been introduced in 1863, by Sir James Douglas, and the object of his Bill was not to change any of its features, but merely to apply it to the entire province.

MR. HUNTER noticed that the act referred to was only a short one, and intimated that it would be well to re-enact it over again, in order to save confusion.

MR. MILNE said he understood the act, which was extended to the Province of British Columbia, was the English law of 1868. All that he wanted was to include the Island of Vancouver.

HON. MR. BEAVEN explained that the consolidators had omitted to apply the law to Vancouver Island.

MR. BOOTH contended that the present bill gave nothing intelligible. He wished to have the law made such as every one could understand.

HON. MR. DAVIS said that the Sunday Observance Act had been a dead letter for many years, and it would have been far better to bring a law to repeal it than to do anything else. He quoted, to the amusement of the House, some of the provisions of the old English Sunday Observance Law, which introduced provisions now antiquated and obsolete, prescribed fines for bull baiting, driving, etc., on Sunday, and provided that no person under the degree of gentleman should go out fishing on the Lord's Day. He twitted the junior member for Victoria for striving to impose upon the province the old feudal enactments, of which, possibly before the present moment, he had had no knowledge.

MR. SMITH suggested the repeal of the old law and the introduction of a new measure. Meantime let the present law be made general.

MR. BROWN would not like to see the present law repealed until a new one was brought in. Let the old one remain even with its peculiarities, rather than have no law at all.

MR. HUNTER desired to have every provision made which would secure a better observance of the Sabbath. He therefore would not support the repeal of the present law unless something better were substituted. He suggested the introduction of a new bill made more intelligible and specially applicable here.

MR. SEMLIN claimed that if the law were good upon the mainland, it should be good on the island, and vice versa. He therefore approved of the course of the junior member for Victoria, though, as a rule, he objected to legislating by reference.

HON. MR. ROBSON said that if the House were not prepared to deal with a new Sunday law, it would be well to apply the law as it existed, imperfect as it was, to the entire province. There were many provisions of the old Sabbath observance law which were not admitted applicable now-a-days, but he differed from the criticisms of the Attorney-General, and expressed his desire to have a uniform and effective Sunday law applied to the whole province.

MR. CROFT did not object to a Sunday law, but took exception to the manner in which it was brought in. He thought the member who had brought in the present Bill would do well to withdraw it, and bring in another of a more specific character. He moved the adjournment of the debate.

MR. GRANT did not believe in adopting old English laws, but wished to see legislation of all kinds in touch with the ideas of the day. He was in favor of keeping within all reasonable Christian lines; but did not believe in incorporating holus bolus in the laws of British Columbia, such provisions as had been cited. We ought, he said, to have a law in touch with our own feelings.

HON. MR. ROBSON admitted that there were many provisions in the old statutes which were ridiculous and inapplicable here, but there were many provisions that would be most useful. He endorsed the remarks of the member for Comox, saying that, in default of the introduction of a new law, he should certainly support the proposal to make the Sunday law generally applicable.

MR. GRANT spoke of the experiences of miners whose conditions were such that they were unable to observe the Sabbath in a hard and rigid manner.

HON. MR. VERNON gave the member for Victoria credit for sincerity, but, as the Attorney-General pointed out, there were many provisions in the old law which were not applicable here, and were an absolute dead letter and useless. If the member were in earnest, he would certainly withdraw his bill and bring in a new one.

MR. COTTON was sure that the members from the mainland would be glad to see the people of the Island have all the benefits of the Sunday law but, after the remarks of the leader of the government, he thought it singular that, in the bill which he had introduced yesterday, there should be a provision "that any location made upon Sunday shall not for that reason be invalid, any law or statute to the contrary notwithstanding."

MR. EBERTS suggested that the municipalities might bring in Sunday by-laws if they chose.

MR. KEITH recommended that a new law be introduced.

HON. MR. DAVIS said he would not vote for the present bill because of its absurdities, but should only be too ready to support a proper Sunday measure. He defended the leader of the Government from the reflection by the senior member for Vancouver, who appeared to desire, for a personal purpose, to make a point against the premier. He would find before long, if he did not know already, that he could not succeed in making unfair capital in this way. He pointed out that the bill was not the work of the Government, but the product of the labors of the Mining Commission, and had been brought before the House for them to act upon. To reflect upon the Provincial Secretary on account of it, was utterly unjust and unworthy. He concluded by inviting the member for Victoria to withdraw his bill in order that the House might pass an effective law.

MR. BOOTH should vote against the present bill because of its vagueness. He was not prepared to support a measure he did not understand.

MR. MILNE said he appreciated the arguments which had been made, and would withdraw the bill.

THE PROPOSED VANCOUVER JUDICIAL DISTRICT.

HON. MR. DAVIS moved the second reading of the Supreme Court Bill, which merely carried out the resolution unanimously adopted by this House. As he had before said the carrying out of the Bill rested entirely with the Dominion Government, without whom the Provincial statute would be a dead letter.

HON. MR. BEAVEN said the House had affirmed the principle and he should not oppose the Bill.

HON. MR. DAVIS intimated that there was no necessity for forcing the Bill if there were any objection, but at the same time he saw no reason for delay.

After some discussion the Bill was read a second time.

PERSONAL EXPLANATION.

MR. ROGERS said he had been reported in the Times as being in favor of ten hours' work, but there was no one more favorable to a reasonable day's work and he merely made this remark to set himself right.

MECHANICS' LIEN BILL.

On the motion for the report of Committee on the Mechanics' Lien Bill.

HON. MR. DAVIS said that a petition had been received in protest against the measure and he hoped the motion would not be pressed.

MR. BROWN said he was perfectly willing that the presentation of the report should stand over till Thursday.

RETURNS.

HON. MR. DAVIS presented a return of correspondence concerning the seizure of the schooner Hesperus and the arrest of her crew, also a return of all orders-in-council and other information in the matter of Isaac Lehman, of Ashcroft.

The House adjourned at 4 o'clock.

NOTICES OF MOTION.

MR. BEAVEN—On the motion to consider the Mechanics' Lien Act, to move to amend section 12 by striking out all the words after "behalf" in the fifth line down to and including "May" in the eighth line, and insert "a pay roll containing the names of all laborers who have done work for him upon such works or improvements, with a receipt in full from each of the said laborers, with the amounts which were due and had been paid to each of them set opposite to their respective names, which pay roll shall—"

Also to amend schedule C so as to show the amount earned and the amount paid.

HON. MR. BEAVEN—Thursday—To introduce an act respecting actions of libel and slander.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

ELEVENTH DAY.

WEDNESDAY, Feb. 4, 1891.

The Speaker took the chair at 2 o'clock. After prayers, by Rev. Mr. Macleod, there were submitted the following

PETITIONS.

MR. KELLIE—For a Bill to incorporate the Nelson and Fort Sheppard Railroad Company.

MR. MARTIN—For a Bill to amend the Act of Incorporation of the New Westminster Water Works.

MR. COTTON—For a Bill to incorporate the Burrard Inlet Electric Railroad and Ferry Co.

REPORT.

MR. MARTIN presented the report of the Committee of Standing Orders and Private Bills. It set forth that the rules had been complied with respect to the following petitions for private Bills.

New Westminster and Burrard Inlet Telephone Co., Limited.
The Fraser River Dyking Co.
Crow's Nest and Kootenay Railroad, Vernon and Nelson Telephone Co.
Burrard Inlet and Fraser Valley Railroad Co.

Bill to amend the Act of Incorporation of the City of Vancouver.
The Orders had not been complied with by the Okanagan Land and Development Co.;
Liverpool and Canoe Pass Railroad Co.
Vancouver and Lulu Island Railroad Co.

It recommended that the time for receiving petitions for Private Bills be extended fourteen days.

HON. MR. ROBSON said that in the past the standing orders with regard to private Bills had been practically a dead letter. He knew that there was a strong feeling this session in favor of keeping up the rules. But on the other hand the House had this year been called earlier than usual. While no one desired to see the suspension of the rules as to time, there must be a line drawn somewhere, and possibly for the reasons he had mentioned, another week might possibly be granted. He should like to hear what the chairman of the committee had to say in support of the recommendation.

MR. MARTIN explained that with respect to several bills it had for some reason or other been impossible for the parties to carry out the rules as to time.

MR. EBERTS said that delays in the mails had also been obstacles in the way of the necessary advertising.

MR. SEMLIN, though a member of the committee making the report, urged that everything should be done to have the rules carried out.

After remarks from Mr. SWORD, HON. MR. ROBSON expressed the hope that the suspension of the rule could be unanimously agreed to owing to the importance of a number of the bills that were likely to come up.

After remarks from Hon. Mr. Beaven, The motion to suspend the rule was carried, and the report was adopted.

RETURNS.

HON. MR. VERNON presented a return showing the instructions sent to the commissioners appointed to carry out vote 192 of last session, together with all correspondence on the subject.

A NORMAL SCHOOL.

In answer to Dr. Milne, HON. MR. ROBSON said the matter of placing a sum in the estimates for 1891-92 for the establishment of a normal school in the city of Victoria had not yet been considered.

SENDING THE MILITIA TO WELLINGTON.

In answer to Mr. Keith, HON. MR. ROBSON said that there had been no correspondence between the Provincial and Dominion Governments relating to the sending of a militia force to Wellington last summer. Had there been it would have been brought down in response to the motion made by the hon. member.

HON. MR. DAVIS moved the second reading of the Westminster Enabling Act Amendment Bill.

After explanations from Mr. Brown, DR. MILNE pointed out that the city wanted powers to supply private lights, which would interfere with the existing gas lighting company.

MR. BROWN said, while this was true, it was contemplated for the electric company to buy out the gas company.

The bill was read a second time and the House went into committee, Mr. Martin in the chair. The bill was reported complete with amendments, but the committee advised its reference to the Private Bills committee, with power for them to hear any parties by it affected; fourteen days' notice being given in the New Westminster papers.

BY MESSAGE.

HON. MR. TURNER presented a message from the Lieut. Governor, transmitting a bill to amend the Assessment Act. To be referred to committee of the whole on Thursday.

LAND REGISTRY BILL.

The House went into committee, Mr. Semlin in the chair, upon the above measure. The bill was reported complete with amendments.

The House adjourned at 4 p.m.

NOTICES OF MOTION.

By MR. MILNE—to introduce a Sunday Observance Act.

By MR. KEITH—to move for a select committee to inquire into the causes leading to the late strike or lock-out at Wellington, committee to consist of Forster, Semlin, Booth, Hall and the mover.

By MR. COTTON—to introduce a resolution endorsing the reference of the petition of right transmitted by Samuel Greer to the Provincial Secretary, to the Supreme court for a judicial decision.

By MR. BEAVEN—to move for the insertion of anti-Chinese sections in the Liverpool and Canoe Pass Railway bill.

QUESTIONS.

By MR. BROWN—to ask the Attorney-General: Is it the intention of the Government, during this session, to introduce an act to prohibit the sale of cigarettes to minors?

By MR. BROWN—to ask the Chief Commissioner: Is it the intention of the Government, during this year, to construct a traffic bridge over the Pitt river,

at some point near its confluence with the Fraser?

By MR. BROWN—to ask the Leader of the Government—"Would the Government look upon a traffic bridge over the Fraser at New Westminster as a work of provincial importance, ranking as an undertaking entitled to substantial aid from the provincial treasury."

"Also, in the event of the municipalities directly interested undertaking, with the assistance of the Dominion Government, to build a traffic bridge (in conjunction with a railway company) a combined railway and traffic bridge, across the Fraser at New Westminster, would the provincial government aid the work by a grant of money?"

SAMUEL GREER'S CASE.

Full Text of the Petition Referred to in Mr. Cotton's Notice of Motion.

The following is the full text of the petition referred to in the resolution of which Mr. Cotton gave notice in the House, yesterday:

PETITION.

In the Supreme Court of British Columbia. To the Queen's Most Excellent Majesty, County of Westminster, Province of British Columbia, to wit:

The humble petition of Samuel Greer, of the city of Vancouver, the province of British Columbia, a natural born British subject, farmer, by his solicitor, J. Roland Hett, of 16 Chancery Lane, in the city of Victoria, in the said province, sheweth:

1. That by Letters Patent under the Great Seal of the said Province of British Columbia, dated the thirteenth day of February, 1888, and numbered 91, certain lands situate in the district of New Westminster, in the said province, namely: Lot Number five hundred and forty-one, group one on the official plan or survey of the said district, and also certain pieces or parcels of land forming part of the townsite of Graville, in the said district, and known and numbered on the official map of the said townsite, deposited in the land registry office at the city of New Westminster, as lots 12 and 13, block 2; lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, block 3; lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, block 4; lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, block 5, and lot 10, block 6, were granted unto and to the use of Donald A. Smith and Richard B. Angus, their heirs and assigns for ever, subject to the reservations and provisions in the said Letters Patent contained.

2. That by Letters Patent under the Great Seal of the said Province of British Columbia, dated the Thirtieth day of February, 1888, and numbered 98, certain lands situate in the said District of New Westminster, namely, lot number five hundred and twenty-six, group 1 of the official plan or survey of the said District of New Westminster, a portion whereof was Indian Reserve lands, and another portion whereof was under lease, were granted unto and to the use of Donald A. Smith and Richard B. Angus, their heirs and assigns for ever, subject to the reservations and provisions in the said last mentioned Letters Patent contained.

3. That it appears by the said Letters Patent numbered respectively 91 and 98, that no purchase money was paid for the lands thereby respectively granted.

4. That the lands granted by the said Letters Patent, numbered respectively 91 and 98, were not unoccupied and unsurveyed crown lands, and were not so granted in accordance with the provision of "The British North America Act, 1871," in the terms of the said Letters Patent, and the statute of the said province of British Columbia, known as the "Land Act, 1884," or any other statute of the said province, or any one or more of them.

5. That prior to the Thirtieth day of February, 1888, portions of the lands granted to the said Donald A. Smith and Richard B. Angus by the said Letters Patent numbered 91, had been appropriated and surveyed by the Government of the said province of British Columbia as a townsite, and an official map thereof had been deposited in the Land Registry Office at the city of New Westminster.

6. That subsequently to such deposit a new map of the lands granted by the said Letters Patent numbered 91 was with the consent of the Government of the said Province of British Columbia made and deposited in the Land Registry Office at the city of New Westminster, and that by such new map the streets and roads delineated upon the first deposited map were changed and altered without any legal authority.

7. That as to and in respect of, and on account of the grant of the lands comprised in both of the above-mentioned Letters Patent to the said Donald A. Smith and Richard B. Angus never undertook to do and never did do or perform any acts or things for the encouragement of immigration or for any other purpose of public advantage.

8. That the said Donald A. Smith and Richard B. Angus have sold considerable portions of the land granted by the said Letters Patent numbered 91, for their own advantage, and not for any purpose of public advantage whatever.

9. That prior to the issue of the said Letters Patent, numbered 91 and 98 respectively, your petitioner objected in writing to the issue of the said Letters Patent for any purpose, and addressed his objections to the then Chief Commissioner of Lands and Works for the said province.

10. That no statute has been enacted or passed by the Legislature of the said Province of British Columbia ratifying or confirming the issue of the said Letters Patent numbered 91 and 98 respectively.

Your suppliant therefore humbly prays that: 1. The said Letters Patent, numbered 91 and 98 respectively, may be recalled, annulled and cancelled.

2. He may be granted such further or other relief as the nature of the case may require.

Dated the twentieth day of January, A.D. 1891.

(Sgd.) J. ROLAND HETT,
Solicitor for Samuel Greer.

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"Also, in the event of the municipalities directly interested undertaking, with the assistance of the Dominion Government, to build a traffic bridge or (in conjunction with a railway company) a combined railway and traffic bridge, across the Fraser at New Westminster, would the provincial government aid the work by a grant of money?"

SAMUEL GREER'S CASE.

Full Text of the Petition Referred to in Mr. Cotton's Notice of Motion.

The following is the full text of the petition referred to in the resolution of which Mr. Cotton gave notice in the House, yesterday:

PETITION.
In the Supreme Court of British Columbia. To the Queen's Most Excellent Majesty, County of Westminster, Province of British Columbia, to wit:

The humble petition of Samuel Greer, of the city of Vancouver, in the Province of British Columbia, a natural born British subject, farmer, by his solicitor, J. Roland Hett, of 16 Chancery Lane, in the city of Victoria, in the said province, sheweth:

1. That by Letters Patent under the Great Seal of the said Province of British Columbia, dated the thirteenth day of February, 1888, and numbered 91, certain lands situate in the district of New Westminster, in the said province, namely: Lot Number five hundred and forty-one, group one on the official plan or survey of the said district, and also certain pieces or parcels of land forming part of the townsite of Granville, in the said district, and known and numbered on the official map of the said townsite, deposited in the land registry office, at the city of New Westminster, as lots 12 and 13, block 2; lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, block 3; lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, block 4; lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, block 5, and lot 10, block 6, were granted unto and to the use of Donald A. Smith and Richard B. Angus, their heirs and assigns forever, subject to the reservations and provisions in the said Letters Patent contained.

2. That by Letters Patent under the Great Seal of the said Province of British Columbia, dated the Thirtieth day of February, 1888, and numbered 98, certain lands situate in the said District of New Westminster, namely, lot number five hundred and twenty-six, group 1 of the official plan or survey of the said District of New Westminster, a portion whereof was Indian Reserve lands, and another portion whereof was under lease, were granted unto and to the use of the said Donald A. Smith and Richard B. Angus, their heirs and assigns forever, subject to the reservations and provisions in the said last mentioned Letters Patent contained.

3. That it appears by the said Letters Patent, numbered respectively 91 and 98, that no purchase money was paid for the lands thereby respectively granted.

4. That the lands granted by the said Letters Patent, numbered respectively 91 and 98, were not unoccupied and appropriated to crown use, and were not so granted in accordance with the provision of "The British North America Act, 1867." The "terms of union" of the colony of British Columbia with the Dominion of Canada, and the statute of the said province of British Columbia, known as the Land Act, 1884, or any other statute of the said province, or any one or more of them.

5. That prior to the thirteenth day of February, 1888, portions of the lands granted to the said Donald A. Smith and Richard B. Angus by the said Letters Patent numbered 91, had been appropriated and surveyed by the Government of the said province of British Columbia as a townsite, and an official map thereof had been deposited in the Land Registry Office at the said city of New Westminster.

6. That subsequently to such deposit a new map of the lands granted by the said Letters Patent numbered 91 was with the consent of the Government of the said Province of British Columbia made and deposited in the Land Registry Office at the city of New Westminster, and that by such new map the streets and roads delineated upon the firstly deposited map were changed and altered without any legal authority.

7. That as to and in respect of, and on account of the grant of the lands comprised in both of the above-mentioned Letters Patent, the said Donald A. Smith and Richard B. Angus never undertook to do and never did do or perform any acts or things for the encouragement of immigration or for any other purposes of public advantage.

8. That the said Donald A. Smith and Richard B. Angus have sold considerable portions of the land granted by the said Letters Patent numbered 98, for their own advantage, and not for any purpose of public advantage whatever.

9. That prior to the issue of the said Letters Patent, numbered 91 and 98 respectively, your petitioner objected in writing to the issue of the said Letters Patent for any purpose, and addressed his objections to the then Chief Commissioner of Lands and Works for the said province.

10. That no statute has been enacted or passed by the Legislature of the said Province of British Columbia ratifying or confirming the issue of the said Letters Patent numbered 91 and 98 respectively.

Your suppliant therefore humbly prays that:

1. The said Letters Patent, numbered 91 and 98 respectively, may be recalled, annulled and cancelled.
2. He may be granted such further or other relief as the nature of the case may require.

Dated the twentieth day of January, A.D., 1891.
(Sgd.) J. ROLAND HETT,
Solicitor for Samuel Greer.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

TWELFTH DAY.

After prayer by Rev. Mr. McLeod
Mr. MARTIN presented the report of the Standing Orders and Private Bills committee, reporting that the rules had been complied with in regard to certain petitions for private bills.

RETURNS.

HON. MR. ROBSON presented returns relating to the cancellation of Crown grant No. 2608, and the issue in lieu thereof of No. 4097 and a return from the Clerk of the Crown in Chancery stating that it was impossible to supply a return showing the number of votes cast at the last election.

THE LAW OF LIBEL.

MR. DAVIE introduced an Act respecting actions of libel or slander, and moved that it be placed on the orders of the day for to-morrow.

HON. MR. BEAVEN objected that it had not been printed and moved that it be placed on the orders for Monday.

HON. MR. DAVIE said he had no desire to rush the bill through, and when it came up to-morrow he would be willing to have its second reading postponed. He repudiated the pretension of the leader of the Opposition that the Government were not ready with their measure, and this bill was presented ready to be gone on with.

HON. MR. ROBSON said the Government had always been ready to defer bills when members desired. It was, he remarked, hardly courteous for the leader of the Opposition to take the course he had followed, since the bill had been brought in by the Attorney-General. Besides, the principle had been already thoroughly ventilated, and there was no need of delay. There never, to his knowledge, had been any lack of consideration to the Opposition, particularly to its leader, when it desired to have a Bill postponed.

HON. MR. BEAVEN said that, last session, the Attorney-General had persisted in rushing through the Royal Bill despite his objections.

MR. BEAVEN'S motion having been put and lost, the second reading of the Bill was fixed for to-morrow.

HON. MR. BEAVEN introduced a Bill respecting libel and slander, which was ordered to be placed on the orders for second reading on Monday.

INTESTATE ESTATES.

MR. BOOTH moved for returns concerning the intestate estate of the late Archibald Buckner, specifying therein the amount realized, the expenses incurred, and what disposition has been made of the balance, if any. He spoke at length of the necessity that existed for provisions to wind up intestate estates, of which the experiences in connection with the Buckner estate were ample proof.

THE MOTION WAS ADOPTED.

VANCOUVER HARBOR IMPROVEMENTS.

MR. HORNE moved the resolution which has been already published in THE COLONIST, in favor of an address recommending the widening and removal of obstructions in the narrows and the widening of the entrance to Vancouver Harbor, that a fog alarm should be placed at Prospect Point, and that Burnaby shoal should be dredged.

MESSRS. HORNE and COTTON briefly supported the motion, the objects of which must be abundantly manifest to every member of the House, the more so in view of the proposed establishment of a line of steamships between Vancouver and Australia and the general increase of the maritime trade of this province.

HON. MR. ROBSON strongly favored the resolution. A great deal ought to be done for the maritime interests of this province, which were possibly growing much more rapidly than any other. Everything showed that no steps should be left undone to make the navigation of the archipelago as safe as possible. Not only were these improvements necessary to Vancouver, but they involved the vital interests of the province, and the entire Dominion. He (the Premier) was in perfect accord with the resolution that the maritime interests of the province should receive better consideration at the hands of the Dominion Government.

THE MOTION WAS ADOPTED.

NEW BILLS.

The report of the committee on Standing Orders and Private Bills having been adopted.

MR. BROWN introduced a bill to incorporate "the order of the Oblates of Mary Immaculate."

MR. KITCHEN—Act respecting the Westminster and Vancouver Tramway company, and the Westminster Street Railway company.

CHINESE RESTRICTION.

MR. BEAVEN moved that the committee on Standing Orders and Private Bills incorporate with the measure the Chinese Exclusion clauses. He dwelt at length upon the necessity of restricting Chinese immigration, denounced the system of Chinese certificates, and said that the \$50 tax was not sufficient. At one time the province was overrun with Chinese, from 900 to 1,000 of them arriving every month during the construction of the Pacific R. R. Now that we were receiving further encouragement for railway building we ought to adopt the Chinese restrictive clauses, otherwise white labor would be completely run out. On one railway in this province which had just been completed no Chinese had been employed, and the same had been the case with a railway in Washington. There was, it was evident, no need of importing or shipping Chinese labor. This was a very opportune time for the House to take a stand, and he hoped his motion would meet with approval.

HON. MR. ROBSON said if the House thought this clause should be inserted, it was for it to take the necessary action. He did not think this should be done in a side-winded manner. When the Chinese issue came regularly before hon. members he should be ready to deal with it.

HON. MR. BEAVEN submitted that the proper place to add this clause was in committee, where the whole matter could be more fully and freely discussed.

HON. MR. ROBSON said the bill, on its first reading, was only tenuously before the House. Its principle was not before the members at present, and they could not, at this stage, decide whether or not the clause was applicable. Moreover, the House was not asked to grant a franchise by this bill. He should hold himself ready and free to judge of the merits of the measure and decide whether or not the introduction of the Chinese clause would interfere with private rights and was in the public interest. He thought that the leader of the Opposition, by pushing the Chinese clauses forward all the time, in season and out of season, was prejudicing the question.

MR. BOOTH was not ready to go blindly for the Chinese resolutions.

HON. MR. POOLEY held that the bill was not at the proper stage to allow of any such proposition being incorporated with it. He explained English practice. The bill should be regularly before the House on its merits, and then the hon. member would have the opportunity of making his proposition. He cited May in support of his pretensions.

HON. MR. DAVIE said the House had not only not seen the bill, but might never see it, as the committee might never report it. It was, therefore, wholly out of place for the House to give any instructions regarding it. The leader of the Opposition had said this was the proper time to act in the matter, as the committee were going to hear evidence on the question. This being the case, it was utterly out of place to give them any instructions until such evidence was heard by them. It could not justly be pretended that members could possibly shirk this question, and, therefore, when the matter came up, each member would have to assume his own responsibility.

MR. COTTON thought the proposal of the member for Victoria was the best way of dealing with this subject. The promoters of the bill desired to change their position towards each other and the public. They came for a privilege, and it was now for the members to deal with them as they deemed expedient. The petitioners had a right to come to this House, but the House had also a right to impose its own conditions. The overwhelming conviction of the people of the province was, he was sure, in favor of Chinese restriction, and, to his mind, the most convenient way of imposing it was by the proposal of the leader of the Opposition. He trusted the House would support the amendment.

MR. BEAVEN differed from the member for Vancouver on one or two points. He, for one, did not know as yet whether it were right and proper to insert the Chinese clause in a measure of which they were ignorant. The petitioners for this bill asked for no incorporation, but only for the amalgamation of the rights they already held. If it were possible to pass a law prohibiting the employment of Chinese, he should hold up both hands for it. It was not right and proper to invite people to come to this country and then place them in competition with Chinese labor. When any company asked for favors or franchises it would be perfectly right for the House, as representing the people, to make it a condition that no Chinese should receive any employment. But, as he understood it, this bill only asked to put certain matters in a perfectly legal shape, and he would not feel justified in insisting on the clause.

MR. HORNE thought that where any franchise were granted the Chinese clause should be inserted, but the proper time to insert it was when the bill was regularly before the House.

COL. BAKER remarked that the leader of the Opposition had not adopted his present method last session.

MR. SEMLIN said this was an opportune time as any to discuss the question generally. Was the House prepared to say that the employment of Chinese was detrimental to the public interests of the province? Being of that opinion, he should support the motion of the leader of the Opposition.

HON. MR. ROBSON said a vote upon the abstract question could not be properly taken in this connection. No one than he more strongly favored Chinese restriction, but the present time was not opportune.

MR. KEITH humorously spoke of the difficulty young members experienced in view of the conflict of opinion. It was hard for them to decide what course they should take, and he therefore asked what would be the effect of adopting the Chinese resolution.

HON. MR. BEAVEN having given certain explanations,

MR. KEITH said, as a member of the Private Bills committee, he would not like to receive such an instruction from the House, when it hereafter might upset all that the committee had done by its orders. He should prefer to deal with the question when the bill was regularly before the House. He was strongly in favor of the restriction of the Chinese, and was surprised that members who spoke strongly in favor of certain things, always acted in a contrary way. He was against double dealing in such matters. He had not yet received the necessary amount of political education, but might learn some day. Meantime he was opposed to all double dealing and shuffling.

In answer to Mr. Croft,
The SPEAKER cited his ruling of 28th January, and said that the motion was properly in order.

MR. CROFT said he should vote against the motion of the leader of the Opposition.

The SPEAKER said, in answer to the member for Naimo, that the House had full power to rescind the Chinese clauses even when the bill was reported with them from the Private Bills committee. The bill was all the time in the possession of the House until finally passed.

After some remarks by Messrs. Hall, Booth, Martin and Rogers,

MR. GRANT charged that certain members did not like to face this question squarely. They did not want to be placed on record. There was no doubt in his mind that now was the proper time to deal with the subject. The House had power to deal with a measure at any stage and through every stage.

MR. HUNTER said he did not intend to enter upon a discussion of the Chinese question at the present time; nevertheless, neither he nor any member on his side of the House were afraid of it. He could not, however, see why, considering as it had been said that the Private Bills committee might have to take testimony upon and consider both sides of the question as related to the employment of labor, it should be instructed in this manner. He again denied that there was any desire to shirk the issue. He charged that the senior member for Vancouver had written what, it now appeared, he was not prepared to repeat here.

MR. CORROX called upon the member for Comox to withdraw that remark.

MR. HUNTER replied that the member for Vancouver had certainly said that hon. members on this side of the House were inclined to shirk the question. He (Mr. Hunter) had not one of the hon. gentleman's papers with him, but it was not the first time that that hon. member had made similar insinuations against members of this (the Government) side of the House. If he (Mr. Hunter) had said anything hurtful to the hon. member he was quite prepared to withdraw it. Hon. members on his side of the House had no occasion to fear looking every question squarely in the face, but he did not think the present time a convenient one.

MR. SMITH asked how the House could deal intelligently with this clause as applied to the bill, when they had not the bill before them. The Chinese were here and he did not think that it would be right to prevent them earning their livelihood. If this was their policy the proper thing to do was to give them free passages home. Moreover, he could not see the justice of stipulating what class of labor any company should employ.

DR. MILNE strongly supported the proposal to deal with the subject in the manner proposed, for which he cited precedents, saying that the Opposition intended to dangle the Chinese question under the nose of the public until it was settled. Their policy as an Opposition was to deal with this matter and restrict Chinese labor, which was sucking the life-blood of the country.

HON. MR. TURNER showed that the precedents cited by the last speaker were not pertinent. It would be a very bad thing to adopt a proposal of this kind. The Chinese question would no doubt come up when the bill was regularly before the House. He denied that members of the Government side were afraid to register their votes on this subject. He had registered his vote before and should be ready to do so again.

MR. FORSTER believed that there would be many bills before this House in which it would not be proper to introduce the Chinese clause. He had no desire to fight with blank cartridge, and when measures did come up in which it would be proper to insert this clause he should have no hesitation in insisting upon it.

The members being called in, the motion of the Hon. Mr. Beaven was rejected.

Ayes, 6—Beaven, Semlin, Grant, MacKenzie, Cotton, Milne.

Nays, 23—Kitchen, Fletcher, Robson, Pooley, Turner, Croft, Hunter, Rogers, Anderson, Neson, Hall, Booth, Stoddart, Seward, Horne, Smith, Forster, Eberts, Davie, Vernon, Keith, Baker, Brown.

SHUSWAP AND OKANAGON GUARANTEE.

HON. MR. DAVIE moved the second reading of the Shuswap Railway Guarantee Amendment Bill, which was to provide for the "bonds," and not "coupons," as provided in the original Bill, being signed by means of a printed fac simile of the signature of the Minister of Finance. It afforded further facilities for the issuance of the bonds.

The Bill was read a second time, and referred to a committee of the House, Mr. Cotton in the chair.

The Bill was reported.

THE ASSESSMENT ACT.
On motion of Hon. Mr. Turner, the House went into committee on the message of His Honor of 4th February, 1891, with the Assessment Act.

After a long discussion, the committee rose and reported progress, and the House adjourned at 6 o'clock.

NOTICES OF MOTION.
MR. SMITH—Monday—Returns of correspondence and all papers connected with the intestate estate of the late D. M. Martin, of Lillicoet.

MR. COTTON—Monday—To introduce an Act to amend the Vancouver Incorporation Act of 1886, and the Vancouver Incorporation Act of 1889-90.

PROVINCIAL LEGISLATURE.

Mr. Session of the Sixth Parliament.

THIRTEENTH DAY.

FEBRUARY 6TH, 1891.

After prayer by Rev. Mr. Macleod Mr. BEAVEN presented a petition for an act of incorporation for a company to construct a railroad from Victoria City to Beechy Bay.

MR. BAKER—Petition of J. Armstrong to incorporate the Upper Columbia and Kootenay Navigation, Tramway and Railroad Co.

MR. COTTON introduced a Bill to amend the act of incorporation of the New Westminster and Burrard Inlet Telephone Co.

MR. BEAVEN moved that the Committee on Private Bills be requested to insert

THE ANTI-CHINESE CLAUSES.

HON. MR. ROBSON protested strongly against the persistency with which the leader of the Opposition pursued an objectionable course and compelled the members to waste their time in fighting their battles over again. This was not the time to discuss the leader of the Opposition's proposal.

MR. BEAVEN'S motion being put to vote was rejected. Nays 17, ayes 5.

Nays—Smith, Brown, Baker, Kitchen, Sward, Fletcher, Hall, Booth, Rogers, Stoddart, Croft, Eberts, Vernon Turner, Pootly, Davis, Robson—17.

The ayes were Beaven, Semlin, Milne, MacKenzie, Cotton—5.

MR. KITCHEN introduced a Bill to incorporate the B. C. Dyking and Improvement Co.

HON. MR. BEAVEN again brought up the Chinese clauses.

HON. MR. ROBSON repeated that the House did not know the provisions of the Bill. Hence the utter absurdity of insisting upon the motion.

The motion was rejected by 17 to 5.

MR. KITCHEN introduced a Bill to incorporate the Burrard Inlet and Fraser Valley Railway Company.

On MR. BEAVEN bringing up the Chinese clauses.

HON. MR. ROBSON denounced as a mean attempt to prejudice hon. members the remark of the leader of the Opposition that all who voted against the Chinese clauses were adverse to the exclusion of Chinese labor.

The vote was rejected by 19 to 3, Messrs. Semlin and Milne being absent, while Messrs. Keith and Forster had come in and voted against the clause.

MR. MILNE introduced a Bill to establish a Pharmaceutical Association in the Province of British Columbia.

MR. SWORD introduced a Bill to amend the British Columbia Railway Act.

THE JAMES BAY FLATS.

MR. MILNE moved for all orders in council and correspondence, not already printed in the sessional papers of British Columbia, relating to the transfer to the city of Victoria, of public land covered with water, or otherwise, lying between James Bay bridge and McClure street, Victoria. He spoke of the nuisance which the present condition of the James Bay flats were to the citizens of Victoria, of the agitation that was going on for their improvement, and hoped the Government would bring down all the correspondence as soon as possible, in order that the public might know what was going on.

HON. MR. DAVIS said as far as he could see this was a perfectly harmless resolution.

HON. MR. ROBSON did not know that there was any correspondence, but, if there were, it should be brought down.

HON. MR. BEAVEN referred to the fact of his having discovered in 1879 the transfer deed of an acre of property at the head of James Bay from Mr. James Douglas to the Hudson's Bay Co., which was said to have been subsequently transferred to the Province, never having been, it was contended, transferred by statute to the Province. The land covered by water, he said, was formally transferred to the city, but nothing had been done with the acre of which he spoke. Referring to the foreshore question, he contended that the lands between low and high water mark were the property of the Province. He was satisfied that were Hon. Mr. Mowat, premier of this Province, this question and a number of others involving provincial rights would long ago have been settled. He held that this particular acre of land ought to be transferred to Victoria, and hoped that the Government would look into the matter.

HON. MR. DAVIS said that it would appear that it was twelve years ago that the gentleman made his discovery, but this was the first time that he had brought the subject prominently forward. The city council were able to take care of their rights. Either they had been unaware of them or were very careless with respect to them. In the former case much blame lay upon the leader of the Opposition for not making the city acquainted with the facts. He was fully aware that a point might be made with regard to the purchase rights. If the Government had any correspondence it should be brought down. Mr. Davis concluded by a reflection upon the leader of the Opposition for having slumbered over the question for a dozen years, the more so as in 1886 an order in council had been passed by the Dominion Government abandoning the proprietorship of the mud flats.

HON. MR. BEAVEN said that he had upon a number of occasions drawn attention to this subject.

HON. MR. ROBSON declared that this was the first time he had heard the leader of the Opposition draw attention to this acre of land.

MR. SEMLIN said he had a strong recollection of having, five or six years ago, heard of this acre of land from the floor of this House.

HON. MR. POOLEY said that in 1885, Mr. Duck's resolution only referred to the James Bay mud flats, the resolution having been passed without any amendment. If this acre was known of at that time why was it not included in an amendment to the description of the land abandoned to the city of Victoria?

HON. MR. DAVIS said he thought that this acre of land was claimed by the Douglas Estate. There should be deeds. Where were they? Did the leader of the Opposition secure such documents when in office?

HON. MR. BEAVEN said the deed he had seen was the transfer from Sir James Douglas to the Hudson's Bay company. Mr. Douglas had removed his fences, and the Hudson Bay's property rights had been recognized. It would be well for the Attorney-General to read the deed of conveyance and relinquishment.

MR. GRANT read the deed by which Sir James Douglas abandoned all claim to this acre, and signed in June, 1859. The city survey, or had, by his (Mayor Grant's) instructions, been inquiring into this matter, but had not yet made his report. The fact having only recently come to his attention that there was some of this James Bay land the title to which was by no means distinct. Even were the land the property of the Government, he claimed that it should be transferred to the city in the same way as other cities had received property concessions.

HON. MR. ROBSON agreed with the senior member for Victoria city, that the claims of a country like this were always worthy of the greatest consideration. He showed that there was no analogy between the concessions made by the Crown to the city of Westminster and that which was now claimed. The Westminster property really belonged to the city, and it was only a question of transference. He agreed that the acre in question would be very valuable in connection with the James Bay improvement, but he denied that other communities had received greater concessions than Victoria had. He could assure the House that the Government, when the time came, would fully consider Victoria's claims, as this acre of land would be a material factor in the James Bay flat improvement.

CROW'S NEST AND KOOTENAY R. R.

MR. BAKER introduced a bill to amend the Crow's Nest and Kootenay Lake R. R. Company Act.

HON. MR. BEAVEN'S Chinese Exclusion clauses, as in the case of the other bills, were again offered.

HON. MR. ROBSON admitted that possibly this bill might be such a one as the House would deem it, expedient to amend by the insertion of the Chinese clauses; but this was not the time to do so. The House, of course, reserved to itself the right to insert them if it deemed necessary.

The amendment was lost by 22 to 6, the ayes being Messrs. Beaven, Grant, Semlin, Cotton, Milne and McKenzie.

QUESTIONS.

In answer to MR. BROWN.

HON. MR. VERNON said that he regretted that he was as yet unable to inform him as to the intention of the Government with respect to the construction of a traffic bridge across the Pitt River, at some point near its confluence with the Fraser.

MR. BROWN asked: "Would the Government look upon a traffic bridge across the Fraser at New Westminster as a work of provincial importance, ranking as an undertaking entitled to substantial aid from the provincial treasury? Also, in the event of the municipalities directly interested undertaking, with the assistance of the Dominion Government, to build a traffic bridge, or in conjunction with a railway company, a combined railway and traffic bridge, across the Fraser at New Westminster, would the Provincial Government aid the work by a grant of money?"

HON. MR. ROBSON replied—yes; but what material aid, if any, the Government were prepared to ask the House to grant was a matter for consideration.

HON. MR. DAVIS moved the adoption of the report of the House on

THE SHUSWAT RAILWAY GUARANTEE BILL.

HON. MR. TURNER said the Government had full and satisfactory security for making the concessions to the company, the object of whose bill was to enable them to the more readily issue their bonds and place them on the market, better prices being obtainable for a large than a small issue of securities.

The motion to adopt the report was, after a long and bitter personal discussion between the Attorney-General, the senior member for Vancouver and the leader of the Opposition, left over.

The Assessment bill was also deferred, it being on the order for adjourned committee of the House.

THE LIBEL BILL.

HON. MR. DAVIS moved the second reading of the Libel bill, which, he said, was not very different from the law of Ontario, which much resembled that of England, known as Fox's bill. He had left out the provision which privileged reports of public meetings, absolute latitude in publishing the proceedings of which ought to be prohibited. Were there absolute latitude in this respect all that would be necessary to circulate a calumny would be to get some one to retail it at a meeting, and in that way secure its publication. He saw many reasons why the proprietor of a newspaper should not be notified before proceedings of libel were instituted against him. Were this necessary it would be possible for the proprietor of a journal to leave the place in order to avoid being notified, the paper remaining in the hands of irresponsible individuals, who meantime would continue to publish the libel.

HON. MR. BEAVEN expressed regret that several clauses of the Ontario bill had been left out. This, our second bill, was based on the Ontario act. He should, however, vote for the second reading of this bill, with the hope that the necessary amendments would be made in committee.

After remarks from Mr. Semlin, who thought the Ontario act should have been more closely followed.

MR. COTTON insisted that at least one clear day's notice for a daily paper should be given to a newspaper man to make corrections, explanations or apologies, prior to proceedings being taken against him. In this way needless expenses on the newspaper proprietor might be avoided.

HON. MR. DAVIS said if the member for Vancouver would introduce an amendment he would vote for it, or would insert such a provision in his bill.

MR. GRANT pointed out that there were occasions when, in the absence of the proprietor or editor, subordinates in charge might make mistakes, and, therefore, provision should be made to allow the necessary corrections. Indeed, in small communities, even the proprietor frequently had so much to do that it was impossible to verify the alleged facts.

HON. MR. POOLEY objected to clause 8, and thought that in vindicating his character it should not be necessary for a person to give security for costs.

The bill was read a second time, and will be considered by committee on Monday.

The House adjourned at half-past five.

NOTICES OF MOTION.

MR. SWORD—Monday—Returns showing the acreage, ownership and situation of all land assessed for wild land tax, when the acreage in any individual assessment exceeds 500 acres, the acreage, ownership and situation of all lands (not being the property of the Crown) exempted from taxation, and the reason for such exemption; what timber lands under lease are assessed, the holder of same and valuation; all existing timber leases, the holders, situation of limits, terms, and how far those terms have been complied with.

HON. MR. BEAVEN—To refer the Chinese exclusion clauses to the committee on railways, with a request to insert them in the bills—to incorporate the Nelson and Fort Sheppard R.R. Co.; to incorporate the Burrard Inlet railway and Ferry Co.; to incorporate the Chilliwack R.R. Co.

MR. KITCHEN—To insert in the Bill for the benefit of mechanics and laborers, sections to provide that all persons contracting for supply of timber or logs shall demand from the person supplying said logs, a pay-roll of the wages due to his men; to make the persons receiving the logs liable for the men's wages, if payment is made to the contractor, without requiring production of pay-roll; the amounts due, as per pay-roll to be retained for the men.

MR. BROWN—To introduce a Bill to prohibit the sale or gift of tobacco to minors in certain cases.

QUESTIONS.

MR. SWORD—Monday—(a). What applications to purchase under section 29 of the Land Act are now subject to forfeiture?

(b). What land has been applied for under this section, the purchase of which has not been completed?

(c). What are the names of the parties who have not completed the purchase under this section, the dates of their application, the situations and acreages?

PROVINCIAL LEGISLATURE.

Mr. Session of the Sixth Parliament.

FOURTEENTH DAY.

February 9, 1891.

The Speaker took the chair at 2 p.m.

After prayers by Rev. C. Watson.

MR. MARTIN presented the report of the Standing Orders' committee, stating that the rules had been complied with in connection with the Burrard Inlet Railway and Ferry Co.

MR. COTTON introduced a bill to amend the Vancouver Incorporation Act of 1886, and the Vancouver Incorporation Amendment Acts of 1889 and 1890.

MR. GREER'S CASE.

The motion to refer to the Supreme Court the petition of Mr. Samuel Greer, for a petition of right being called.

HON. MR. DAVIS said he hoped the member for Vancouver would bring the matter up as quickly as possible, as in the meantime the Government could not deal with it, though it was already before them for action.

MR. COTTON said he had been requested by Mr. Greer not to bring the subject up to-day, but after the statement of the Attorney-General he would withdraw the resolution.

NEW BILLS.

DR. MILNE introduced a bill for the observance of the Sabbath.

MR. ROGERS introduced a bill to amend the Ashcroft and Cariboo Railway Co.'s act.

HON. MR. BEAVEN said he would not at this stage bring up the Chinese exclusion clauses of which he had given notice.

MR. MARTIN introduced a bill to incorporate the Vernon and Nelson Telephone company, and to incorporate the Vernon and Okanagan Railroad Co.

AN INTERSTATE ESTATE.

MR. SMITH moved for all returns, correspondence, and telegrams concerning the intestate estate of the late D. McMartin, who died in Lillooet District about the month of October, 1889; specifying therein whether the property was sold by private sale or public auction; the total amount realized by such sale; the expenses incurred by the Government in connection with the estate, and what disposition has been made of the balance, if any.—Carried.

MR. KITCHEN introduced a bill to incorporate the Sumas Railroad Co.

THE WELLINGTON STRIKE.

MR. KEITH moved that a Select Committee be appointed to inquire into the cause that led to the late strike or lock-out at the Wellington coal mines, with power to send for persons and papers. Said committee to consist of Messrs. Forster, Semlin, Booth, Hall and the mover. He observed that by this catastrophe some few men and boys had been thrown out of work and had been compelled to leave the province, causing it to lose a great amount of the bone and sinew of the land. What he wanted to do was to have an inquiry made which should result in such legislation as should prevent the recurrence of such a casualty.

Some weeks after the strike it was hoped that an amicable adjustment would be arrived at, but instead some 130 families were turned out of their houses thus driving the company and the men further and further away from each other. He spoke of the hardships to which the miners, and the widows and orphans of miners had been subjected, 130 families being ordered out of their homes, by order of Judge Harrison. There was a great

amount of murmuring at this, and in order to accommodate them they were obliged to be placed in miserable shacks, built by the Chinamen. But miserable as these places were they were all the people had. By the generosity, however, of the cities of Vancouver and Victoria, canvas had been obtained, out of which were made tents, in which, during this winter, many of them had been compelled to live. He went on to speak of the sending of the troops to Wellington and denied that there had been any necessity for this. There had been no acts of violence committed; but there was nothing more calculated to arouse the feelings of men than to send an armed force among them ostensibly to keep the peace. He generally reviewed the situation at Wellington and trusted that his motion would be adopted.

MR. FORSTER hoped the Government would see their way to the appointment of the committee. He also spoke forcibly of the loss and suffering which the strike had entailed.

HON. MR. ROBSON said that he did not see why the committee might not be appointed. The resolution asked for a committee to inquire into matters between employers and employed. It was, he confessed, hard to see how far such an inquiry could be made. It would doubtless be said, on the one side, that such an inquiry would be interfering with private concerns. On the other it might be fairly contended that, in view of the large number of men employed in the mines, the subject was one of deep public interest, and should be investigated with a view to the passage of legislation to prevent the recurrence of events which all must regret. He should rather have seen an inquiry into the abstract subject, his own opinion being that it would have been better to inquire into the relations of capital and labor generally, particularly with respect to coal mines. However, it might be as well that the resolution should pass—the inquiry might lead up to something practical. He congratulated the member on having introduced the subject so moderately and, though in a form which did not exactly commend itself to him, the Government would allow the resolution to pass in the hope that practical good would be the result.

MR. POOLEY said the resolution was aimed at a private company, and, in introducing the motion, the mover had made some very strong remarks against the Messrs. Dunsmuir. He described the impressions made upon him by his visit to the place, and the intimidation which had been exercised towards the men who worked during the strike. He referred to the processions of miners and the carrying on a scaffold of the representation of a "blackleg," declaring that the militia had arrived just in time to prevent violence. He denied that there had been those hardships which the member for Nanaimo had described, and objected strongly to the resolution being directed mainly against one company, instead of being an inquiry generally into the conditions of labor and capital in the province. He did not think the motion was in order.

MR. BROWN spoke of the law-abiding character of the miners during the last two strikes, and said he had been assured that there had been no necessity for sending troops to Wellington. The leaders of the miners had all along striven to maintain peace, and the member for Nanaimo had, in his opinion, been perfectly in order, when he said there had been no disorder.

THE SPEAKER said that under the Coal Mine Regulation Act, this motion was perfectly in order, the act manifesting quite a paternal regard for the miners. It would have been better had the scope of the enquiry been made wider and broader; nevertheless, the motion was perfectly in order.

MR. MACKENZIE testified to the peaceable character of the miners, and everything, he said, showed that their opponents had a very poor cause. He spoke of the treatment of the miners as having been a persecution throughout, everything in connection with the trial having been done to secure a conviction through trick and thin.

MR. BOOTH contended that the scope of the resolution should be widened, it being impossible to get anything like a satisfactory result by confining the investigation to one incident. No one could tell what might have happened had not the troops been sent. A large body of excited men might have taken almost any action, which the least thing might have precipitated.

HON. MR. DAVIS said he was glad the motion had been ruled to be in order. The inquiry would, he was sure, be productive of interest and of good. It would show that at the time the force was sent there was reasonable ground for expecting danger. The Attorney-General reviewed the circumstances at length saying that he believed that the miners had no intention to break the peace, but every one knew that a word not intended, or a blow, might have led to bloodshed, perhaps, to death. He entered at length into the circumstances, insisting that the Provincial Government had nothing to do with the sending up of the troops, and justifying the proceedings which had been taken before the courts. He declared that to-day complaints had been received that non-union miners were not safe in Nanaimo, and that they were jostled and insulted on the streets, while over seventy miners had, at the time, protested against the removal of the troops. He spoke of trials before the courts at Nanaimo, when certain witnesses had been insulted in the streets. He trusted the committee would also inquire into this aspect of the case, as if non-union men were not safe at Nanaimo, it might be necessary to take further steps for the public protection.

After a few remarks from Mr. Hall, who thought that there was no necessity for further discussion.

MR. KEITH said that he took one side of the case and the Attorney-General the other, both sides being entitled to be heard. The sole and simple question at the time of the strike was the hours of labor.

The resolution was adopted.

THE MUIR CASE.

MR. MACKENZIE moved that a Select committee, composed of Messrs. Milne, Brown, Cotton, Baker and the mover, be appointed for the purpose of enquiring into all the circumstances connected with the refusal of the Board of Examiners for 1890 to grant a certificate of qualification to teach in the Public schools to J. N. Muir, or to any other teacher applying for a certificate, on grounds other than a qualifying examination, with power to call for persons, papers and the documents bearing on the subject, and to examine witnesses in connection therewith, and to report to this House.

HON. MR. ROBSON said that he opposed the motion on several grounds. First, there was, at the present time, no Board for the examination of teachers in existence. The duties of the Examining Boards closed with the completion of their work and the handing in of their reports. As the board was appointed every year for the time being, there was now no board to call to account. But to take a broader view of the case, it was highly improper that a board, constituted as this was, should be called to account for plucking one teacher and passing another. Were this course to be always followed many gentlemen would most assuredly object to being called to the position of examiner.

MR. MACKENZIE said the reason why Mr. Muir had been refused a certificate was a political one.

HON. MR. ROBSON—Mr. Ladner's certificate to the report presented last session took away from it all political significance. There could be no doubt that the examiners had made their inquiry and report to the best of their conscience and belief. It was a great slur to make the insinuations which had been cast to-day. It had been stated that Mr. Muir was possessed of a certificate as to his personal character and qualification, but he (Mr. Robson) was in a position to say that that certificate had been practically annulled had been more than taken back, before the time came for issuing the certificates. This was because on moral and other grounds he considered Mr. Muir to be utterly unfitted. To refer to the report made last year by a committee of the House, they had reported that the department had been justified in deprecating Mr. Muir, indeed, that they should have done so long ago. In view of all the facts, he asked the House to vote down the motion.

MR. SEMLIN admitted that the board might have ceased to exist, but the grievance still continued. So long as the wrong existed the ground for an inquiry existed. He knew nothing of the applicant's character, but had heard reflections upon his action with respect to the Board of Education. The whole amount of his offending was that he could not agree with the Board of Education. Mr. Muir had occupied high positions under the Board of Education, but the moment he disagreed with the mandates of the department then it was said that he was unfitted and incompetent.

HON. MR. DAVIS reviewed the case, saying that he did not think Mr. Muir had desired to have a certificate. He was an erratic man, who liked to create trouble, and might, had he chosen, have made much more money by the practice of the law than at teaching. It was not the present Board of Examiners, the Government or the Superintendent of Education alone with whom Mr. Muir had difficulties, but his case was the same with every governing body with which he had had to deal. He was naturally insubordinate, and any board of examiners would be doing wrong to grant him a certificate.

HON. MR. BEAVEN said that the Provincial Secretary ought to have nothing to fear from an investigation. He went over the case in considerable detail, and concluded by saying that the Premier ought to be glad to have the inquiry. He contended that in every way Mr. Muir was a qualified teacher, while his character had never been attacked until the remarks of the Premier to-day.

MR. GRANT declared that Mr. Muir had letters from several schools expressing the utmost satisfaction with him as a teacher. These were before the committee, but he did not find them in the report. All that there was against Mr. Muir had been that he had been unable to agree with the Department. It was true that he had found more fault with the Department than any other teacher, having, in fact, sufficient moral courage to talk himself out of the Department.

MR. CROFT, who had been secretary of the committee on Mr. Muir's case, denied that any letters, such as had been referred to, had been submitted to the committee. He cited the report on that case as proof of his pretension.

MR. GRANT said he had on the authority of a member of that committee the assurance that the letters referred to had been produced.

MR. SEMLIN declared that such letters had been before the committee, one of them having been from Mr. Lindley, of Lulu Island.

MR. CROFT—Why did not the member say that those letters had been left out of the minority report?

MR. SEMLIN said he had not looked through the printed report until this evening.

HON. MR. TURNER contended that the gentleman on the other side had endeavored to drag the discussion away from the original resolution, which only referred to the Board of Examiners, whereas it had been made the means of unwarranted attacks upon the Government.

MR. BOOTH objected to the witnesses which the discussion had taken.

DR. MILNE was not inclined to think that the examiners looked at the subject from a political point of view, but he objected to the possibility of certificates being cancelled without consultation with the school Trustees. It was true that Mr. Muir had opposed the Government, and it looked as if he had been punished for this, and in addition, in order to impress teachers with the fact that they were under the thumb of the Government.

MR. BROWN on principle liked to vote for investigations as he did not wish to stifle inquiry; but on this occasion the House was not being dealt fairly with. This resolution did not declare that Mr. Muir had been wronged or that wrong had been done, except inferentially. He felt sure that the Board of Examiners—some of whose mem-

MR. SWORN hoped to see the bill very much amended, as he considered it to be in the interest of the laboring classes.

HON. MR. ROBSON considered the present Sunday law, in force in one part of the province, not what was desirable. The present bill was entitled to more favorable consideration than its predecessor. The session of the Bible was the foundation stone upon which the British nation rested, and British Columbia, a portion of the great Empire, would do well to enact a thorough and workable Sunday law. The question could be discussed on secular grounds alone. The Sunday was meant for man, a day for relaxation and rest. This one day was agreed upon, and it was right and proper, therefore, to legislate to control the observance of this public day of rest. In order to make the Sunday what it was meant to be, business would of necessity have to be universally suspended. The merchant or saloon keeper who kept his place of business open on the day of common rest, was trespassing on the rights of his neighbors. In order to be fair, then, one day had to be commonly observed. Looking at the question from the standpoint of religion, no one would say that a man had a right to do as he chose on the Sabbath. The great notions of the world were those which observed the Sabbath; the observance of the day was the bulwark of the working man. He admitted that the bill before the house had its faults, but it had also its virtues, and he felt bound to support it as a second reading.

HON. MR. ROBSON did not favor this class of legislation. A man's conscience should be his guide, in directing him how to observe the Sunday. No one should legislate in regard to a man's actions; he was a free agent. The Premier had said that it was a standing disgrace to British Columbia that she had no Sunday observance law on her statute book; he (Hon. Mr. Robson) took an entirely opposite view. He had lived 28 years in British Columbia, and the country was as orderly and the people as sober, industrious and well behaved, now, as a quarter of a century ago. They did not require a law, such as was proposed, to compel them to adopt a certain line of action. If people did not want to see cricket, football or baseball played on Sunday, they need not frequent the grounds where such games were in progress. He had never seen such games played on Sunday, but if they were indulged in, it was the way chosen by the players to enjoy their day of recreation. They did not go to church, and then they should not go to church, and then enjoy a walk after, no more right had the churchmen to say to those who differed from them in opinion, that they should not enjoy their day of rest as suited them best. He believed in going to church; considered it to be a duty, but was not prepared to say to his neighbor, "You shall do as I do, and you shall believe as I believe."

MR. ROBSON considered that legislation could not improve morals, and British Columbia did not need such a measure as the one before the House. There had not been a criminal case in this district for two years past, and this spoke volumes for the morality of the people.

MR. SMITH disapproved of the bill, it was not needed. He also opposed the principle of offering a bonus to informers.

MR. MARTIN, while believing in men going to church on Sunday, and the closing during church hours, thought that the bill now under consideration, if passed, would take from the laboring man his one day of freedom and recreation. He had heard a clergyman up country advise the young men of his congregation, not to go to the saloon after service, but to enjoy a game of football—and that clergyman had himself joined in the game, and he (Mr. Martin) honored him for it. The House might legislate people into the churches, but they could not make them pray.

MR. BOOTH favored the principle of the bill, and endorsed the remarks of Mr. Brown and Hon. Mr. Robson.

MR. FORSTER considered the bill a force bill, and was therefore opposed to it. A man could be a gentleman and a worthy citizen and yet enjoy his Sunday as a day of recreation. The essence of the Christian religion was toleration, and it was the carrying out of this principle that made England great. If Sunday steamboats were stopped, Sunday street cars, hacks and railway trains would have to stop, too. This meant that the poor man could not enjoy the pleasures of holidaying, left open to the wealthy.

MR. CROFT thought the bill was against the workingmen. The hon. leader of the government had said that England's greatness arose from her respect for the Bible, and her observance of the Lord's Day; any ordinary observer would see that as England's greatness increased, her Sunday laws were relaxed, and the art galleries, studios and museums were opened for the benefit of the laboring men. By leaving the crowded cities and going out into the green fields, men were brought nearer to their Maker.

MR. KEITH spoke at length on the bill, which he characterized as narrow in the extreme. It was by the Sunday excursions that the poor man enjoyed his day of rest and recreation: and in Great Britain more Sunday excursions would be found on one Sunday than could be in British Columbia in a year. He thought the enactment of such a law would be most unjust to the miner, who spent his working day underground, shut out from the sunlight and pure air. The sooner the public libraries, art galleries and museums were thrown open on Sundays the better for the people.

HON. MR. TURNER considered that the section in regard to Sunday excursions was unjust to the working men. He used Mr. Keith's remarks in regard to Sunday excursions in the old country. There were very many things in the bill to which he disapproved, as they interfered with the freedom of the subject, but there were good things in it, too, and he would, therefore, support the second reading, hoping to see many amendments made in committee.

MR. HORN did not see the necessity for placing such a law on the Statute Books; the question was, very generally one for municipal legislation. He intended to vote against the second reading.

MR. COTTON would vote for the second reading, hoping to see many necessary amendments made in committee.

MR. GRANT regarded the Bill as the tail end of the blue laws of Connecticut, and was thoroughly opposed to it. Freedom of action was the heritage of every Briton, and the passage of such a measure would be very disastrous to a young province like ours, especially to the mining community. Sunday excursions were a great boon to the working men and should be encouraged, not suppressed. People and their ideas were constantly changing; the religion of 20 years ago would be regarded as unbearably illiberal today. Even if British Columbia had no Sabbath observance law, no other province in the Dominion could be pointed to as better ordered, or producing fewer criminals. Moderation and toleration were required in directing the fortunes of a rising young country, and if the blue laws of old days were to come in here, there were many like himself who were ready to pack up and leave for a more liberal land. The present bill made a point of stating that no political meetings should be held on Sundays; he hoped this would, if the bill should be passed, prevent certain parsons holding little political caucuses after their sermons. (Laughter.) If "tripping" and the other offences enumerated were wrong for a Sunday, were they not wrong for any of the other six days of the week? Wrong was wrong, equally so on any day of the seven. Many of the offences in the list were already punishable by law; then why particularize them in an act of this nature? If the Sunday was made for man, men should enjoy it in the way most beneficial and most pleasing to him.

MR. HUNTER thought there was a necessity for a Sunday bill in British Columbia. He would not be afraid to go in for the whole bill, as he considered it for the province. If legislation did not make people better and happier, what was the use of legislation? Informers would not profit if this bill was passed, should the people respect and obey the law.

HON. MR. BEAVEN, while admitting that the bill had faults, was of the opinion that the defeat of its second reading would be a pronouncement against the proper observance of Sunday in British Columbia. He thought that the observance of the Sunday could be greatly improved by shortening the hours of labor.

COL. BAKER, having reconsidered his decision, and after some reflection, he felt bound to oppose the second reading.

MR. NASON referred to the effect, in his district, of the passage of such a measure as the one before the House. He felt bound to record his vote against the second reading.

HON. MR. VERNON opposed the bill, and briefly reviewed his reasons for so doing. The bill did not meet the circumstances of the country.

MR. ANDERSON approved of the principle of the Bill, and would support the second reading. He hoped, however, to see many necessary amendments made in committee.

MR. EBBETS would vote against the second reading of this bill, for the same reasons which he advanced when the previous bill was under discussion. If municipalities, which were principally concerned, did not deem it necessary to pass by-laws dealing with the Sunday question, the blame did not rest upon the legislature.

MR. SEMLIN, while admitting that the bill was far from perfect, would vote for the second reading.

MR. MACKENZIE was in favor of having a Sunday law on the Statute book, and would support the second reading of the Bill.

On a division the second reading was lost: Yeas—Robson, Turner, Hunter, Stoddart, Booth, Anderson, Brown, Kellie, Cotton, Sword, McKennie, Beaven, Milne, Semlin—14.

Nays—Pooley, Davie, Vernon, Martin, Eberts, Croft, Rogers, Fletcher, Nason, Baker, Keith, Forster, Smith, Horne, Grant and Kitchen—16.

VANCOUVER WATER WORKS. MR. MARTIN introduced a bill to amend the Vancouver Water Works Act. Read a first time, and referred to the private bills committee.

MR. HUNTER, rising to a question of privilege, said that there are no less than 20 railway bills now before the House. It was impossible for any member to legislate intelligently, unless a general map was provided with all the prospective railways marked thereon.

HON. MR. DAVIE called attention to the fact that the order paper contained the notices for the second reading of two Bill bills, both of which had been discussed and debated. There was no necessity for these dead issues encumbering the order paper.

The House adjourned at 5:50.

NOTICE OF MOTION.

By Mr. Pooley—To move to strike out sec. 9, on consideration of the report of the Libel Bill, No. 17.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

SIXTEENTH DAY.

February 12, 1891.

The Speaker took the chair at 2 p.m. After prayers by Rev. C. Watson, a petition was presented by Mr. Keith, of the Nanaimo Electric Railway Co. COL. BAKER presented the following report of the

RAILWAY COMMITTEE.

The Standing Committee on Railways respectfully recommend to the House that before any of the present Private Railway bills before the House are taken into consideration the Government be requested to consider the advisability of amending the present Railway act by introducing a clause which will provide that the right of eminent domain, upon special conditions, but without the necessity for a special charter, be granted as a right to applicants for railways.

NEW BILLS.

MR. COTTON—To incorporate the Burrard Inlet Railway and Ferry company.

HON. MR. ROBSON the House went into committee on the message of His Honor the Lieut.-Governor with

THE SCHOOL BILL.

After a long discussion as to the proper stage at which the bill should be discussed on its merits, the bill was reported by the committee and read a first time; second reading Monday.

MR. COTTON asked that the second reading be delayed a little longer.

HON. MR. ROBSON replied that there was no undue desire to push this Bill through, and on Monday if necessary, further time would be allowed.

MR. COTTON said he had reason to believe that a number of members would not be here on Monday, and they desired to have communication with their respective School Boards on the subject of this Bill. If further time were given it would afford the different School Boards the opportunity of considering the matter.

MR. BROWN said that unless they traveled on Sunday, members who went to the Westminster Southern Railroad celebration could not be back here for Monday's session. He thought the principle of toleration should be allowed. Moreover, postal communications on Monday were always somewhat unsatisfactory.

The second reading was fixed for Tuesday, the Premier remarking that members could readily get back on Saturday night, nevertheless he was ready to give them every facility in consultation with those whom they represented.

REVENUE TAX BILL.

On motion of HON. MR. TURNER, the message of the Lieut.-Governor with the Provincial Revenue Tax Bill, to provide for levying a tax on persons, was considered in committee, Mr. Forster in the chair, and the Bill founded upon it introduced and read a first time as "the Revenue Tax Bill." The object was explained to be to hand over the personal taxes to the corporations of Victoria, Vancouver, New Westminster and Nanaimo.

The House again went into committee, Mr. Mackenzie in the chair, on the message of the Lieut.-Governor, accompanied by

THE ASSESSMENT BILL.

MR. SEMLIN objected to the idea of relieving the Canadian Pacific Railway from taxation. This, he said, was most unjust to stock-raisers, whose interests had been very much prejudiced by the large number of animals which had been killed on the track without any indemnification to their owners. He denied that it was possible, as was proposed in this instance, to apply here the laws of Ontario. He referred to the neglect of the company to fence their track properly, and declared it was impossible for stockholders to fence the land, because it was not their property and they could not purchase it, as they had been time and time again informed by the Dominion authorities. As to the claims of the stock-raisers for damages the law was always in favor of the railroad. The province, he considered, had one lever with which to protect the settlers in their rights. Let them say to the C.P.R. Co. when they asked the Government to do justice to them: "You do justice to the settlers and then we'll do justly by you." The C.P.R. said they were much overcharged in their taxes. Let them put up their fences and then they might approach the Provincial Government with clean hands.

Let him say to the railway company, be taken out of the present bill, and so far as the railway was concerned, let the Government retain their present attitude.

HON. MR. DAVIE said this was not the time to take up this question. The member for New Westminster had some days since brought in legislation in the direction indicated by the last speaker, when he (Mr. Davie) had informed the member, that the Government would give it consideration, and it was most probable that before the House prorogued the necessary legislation might be expected. The proper course was first to make the law and then make the C.P.R. act up to it. The matter had to be dealt with as a whole. The Government was desirous of collecting something from the C.P.R. Co., and have the taxation placed on a proper basis. In the past the C.P.R. assessment had been a matter of arrangement, and the Provincial legislation on the subject had consequently been likely to be disallowed. If the measure were not just the matter would have been taken from court to court, and the Province would have got nothing. It was with the Government in this matter a case of Hobson's choice. He thought that though the C.P.R. had its charter from Dominion authority it might be dealt with from the point of view of property and civil rights, in which direction he repeated, legislation was contemplated before the session had concluded. It was but an experiment, as no province had as yet undertaken to deal in the way proposed with Dominion railways.

HON. MR. BEAVEN said the contention of the member for Yale was entitled to every consideration. The act proposed to relieve the C.P.R. from a large portion of their taxation, and now most certainly was the time to obtain redress from them for the settlers for the loss of their cattle. There was no time for action like that which we now had control of.

On the motion that the committee rise and report the bill.

HON. MR. BEAVEN moved an amendment to the motion to the effect that the amendments are insufficient, more especially as there is no provision to make a distinction between the value of the land itself and the improvements made upon it by the actual settler or owner—other than those by a railway corporation upon their roadbed—so as to exempt them from taxation, or reduce their taxation on improvements.

The amendment was lost and the motion was adopted and the bill reported.

On the motion to adopt the report, HON. MR. BEAVEN moved the amendment which he had offered in committee. He contended that the movement to exempt the improvements of a wealthy corporation and not to exempt those of the actual settlers was not a move in the right direction.

HON. MR. ROBSON had always regarded it as improper in theory to tax improvements. It looked as if it was encouraging people not to improve their property, and to discourage them by taxing them for improving it. This was an undesirable state of matters, as he had always regarded it. The cities had power to exempt improvements from taxation, but had they used it? This being the case, the Government would have been much to blame for making exemptions from taxation. They would have been going ahead of the public sentiment and revolutionizing the system of taxation, which should not be done until, at any rate, the four cities had given an intimation of their feeling in this direction.

Yet the House was called upon to vote a want of confidence in the Government. The opportunity would come this session when any honorable member could act in the matter; then the House would give the subject every consideration, and if their opinion was in that sense the Government would be prepared to listen, appreciate and take careful action—not a revolutionary leap.

MR. SWORN said he wanted assessors to be instructed to intimate, in their returns, the amount they taxed on the value of the land and what they assessed on the improvements.

MR. SEMLIN said the leader of the Government had his full sympathy, as though he approved of the recommendation of the Opposition, it would mean the defeat of the Government.

After further remarks from Mr. Semlin and Mr. Forster, the latter of whom said he was not prepared to go beyond expressed public opinion.

The amendment was put and lost. Nays, 23; yeas, 5.

Ayes—Beaven, Milne, Semlin, Grant, Mackenzie.

Nays—Sword, Kitchen, Kellie, Horne, Smith, Brown, Forster, Keith, Baker, Robson, Davie, Vernon, Eberts, Stoddart, Booth, Hall, Nason, Pooley, Turner, Croft, Hunter, Rogers, Fletcher.

The report was adopted and the bill was introduced and read a first time; second reading Monday.

HON. MR. DAVIE moved the adoption of the report on the

LAND REGISTRY BILL, which was carried, and the bill was adopted and read a third time.

One motion of HON. MR. DAVIE the House went into committee on

THE SUPREME COURT BILL, constituting the Vancouver judicial district. Dr. Milne occupied the chair.

The Committee rose and reported progress, and the House adjourned at 6 o'clock, it being understood that when the House rose Friday night it would stand adjourned till Tuesday.

NOTICE OF MOTION. By Mr. COTTON—To introduce a bill to amend the Companies' Act.

HON. MR. DAVIE—Monday—Bill to amend the Supreme Court Act.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

SEVENTEENTH DAY.

February 13th.

THE SPEAKER took the chair at 2 p.m. After prayers by Rev. C. Watson, MR. KEITH introduced a bill to amend the Nelson & Fort Sheppard Railway which was referred to the railway committee.

MR. KEITH submitted a report committee on the Wellington strike out, asking for authority to appoint a retary. The report was adopted.

PRIVILEGE.

MR. HORN rose to a question of privilege. He drew the attention of the house resolution adopted by a recent meeting Vancouver endorsing Mr. Cotton's Chinese question, and censuring (Mr. Horne) for being absent. This of course was, he said, unjust and unfair, he having been sick at the time presentation of the resolution. He never shirked a vote, he was always enough to give his vote for or against might think proper. He thought a planation should be sufficient.

HON. MR. BEAVEN considered the gentlemen present at that public meeting must have been misinformed when supposed that he had shirked the vote (Mr. Beaven) knew that Mr. Horn was unwell and in bed, and when they that fact they would change their of the meeting had accidentally and unintentionally, he was sure, done Mr. Horn injustice.

HON. MR. ROBSON said that he knew not only was Mr. Horne sick but I very ill at the time, and the resolution was just. Sometimes organizations come in a precipitate way those who were very best friends. This showed how full these organizations should be not damn and antagonize those who were their friends.

HON. MR. BEAVEN said it went wrong saying that Mr. Horne did not shirk vote. He described it as a health when people took an interest in public things, though in this case they had been informed.

MR. KEITH testified to the confidence had in Mr. Horne and said that miners he would have been here.

RETURNS.

HON. MR. DAVIE presented a showing the disposition of the intestate of the late Armstrong Buckner.

EMINENT DOMAIN.

COL. BAKER brought up the report railway committee with reference the right of eminent domain. The way committee was to meet on Monday he thought the Government should the committee some idea with respect the subject, in order to facilitate the discharge of their duties. They to know how they should treat bill before the committee. His own o was that the committee was bound to with the bills now before them.

HON. MR. ROBSON—Let the committee go on with their work irrespective Government, and then report.

COL. BAKER asked that the promoters railways should submit to the committee maps and profiles of the enterprise which they were interested.

MR. HUNTER referred to the vague much of the information which was submitted with railway bills.

HON. MR. BEAVEN said that the motion for Kootenay, in view of the importance of the report, should give notice of his intention to move its adoption, in order members might consider the question. After further discussion, COL. BAKER gave notice that he would move the motion of the report, on Wednesday.

THE MECHANICS' LIEN BILL.

On the motion to receive the report of the Mechanics' Lien Bill, HON. MR. BEAVEN moved to amend the bill by striking out all the words "behalf" on the 5th line down to including "may" on the 8th line, and a pay roll containing the names laborers who have done work for him such works or improvements, with a full from each of the said laborers, the amounts which were due and had paid to each of them set opposite the respective names, which pay roll shall also be amended Schedule C, so as to the actual days worked, the amount and the amount paid.

After some remarks, HON. MR. VIE said he was sure that the present bill passed it would be matter of a short time before it would be repealed. He referred to the petition had been presented to the House a this bill, whose adoption would, it was by some people, be most disastrous. It was upon the extent of present building operations, he declared that under building operations would be thrown hands of a few contractors who, "unsaid all the work they had undertaken, setting would be put to many works. A new bill, the original contractors' law were protected; but the employees of contractors would have to wait until under the first contractor were said. For the present he held the existing be ample. He did not think that the last six months, there had been change in public sentiment as to this radical alteration. He hoped the report on the bill would not be adopted.

HON. MR. BEAVEN's motion having read a first time, on the motion second reading.

MR. BOOTH moved that the bill be committed.

MR. BROWN cited a number of people from working men in favor of an lien law, and opposed the recommendation of the bill, holding that the measure before the House met existing circumstances. The only petition against the bill had from Victoria, though some of the men at New Westminster and Vancouver had talked adversely to it. With an contractor there was no loss, but dishonest contractor it inevitably fell the owner, the material man or the latter of whom had to take his of getting his wages.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

SEVENTEENTH DAY.

February 13th, 1891.

The SPEAKER took the chair at 2 o'clock. After prayers by Rev. C. Watson, Mr. KEITH introduced a bill to incorporate the Nelson & Fort Sheppard Railway, which was referred to the railway committee.

Mr. KEITH submitted a report of the committee on the Wellington strike or lock-out, asking for authority to appoint a secretary. The report was adopted.

PRIVILEGE.

Mr. HORNE rose to a question of privilege. He drew the attention of the house to the resolution adopted by a recent meeting at Vancouver endorsing Mr. Cotton's vote on the Chinese question, and censuring him (Mr. Horne) for being absent. This motion of censure was, he said, unjust and uncalled for, he having been sick at the time of the presentation of the resolution. He had never shirked a vote, he was always man enough to give his vote for or against as he might think proper. He thought this explanation should be sufficient.

Hon. Mr. BEAVEN considered that the gentlemen present at that public meeting must have been misinformed when they supposed that he had shirked the vote. He (Mr. Beaven) knew that Mr. Horne was unwell and in bed, and when they knew that fact they would change their opinion. The meeting had accidentally and unintentionally, he was sure, done Mr. Horne an injustice.

Hon. Mr. ROBSON said that he knew that not only was Mr. Horne sick but he was very ill at the time, and the resolution was unjust. Sometimes organizations condemned in a precipitate way those who were their very best friends. This showed how careful these organizations should be not to condemn and antagonize those who were really their friends.

Hon. Mr. BEAVEN said it went without saying that Mr. Horne did not shirk his vote. He described it as a healthy sign when people took an interest in public matters, though in this case they had been misinformed.

Mr. KEITH testified to the confidence he had in Mr. Horne and said that but for miners he would have been here.

RETURNS.

Hon. Mr. DAVIS presented a return showing the disposition of the intestate estate of the late Armstead Buckner.

EMINENT DOMAIN.

Col. BAKER brought up the report of the railway committee with reference to the right of eminent domain. The railway committee was to meet on Monday and he thought the Government should give the committee some idea with respect to the subject, in order to facilitate them in the discharge of their duties. They wished to know how they should treat bills now before the committee. His own opinion was that the committee was bound to go on with the bills now before them.

Hon. Mr. ROBSON—Let the committee go on with their work irrespective of the Government, and then report.

Col. BAKER asked that the promoters of railways should submit to the committee maps and profiles of the enterprises in which they were interested.

Mr. HUNTER referred to the vagueness of much of the information which was supplied with railway bills.

Hon. Mr. BEAVEN said that the member for Kootenay, in view of the importance of the report, should give notice of his intention to move its adoption, in order that members might consider the question.

After further discussion, Col. BAKER gave notice that he would move the adoption of the report, on Wednesday.

THE MECHANICS' LIEN BILL.

On the motion to receive the report on the Mechanics' Lien Bill.

Hon. Mr. BEAVEN moved to amend section 12 by striking out all the words after "behalf" on the 5th line down to and including "may" on the 8th line, and insert—"a pay roll containing the names of all laborers who have done work for him upon such works or improvements, with a receipt in full from each of the said laborers, with the amounts which were due and had been paid to each of them set opposite their respective names, which pay roll shall."

Also to amend Schedule C, so as to show the actual days worked, the amount earned and the amount paid.

After some remarks, Hon. Mr. DAVIS said he was sure that were the present bill passed it would be only a matter of a short time before it was repealed. He referred to the petition which had been presented to the House against this bill, whose adoption would, it was held by some people, be most disastrous. Dwelling upon the extent of present building operations, he declared that under the bill building operations would be thrown in the hands of a few contractors who, unable to do all the work they had undertaken, a cessation would be put to many works. By the new bill, the original contractors' laborers were protected; but the employees of other contractors would have to wait until claims under the first contractor were satisfied. For the present he held the existing law to be ample. He did not think that, during the last six months, there had been such a change in public sentiment as to demand this radical alteration. He hoped the report on the bill would not be adopted.

Hon. Mr. BEAVEN's motion having been read a first time, on the motion for its second reading.

Mr. BOOTH moved that the bill be re-committed.

Mr. BROWN cited a number of petitions from working men in favor of an improved lien law, and opposed the re-commitment of the bill, holding that the measure now before the House met existing circumstances. The only petition against the bill had come from Victoria, though some of the material men at New Westminster and Vancouver had talked adversely to it. With an honest contractor there was no loss, but with a dishonest contractor it inevitably fell upon the owner, the material man or the laborer, the latter of whom had to take his chances of getting his wages.

Hon. Mr. ROBSON believed it would be wisdom to refer the bill back to committee, as there were some members favorable to the bill who desired certain amendments. For one, he favored confining the lien of the workmen to a month's wages instead of allowing them to run indefinitely. The workman ought to have a first claim for his wages allowing the material man to come next. The labor having enhanced the value of the material, the laborers' claim should be made absolute and supreme, after which the material man was amply provided for. If the material man had no recognized claim the result would be disastrous, as putting a check upon building operations generally.

Mr. BOOTH said he knew at least one case in which a material man had informed a contractor that if this bill became law it would be impossible to supply the material.

After remarks by Messrs. Smith and Stoddart.

Mr. HUNTER said the bill had been received and debated and the principle accepted, and he for one would not stultify himself by going over the whole thing again. Mr. CROFT opposed the bill, saying he had been informed by a lumber manufacturer that it the bill passed it would very considerably reduce the demand for material, as it would materially curtail building operations.

Mr. SWORN moved an amendment that the bill be recommitted for the purpose of inserting the amendments proposed by Hon. Mr. Beaven and by Mr. Kitchen, also to prevent the presentation of bogus pay rolls and to limit the laborers' claim within a certain period.

Mr. KEITH objected to re-committing the Bill for the sake of dragging in the material men.

After a protracted discussion on the motion to refer the Bill to committee.

Hon. Mr. DAVIS advocated the simplification of matters so as to allow the workman, if he did not get his wages either from the contractor or the owner, a summary right of action on application to the courts. Then the material man should be provided for, otherwise the material could not be supplied, and settlement would be prejudiced. Were this Bill moved into unlimited committee, he would draw out a clause to protect the laborer to at least a month's wages; also, to protect all the other parties whose claims had been laid before the House. If some member would move the adjournment of the debate, he would have these amendments drafted, and which, being on the order paper, would be regularly before the House.

On motion the debate was adjourned.

THE PHARMACEUTICAL BILL.

Dr. MILNE moved the second reading of the "Pharmaceutical Bill," whose provisions he explained at some length. He commented on the necessity of such a measure in the public interest, and described it as very liberal in its provisions. He enlarged upon the safeguards which ought to be placed around the sale of poisons.

Mr. SMITH thought that a clause should be placed in the bill to provide that the original or a certified copy of a prescription should be given to the persons presenting it.

Dr. MILNE said the prescription belonged to the party who obtained it from the physician.

After further discussion, Dr. MILNE said that if the credentials presented by practitioners from foreign countries were satisfactory, they would not be required to submit to examination.

Hon. Mr. BEAVEN said that he had read the bill very carefully and it was not a measure for whose second reading he could vote. He was opposed to legislation of this kind. The association proposed would have unlimited power to frame by-laws and there was no limit to this. It might be that this bill would be establishing one of the closest corporations ever established in the province. He could not, he said, see the necessity of making practitioners from foreign countries pass examinations, which might be insisted upon by subsequent by-laws. He moved the adjournment of the debate—Carried.

The House adjourned at 5:50 p.m.

NOTICES OF MOTION.

Mr. COTTON—Tuesday—For a select committee, composed of Messrs. Semlin, Eberts, Hall, Forster and the mover, to investigate all matters connected with the seizure of the Hesperus and her crew, with power to call for persons and papers, and to report to the House.

Mr. KITCHEN—To amend section 12 of the Mechanics' and Laborers' Bill, by providing that a contractor shall put up on the works or improvements a copy of the receipted pay roll, from the hour of noon until 1 p.m., on the first legal day after pay day.

Mr. BROWN—To amend sub-section 2 of section 23, of the Mechanics' and Laborers' Bill, so as to secure to laborers six week's wages instead of a month.

Hon. Mr. DAVIS—Certain amendments to the Label and Slander Bill, when up on third reading.

Hon. Mr. BEAVEN—Certain amendments to the Label and Slander Bill, when it comes up for third reading.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

SEVENTEENTH DAY.

After prayers, there were presented the following

PETITIONS.

Mr. EMMETT—From P. C. Dunlevy and others, for a bill to incorporate the Hot Springs and Goat River Tramway Co.

Mr. MARTIN—From the Vancouver Water Works company, opposing the act to amend the Vancouver Incorporation Act of 1886.

Mr. COTTON—From the Ministerial association of Vancouver re Public School act.

Mr. BROWN—From the Grand Lodge I. O. G. T. of British Columbia, re liquor traffic on Sunday.

Mr. MARTIN—From J. F. Allison and others, asking for a bill to incorporate the Nicola, Kamloops and Similkameen Railway company.

REPORT.

Mr. MARTIN presented the sixth report of the committee on Standing Orders and Private Bills, as follows: "Your committee beg leave to report that the standing orders in connection with the petition of the Victoria and Beecher Bay Railway company have not been complied with, and your committee have no recommendation to make, as the Esquimalt and Nanaimo Railway company have agreed to build the branch line to Beecher Bay as soon as a line connecting the American system of railways with Port Crescent or Port Angeles or some other point opposite Beecher Bay is constructed, and will complete the construction of the line, and receive freight as soon as the American lines are in a position to transport."

The Committee also reported favorably on the petitions for certain Bills, and also the Bill to incorporate the order of the Oblates of Mary Immaculate in British Columbia.

NEW BILLS.

The following bills were introduced:

Hon. Mr. VERNON—An Act to amend the Land Act.

Mr. COTTON—An Act to amend the Companies Act, 1890.

THE HESPERUS AFFAIR.

Mr. COTTON moved that a Select Committee be appointed, composed of Messrs. Semlin, Eberts, Hall, Forster, and the mover, to investigate all matters connected with the seizure of the vessel Hesperus, and her crew; with power to call for persons and papers, and to report to the House.

Hon. Mr. DAVIS said there would be no objection to the motion, though there was ground for much complaint as to the manner in which the government had been treated in the matter. He explained the circumstances of the case, the papers in which were very voluminous. The Hesperus had been charged with selling liquor to Indians, but the Crown, owing to the necessity of bringing witnesses from the north at very great expense and other matters, among them the condition of the law, had allowed the case before Justice Harrison to go by default. Though some of the evidence taken was direct, he did not consider the case a very strong one. Not unnaturally, the owners felt that they had a grievance, and, therefore, had taken this method to obtain an inquiry. But, instead of this they should have, at first, approached the government with a regular complaint. A lady had, about two months ago, approached him and showed him a correspondence in the newspapers, which he had never seen. He deprecated such a round-about method of procedure, first appealing to the papers, and then to the House, but never to the Government direct.

Hon. Mr. ROBSON corroborated this statement, and said that he had, about two months ago, been approached in the same way as the attorney-general, and had advised that the matter be laid in proper shape before the Government, but this had not been done.

Hon. Mr. DAVIS introduced a Bill "to amend the Summary Convictions Act," which was read a first time; also one "to amend the Supreme Court Act."

Hon. Mr. TURNER moved the second reading of

THE ASSESSMENT BILL.

whose provisions he explained.

Mr. SEMLIN protested against certain provisions of the motion, among them the remission of taxation upon the Canadian Pacific Railway, as he had previously explained. Petitions had been prepared in his and other constituencies against this feature of the Bill, the original of which had not yet arrived, but a draft of which he had received. It asked that no remission of taxation to the railway be made until it had fenced its road and paid remuneration to the owners of the stock which had been killed by the trains. There were individuals in that neighborhood who had lost as many as 200 head of cattle since the C.P.R. had been in operation. The people concerned, had, he contended, adopted the proper course in this matter, and he appealed to the Government and to his colleagues in this House to see to it that the assessment on that road was not modified until they had paid indemnity for past losses and taken steps to prevent their recurrence in the future.

Hon. Mr. ROBSON said that the member for Yale appeared to think that the way to remedy one wrong was to perpetrate an injustice. The bill before the House did not cover one railway alone, but all that were now in operation and might be hereafter constructed in this Province. The Government had found on investigation that it was exceedingly unwise and improper to tax railways under the conditions of the old act. Indeed, the Dominion Government had given it to be understood that if the taxation were not made more nearly to approximate the railway taxation in the other provinces, the act itself would run the risk of being disallowed. Moreover, the Government had concluded that it was right and just and politic to make the proposed changes, and even now the basis of railway taxation was much higher than in the other pro-

vinces. Other railway companies had had no difficulty in obtaining immunity from taxation for a certain number years, and it was deemed advisable to arrive at something definite in order that those who invested their money might know what to expect. There had never been any petition presented to the House on the subject; but if the facts were as stated by the member for Yale it was outrageous, and there must be a remedy, and for this the Attorney-General was now preparing. It was to his mind—whatever the other provinces might do or say—clearly the right of this House to legislate in this direction, and he believed the other provinces would pursue a similar course. He thought irrespective of the grievance, the members should consider whether or not the bill before them was fair and just.

Hon. Mr. BEAVEN thought it would have been well if all correspondence on this matter were before the House. Indeed, this was the practice.

Hon. Mr. ROBSON said the bill was before the House on its merits, and the correspondence as to the remission of the tax had been before the House last session.

Hon. Mr. BEAVEN said that without the information before the House it would be impossible to say whether the measure was right or wrong.

Mr. COTTON spoke of the importance the land and taxation question had assumed during the last elections, and on this account he wished to have had the Land Act and the Assessment Bill before the House at the same time. It was not proper, he thought, to force the present measure through to-day. He objected to the clause relating to exemptions on improvements which did not meet all that was desired.

Hon. Mr. ROBSON having given satisfactory explanations.

Mr. COTTON said he agreed that the second reading should not be opposed for the reasons assigned by the member for Yale. He wished to see the clause amended that dealt with the wild land tax. This bill did not go far enough, and the only way to deal fairly with it was by an *ad valorem* tax. No man should be allowed to lock up his land until it had been improved by the work which has been done by his neighbors. He referred to what had been styled the unearned increment. There was nothing to induce or compel people to improve their lands and allow them to be opened up to settlement.

Dr. MILNE moved the adjournment of the debate.

Mr. MARTIN spoke of the fencing which had already been done by the C.P.R. in the vicinity of Kamloops. The company fully recognized the injury which had been done by accidents to cattle, and were completing their fencing with all possible expedition.

Hon. Mr. ROBSON ridiculed the idea that the provisions of this bill relating to the Canadian Pacific should not be passed until the company had completed their fences.

After some discussion, Dr. MILNE withdrew his motion to adjourn the debate.

Mr. BROWN advocated the recognition of the principle that no man had a right to hold large tracts of land and lock them up from settlement. The principle of "lose it or use it" should be the rule. He, therefore, supported the idea of an *ad valorem* tax. This tax of ten or twelve cents an acre on some lands would be unjust; but there were others, the holding of which in a wild condition was injurious to the country. The one thing to do was to recognize and adopt a broad principle without considering special cases.

Mr. BOOTH held that the Government were moving in the right direction. If there were any exemptions, the railways should be exempted as much as possible. He should support the second reading of the Bill, though he should suggest several amendments in committee. He scarcely, however, saw his way clear to support the *ad valorem* principle.

Hon. Mr. DAVIS spoke in favor of the Bill as submitted, in preference to the *ad valorem* system. Nothing was as well calculated to make people improve or dispose of the lands they held than legislation like this.

After some further discussion, the Bill was read a second time and referred to committee.

On motion of Mr. Brown, the Bill regulating the

SALE OF TOBACCO TO MINORS.

was read a second time. He would not class it as a Moral Reform Bill. It was much like the law which prevailed in Ontario, and was calculated to promote the physical and mental development of the youth. He did not ask for legislation against the use of tobacco generally, but what he desired to regulate was the use of tobacco by juveniles before they had got their growth. Tobacco had the effect of making them half men, both physically and mentally.

Hon. Mr. DAVIS supported the second reading of the Bill, which had his warm approval. He thought the use of tobacco by lads ought to be prohibited. He did not say so with regard to grown up men, which was a different thing. He smoked himself.

Hon. Mr. BEAVEN thought the question of opium smoking ought to be dealt with, particularly among minors. As far as this bill went he should support the second reading.

Much, he was convinced, could be done to prevent tobacco smoking by minors by means of education.

Mr. SEMLIN said this was one of those acts which he could heartily support. He believed in the right of the state to interfere in questions of this kind, and not only with respect to tobacco smoking, but to the use of alcoholic beverages also.

Mr. BOOTH supported the bill, adding that if boys were found in possession of tobacco they should be punished.

Mr. MARTIN, while approving of this idea, thought that provision should be made so as to prevent a boy being punished when he was sent to purchase tobacco.

Mr. FORSTER scarcely favored legislation of this kind, but was, however, prepared to allow the proposed measure to be tried. He thought more could be done in the schools than was done at present to teach the children the ill-effect of tobacco.

Mr. S. much as consider laboring.
Hon. A. Sunday li vince, n sent bill: sideration. The Bill which the Columbia would de workable be discuss Sunday w taxation a upon, and fore, to le this public Sunday w would of r suspected who kept the day of on the rid be fair, th observed. the stand that a man the Sabbath would war bath; the bulwark of that the b but it had to support.
Hon. M. of legisla be his guid acce the S late in rega free agent. was a standi bis that she on her stat took an et lived 28 ya country was asher, indu as a quarter not requir compel the tion. If crickets, f on Sunday the ground res. He b on Sunday, was the way their day of to the churc to church, a more right l those who d that they s as suited th to church; o was not pre "You shall lieve as I be Mr. Ro could not in umbia did one before a criminal year past, the morality. Mr. Saz was not nee ciple of offi Mr. Mas ing to den closing day the bill no would take day of He had h advise the not to go to enjoy a gam man had hi (Mr. Marti House mig churches, b pray.
Mr. Booth bill, and Brown add Mr. For bill, and wa could be a g and yet eni ation. The was toleran of this prin If Sunday a street car, have to at poor man e holidaying.
Mr. Cro the workin governm ness arose and her obs ordinary o greatness in relaxed, an museum v laboring m cities and men were b
Mr. Kz which he extreme, that the p recreation day excu Sunday the in a year such a law miner, wh ground, sh pure air. art galleri open on Su Hon. M section in n unjust to i Mr. Keith's excursions very many disapprove freedom of good thing therefore, hoping to m committee.
Mr. How placing and the questio municipal against the

be brought to see that the fact of the Chinese bringing down prices, was beneficial, as he knew that he was better when getting \$5 a day than when he earned \$2.50. If more Chinese came here the important problem would have to be solved, of what shall we do with them and what must become of white labor? The fact of white labor at the East being so cheap, showed that it was advisable to make it worth its while to come here, and was another reason why the Chinese should be excluded.
Mr. Booth agreed with the remarks of the member for Comox. The Chinese were an alien race, and it was not advisable that we should have them here. There was no need for our having Chinamen; we could obtain all the labor from the East that was required, the only difficulty being that that labor was too poor to come here. All that had to be done was for capitalists to assist Eastern labor to come. We had nothing to do with the question, of the friendliness or unfriendliness of the Chinese government. That people would buy our goods if they wanted them. He should not vote, either for the amendment or the main motion.
Col. Baker moved the adjournment of the debate.
Mr. Semlin saw no necessity for prolonging the discussion. The general question was now before the House, and members could say for themselves, whether they favored or opposed the employment of Chinese.
Mr. Brown took an opposite view. The amendment contained so many "whereases" that it was difficult to understand it. He took it, that the other day the House had settled the question, by determining, in its consideration of bills, asking for consideration at the hands of this House. As the matter stood now, he should vote against both it and the amendment, to which he had an amendment to offer at the proper stage. He did not see why we should on any question appeal to the supreme Court. We ought to be supreme in our own concerns. His own objection to the Chinaman was because he would not settle down and become a citizen. If he would do so, he would not be objectionable, but, as it was, a Chinaman, without family or any ties, could work and make money at wages, which other people would starve. If enterprises could not be prosecuted so as to benefit our own people, instead of merely filling already well-filled pockets, for his part, he should not care if our resources were never developed. If affairs were conducted in the manner in which some people prosecuted them, the whole country would come down with a crash. He would, he added, insist that if we were to give such large aid to railroad and other enterprises, this House had the perfect right to impose its conditions, so that we should have a large and prosperous population, beginning at the very bottom. The only time from why time they began to prosper was when we commenced to have permanent settlement.
Hon. Mr. Rossor did not agree that this House had determined to insert the Chinese clause in every bill asking for benefit from this House. He proposed to deal with every measure on its merits, and had, therefore, opposed every clap-net resolution which had been brought up.
Mr. Brown's amendment was ruled out of order, and Hon. Mr. Pooley and Mr. Forster urged the hon. leader of the Opposition to withdraw his amendment.
Mr. Cotton requested the withdrawal of both original resolution and amendment. He did not believe in interfering with Imperial and Dominion legislation on the Chinese question; he did, however, believe in letting the Chinese know that their labor was not needed or wanted here. To increase the poll tax to \$100 would have little effect, if Chinese were not given employment they would stay away.
Dr. Milne thought that Hon. Mr. Beaven would withdraw his amendment, but he strongly condemned the original resolution, and pronounced in favor of anti-Chinese legislation.
Mr. Charr did not favor Chinese labor, but could vote for neither amendment nor original motion.
Hon. Mr. Beaven withdrew his amendment and Col. Baker his resolution.
NANAIMO LIGHT.
Mr. Keith introduced a bill to incorporate the Nanaimo Electric Light and Tramway Co.
Hon. Mr. Beaven said he was happy to see that it contained the Chinese restriction clause.
Mr. Semlin introduced a bill to incorporate the Nicola Valley Railway Co.
QUESTION.
Mr. Kellicie asked: "Would the Government be willing to grant a land or cash subsidy to assist the establishment of reduction or refining works at Nelson, or some other convenient point on Kootenay lake?"
Hon. Mr. Rossor said the policy and earnest desire of the Government was to promote the erection of reduction works for such ores as could be effectively treated in this province, and any scheme with that object in view seeking assistance, either in land or money, would receive the best consideration of the Government.
Mr. Mackenzie asked: (a) Have the Provincial Government paid any money or incurred any pecuniary liability in consequence of the militia having been sent to or maintained at Wellington, last year?
(b) If so, to what amount or to what extent?
(c) Have the Dominion Government or any of its employees, or any corporation, commercial firm, party or person made or preferred, verbally or otherwise, any claim against the Provincial Government in consequence of the militia having been sent to or maintained at Wellington, last year?
(d) If so, of what nature or amount?
Hon. Mr. Rossor replied to a—No; to c—No. These covered the whole of the inquiry.

MR. MACKENZIE asked the Attorney-General:—Did any person, verbally or otherwise, consult with or communicate with the Provincial Government or any of its members or deputies concerning the sending of the militia to Wellington last summer, prior to the calling out of that force? If so, what was the purport of the consultation or communication, and what course was advised?
Hon. Mr. DAVIE replied, that, on behalf of the Attorney-General and Deputy Attorney-General, he would answer, officially, "No."
SUMMARY CONVICTIONS ACT.
Hon. Mr. DAVIE moved the second reading of the Summary Convictions Bill, whose object is to render liable the president or secretary of any corporation committing or being suspected of committing any offence over which the Legislature of British Columbia has legislative authority.
After some discussion, during which it was pointed out that the proposed Bill would place presidents and secretaries in a very equivocal position, while, on the other hand, it was contended that there must be some means of reaching corporations, which proverbially had no souls,
Mr. HUNTER moved that the Bill be read a second time this day six months. He described its provisions as an outrage on the liberty of the subject.
Hon. Mr. DAVIE had expected that those who had carpied at the bill would have suggested something better. The object was to reach offending corporations. If the bill were defeated he would remind members that it was a rejection of the principle involved. He had certainly expected that, at least, it would have been allowed to go to committee, where its details might have been considered.
Mr. COTTON approved the principle of the bill, and suggested that it be not read now, but that time be allowed to consider the details.
Hon. Mr. Rossor said he should vote for the six months' hoist, because he believed the object might be reached in a better way.
Mr. HUNTER said this was one of the worst bills ever introduced into the House. The motion for a six months' hoist was lost by 17 to 7.
Ayes—Grant, Milne, Beaven, Robson, Poole, Hunter, Anderson—7.
Nays—McKenzie, Sword, Kitchen, Cotton, Kellicie, Smith, Brown, Forster, Keith, Davie, Eberts, Stoddart, Booth, Hall, Nason, Rogers, Fletcher—17.
The motion for a second reading was carried on a division of 15 to 9.
Ayes—McKenzie, Kitchen, Kellicie, Smith, Brown, Forster, Keith, Davie, Eberts, Stoddart, Booth, Hall, Nason, Rogers, Fletcher—15.
Nays—Grant, Sword, Cotton, Milne, Beaven, Robson, Pooley, Hunter, Anderson—9.
The House adjourned.
By Mr. Beaven.—To request the Lieutenant-Governor to take steps towards having the Dominion Government increase the Chinese poll tax from \$50 to \$200.
PROVINCIAL LEGISLATURE.
First Session of the Sixth Parliament.
TWENTIETH DAY.
FRIDAY, Feb. 20, 1891.
After prayers by Rev. Mr. Dobbs, PRIVILEGE.
MR. BROWN rose to a question of privilege, to deny that he had, as stated in the Vancouver Telegram, made an annexation speech on the occasion of the railway celebration at Blaine. All he had done was to make use of friendly expressions, such as "let us pass into neighboring nations, but that he was an annexationist, he most emphatically denied.
Col. BAKER presented the report of the Railway Committee, which transmitted the Burrard Inlet and Fraser River Valley Railway Bill with amendments.
The report was adopted.
MR. SMITH submitted the report of the MINING COMMITTEE, which reported the Bill relating to gold and other minerals, excepting coal, with some amendments.
EMINENT DOMAIN.
Col. BAKER moved that this House take into consideration the adoption of the report of the standing committee on railways, namely: "Your committee respectfully recommend to the House that before any of the present private railway bills before the House are taken into consideration, the Government be requested to consider the advisability of amending the present railway act by introducing a clause which will provide that the right of eminent domain, upon special conditions, but without the necessity of a special charter, be granted as a right to applicants for a railway line." He added that the members of that committee had unanimously passed that report and desired to have an expression of the opinion of the Government on the subject.
Hon. Mr. Rossor said he was entirely in the dark as to the object of the hon. member bringing forward this resolution. If his object was to kill off all the railway bills now before the House, his motion would meet that case, but the Government would wish to have an expression of the sense of the hon. gentleman.
Col. BAKER said this was the report of the railway committee, and, at the suggestion of the leader of the Opposition, he had had it placed on the order page.
Hon. Mr. Rossor was surprised that the member should bring forward and press this motion. It would be well to leave over the matter for a future time.
Col. BAKER said he merely made the motion as a matter of duty, but would for the present withdraw it.

PROVINCIAL REVENUE TAX.
MR. COTTON asked—What were the amounts received during the fiscal year ended June 30, 1890, and during the half year ended December 31, 1890, from the provincial revenue tax in the cities of Vancouver, Victoria, New Westminster and Nanaimo?
Hon. Mr. TURNER said that, during the year ending 30th June, 1890, the returns had been Victoria, \$8,619; New Westminster, \$3,033. At that time neither Vancouver nor Nanaimo had made separate amounts, but had been included in Victoria and New Westminster. For the half year ending December, 1890, the figures had been Victoria, \$921; Nanaimo, \$364; New Westminster, \$322 and Vancouver, \$900.
MR. COTTON moved the second reading of THE COMPANIES BILL, which he explained at some length.
Hon. Mr. DAVIE said he had examined the bill, to which he saw no reason to take exception. Its object was to allow joint stock companies to issue preference stock, which, in some instances, became very necessary. The provisions for preference stock were only permissive, and it was open to investors to take up stock or not as they pleased, knowing as they would the existence of that law.
Hon. Mr. BEAVEN objected to the restrictive features of the bill, but as for companies to be formed in the future he saw no objection.
MR. COTTON pointed out that the provision would only come into operation by unanimous consent.
The bill was read a second time, and will be committed Tuesday.
On motion to receive the report of committee on the bill relating to ACTIONS FOR LIBEL AND SLANDER, Hon. Mr. DAVIE moved to amend the fourth clause by adding the words demurrer so as to make it read "In any action for defamation where the defendant has pleaded by default or judgment has been given against him by demurrer or by admission."
The amendment was adopted.
Hon. Mr. DAVIE moved to strike out the following clause: "No action shall lie unless and until the plaintiff has given to the defendant notice in writing, specifying the statements complained of, such notice to be served in the same manner as a plaintiff's statement of claim is served, or by delivering the notice to some grown-up person at the place of business of the defendant," making also a few further amendments in it. He bitterly complained of the manner in which the press were accustomed, when they made explanations or corrections, to aggravate the original offense. After some angry observations, he spoke of what he contended was an injustice done to him the other day. He had been reported as having made a statement, inferring that a lady had "approached" him. What was meant was that an endeavor had been made by a lady to get the premier and himself by a corrupt offer to recognize a certain claim. The newspaper he referred to had misunderstood and misrepresented him, and the day after he had made his explanations had treated the premier and himself to a paragraph of perfect Billingsgate, headed, "Evil to him who evil thinks." This inference was that he was an evil-minded man, and that the cap fitted him to be now in the floor of this House must admit that he (Mr. DAVIE) was right and the paper was entirely wrong. Experience had shown that such was likely to be the case hereafter. The editor of that newspaper had said, referring to the Libel bill, that the editor had asked for bread and he had given them a stone. He thought that reference was also made to the scriptures he could find another illustration. If (Mr. DAVIE) in this case had a-ked for a fish but they had given him a serpent. The public would find this to be the way in which they would be treated if the press were given more latitude. He did not know that the public should be allowed to be exposed to calumnies such as he had shown them to be now in the floor. Members of the House would see how unjustifiable had been the attack upon him. It was on account of the circumstances, to which he had alluded that he had concluded to change the clause. It was, in effect, merely leaving out the provision for a notice. The difficulties in the way of, or the cravenness of newspapers to which allusion had been made, were more imaginary than real. There could be no difficulty arising out of the fact of a newspaper not being notified. If it chose to retract immediately on being served with a writ, the costs would amount to a mere matter of \$10 or \$15. To put in this clause he had moved to strike out would only save this expense, whereas, on the other hand, the injustice done to the party attacked would have been grave enough, indeed.
Hon. Mr. BEAVEN contended that it would be a serious mistake to strike out those words. He could not see why the press should be deprived of the opportunity given by the clause. He could speak on the subject from his personal experience. He had never instituted a libel suit, though he had had many favorable opportunities. As at present, the suit was begun by the mere issue of the writ, which did not set forth the offense complained of. That was only known at a later stage, and he therefore did not see why that particular part should be struck out. He contended that the proposed change would necessitate a number of minor changes in the bill as a consequence of the Attorney-General's proposed amendments.
MR. COTTON would not say that he had asked the Attorney-General for a fish and had received a serpent, but he had asked for one clear day's notice between the publication and the issue of a writ.

HON. MR. DAVIE said he had no objection to give one clear day's notice. If that would be satisfactory, when the bill were referred back to committee, such a provision would be inserted. That would give ample time for a correction, provided no malice were intended.
Hon. Mr. DAVIE's amendment was, after some discussion, adopted.
Several minor amendments having been adopted
Hon. Mr. POOLEY moved to strike out Section 9, providing that security for costs be given by the plaintiff in any suit which might be brought under the Act. It was contended, during the discussion, that the furnishing of costs would prevent the poor man defending his character.
Hon. Mr. ROSSOR said he would support the resolution because the clause was not fair to the poor man and would not affect the rich. It stood in the way of the poor man getting justice. As a journalist for 16 or 17 years, he said he had always been careful not to injure people's characters in his criticisms, and the contingency of men of straw putting newspapers to unwarranted expense was too remote to render it necessary to afford further protection.
DR. MILNE said he did not think the leader of the Government had as much love for the poor man as he pretended. Since the opening of the House the Opposition had been advocating the rights of the poor man by asking for anti-Chinese legislation, but did the Premier support that kind of legislation? No! he did not. He (Dr. Milne) did not think that the opposition to the clause referred to was merely in the interest of the poor man. But some of the members of the Government wished to curtail the legislation favoring the press. The Attorney-General was continually finding fault with the press in this city; but the press in Victoria would compare favorably with the press elsewhere. The criticism of the Attorney-General in reference to THE COLONIST, he considered unfounded, and he (Dr. Milne) could say of THE COLONIST, although opposed to him in politics, it was always fair as an opponent. The bill now under consideration was in force in Ontario, and, prepared as it was by some of the best legal authorities, he considered it only fair that it should be enacted in this province.
MR. EBERTS thought that by a trivial amendment clause 9 might be made perfectly practicable, so as to leave the decision in the hands of the judge to decide as to whether or not, security was required.
MR. BROWN argued that the provisions of this clause gave sufficient protection to the poor man. No honest poor man would be unable to get security for costs. Some protection ought to be given the newspapers, whose duty it was oftentimes to say certain things which in law are libellous.
MR. SEMLIN did not know what class of journals the Attorney-General had to deal. From what he said they must be such a notorious and depraved class as he had never met. He possibly had had a disagreement with his own organ and his immediate editor, which had caused him to be thus vituperative.
MR. BOOTH said that all the Attorney-General had said showed the necessity of retaining the ninth clause.
Hon. Mr. ROSSOR drew attention to a paragraph in the New Westminster Ledger, which contained some altogether incorrect and misleading statements as to the condition of the public documents at that place.
MR. GRANT made a strong speech in favor of the press of the city and the province, of which he spoke in the warmest terms.
MR. COTTON hoped the House would not consent to the amendment. He thought the public and the poor men were quite safe under this section.
Hon. Mr. DAVIE said he was decidedly of opinion that the clause should be struck out. Its effect would be to allow a newspaper to prejudice a trial before it came off.
The members were called in after still further discussion when Mr. Pooley's amendment was rejected by 15 to 14, the division being as follows:
Nays—Beaven, Milne, Semlin, Grant, McKenzie, Sword, Kitchen, Cotton, Kellicie, Brown, Forster, Eberts, Stoddart, Booth and Turner—15.
Ayes—Robson, Pooley, Martin, Croft, Hunter, Rogers, Anderson, Fletcher, Hall, Nason, Vernop, Davis, Smith and Keith—14.
On motion of Mr. Brown, the House went into committee on the bill to incorporate the order of Oblates of Mary Immaculate. Mr. Smith in the chair. The bill passed through committee, and will be reported Tuesday.
HON. MR. TURNER presented a copy of the PUBLIC ACCOUNTS, and moved that they be referred to the Public Accounts committee. Carried.
MR. SEMLIN resumed the debate on THE PUBLIC SCHOOL BILL.
It had, he said, been explained that the object was to approximate the law to the law of Prince Edward Island and New Brunswick, in order to do away with the personal character of the department. He had not shown that the public desired this change, and he further claimed that this government did not really know that in this respect they represented the majority of the people. He contended that the educational conditions of this province were very different to those which existed in the east. Here it was possible for the department to be very unjust and domineering to the extent of prejudicing the educational interests. He denied that this bill would be in any sense decentralizing. The government had, moreover, taken to themselves additional powers, having removed from the people the power to elect their own trustees. He asked if the conduct of the department in the past had been such as to warrant the House in according them more power. He never could see why

it had been the policy to give acts to restrict the trustees. In some provinces most full control, but under trustees were to be made a no in the cities and in the rural deemed that it had been sh trustees here were not quite they were elsewhere. He could clude that the idea was to school control in the minist department. If the Governu trol of the schools as well a mental management they had own regulations, and he inst of Mr. Muir, who, in fac and mandatory character of been refused a renewal of h The clause had in this broken by a minister by been introduced. The pr he said, to make the House be the conduct of certain teachers to the department they would have been cancelled. omitted a dereliction of duty. had been cancelled which sho been cancelled, and others co ought to have been cancelled. who would act in this matt parties to be entrusted w power? He declared that the of trustees by the Governme grade step. The minister that because the City Council to the standard which he sho be proposed to raise them. their hands the appointment test. He declared that the change made, instead of the purified they would degrade t they proposed to exalt.
At the suggestion of the Semlin moved the adjournm bate.
MR. BROWN here read an ex Columbia, in an emphatic of the report of the Ledger of the public docum Westminster. Mr. Brown a temporary offices at New We in first class order, and the charge was a thoroughly first Hon. Mr. ROSSOR announc check there would be night day, Wednesday and Friday. The House adjourned at 6 o'clock.
NOTICES OF MOTI MR. EBERTS.—On the co the report of the bill respect libel and slander, to mov amendment to section 9, to the ninth line the word "or" lieu thereof the word "and."
HON. MR. BEAVEN.—On of the report of the Libel Bill, tion 8, line 9, by striking out "and," also, in line "or" judge that the action is as or."
PROVINCIAL LEGIS First Session of the Sixth TWENTY-FIRST MONDAY, F After prayers by Rev. D. There were presented the PETITIONS.
MR. ROSSOR.—From J. others, re wagon road in Chil District.
DR. MILNE.—From Mr. others, re extension of elect to women.
MR. KITCHEN.—From resid which, opposing Bill giving the waters of Veddar river in Cook river.
MR. SEMLIN.—From J. B. others, re stock killed by C. way right-of-way.
MR. SWORD.—From Alpho area, and others, of Nloomen, exemptions from provisions Dyking Bill.
MR. SWORD.—From residen 10, and Langley Province, from Fraser River Dyking B REPORTS.
MR. MARTIN presented the Committee on Private Bills orders, reporting Bills to i Vernon and Nelson Teleph with amendments; and aski consider the Bill to amend the tain & Nelson Tramway comp Col. BAKER presented the Standing committee on railw with amendments, Chilliw Bill; Vernon and Okanagan and Nicola Valley railway amend Ashcroft and Cariboo Adopted.
NEW BILLS.
HON. MR. ROSSOR introd titled, an "Act for the obs Lord's Day, commonly call SECOND READING.
On motion of MR. KITCHEN setting the Westminster a Tramway Company, and th Street Railway Company, w and time. The mover explai to enable these two compani same motive power, and an der to prevent needless di there was no objection to the of the Chinese clauses. The was submitted on Wednesday.
Col. BAKER moved the see the Upper Columbia Naviga Co's Bill. Carried, the rered to the Standing Order Bills Committee.
MR. SWORD moved the d order for the second reading Bill, as he intended to int Bill to take its place. Carri

HON. MR. DAVIS said he had no objection to give one clear day's notice. If that could be satisfactory, when the bill was referred back to committee, such a provision would be inserted. That would give ample time for a correction, provided no notice was intended.

HON. MR. DAVIS's amendment was, after some discussion, adopted.

Several minor amendments having been adopted.

HON. MR. POOLEY moved to strike out section 9, providing that security for costs given by the plaintiff in any suit which might be brought under the Act. It was intended, during the discussion, that the striking of costs would prevent the poor man from defending his character.

HON. MR. ROBINSON said he would support a resolution because the clause was not to the poor man and would not affect the rich. It stood in the way of the poor man getting justice. As a journalist for 16 years, he said he had always been careful not to injure people's characters in his criticisms, and the contingency of men of law putting newspapers to unwarranted expense was too remote to render it necessary to afford further protection.

DR. MILNE said he did not think the order of the Government had as much love for the poor man as he pretended. Since opening of the House the Opposition had been attacking the rights of the poor man asking for anti-Chinese legislation, but the Premier supported that kind of legislation. No! he did not. He (Dr. Milne) did not think that the opposition to the bill referred to was merely in the interest of the poor man. But he of the members of the Government wished to curtail the legislation during the press. The Attorney-General was continually finding fault with the press this city, but the press in Victoria did compare favorably with the press elsewhere. The criticism of the Attorney-General in reference to THE COLONIST, he considered uncalled for, and he (Dr. Milne) said to THE COLONIST, although opposed to him in politics, it was always fair as an opponent. The bill now under consideration was in force in Ontario, and he said as it was by some of the best legal authorities, he considered it only fair that it should be enacted in this province.

MR. ECKERT thought that by a trivial amendment clause 9 might be made perfectly practicable, so as to leave the decision in the hands of the judge to decide as to whether or not security was required.

MR. BROWN argued that the provisions of clause 9 gave sufficient protection to the poor man. No honest poor man would be able to get security for costs. Some provision ought to be given the newspapers, as duty it was sometimes to say certain things which in law are libellous.

MR. SEMLIN did not know what class journals the Attorney-General had to read. From what he said they must be such atrocious and depraved class as he had met. He possibly had had a disagreement with his own organ and his immediate superior, which had caused him to be thus vindictive.

MR. BOOTH said that all the Attorney-General had said showed the necessity of repealing the ninth clause.

MR. ROBINSON drew attention to a graph in the New Westminster Ledger, which contained some altogether incorrect misleading statements as to the condition of the public documents at that place.

MR. GRANT made a strong speech in favor of the press of the city and the province, of which he spoke in the warmest terms.

MR. CORTON hoped the House would not amend the amendment. He thought public and the poor men were quite satisfied with this section.

MR. DAVIS said he was decidedly in favor of the clause should be struck out. Its effect would be to allow a newspaper to prejudice a trial before it came to members were called in after still further discussion when Mr. Pooley's amendment was rejected by 15 to 14, the vote being as follows:

Yeas—Beaven, Milne, Semlin, Grant, Forster, Eberts, Suddart, Booth, Turner—15.

Nays—Robson, Pooley, Martin, Groat, Rogers, Anderson, Fletcher, Hall, Vernop, Davis, Smith and Keith—14.

Motion of Mr. Brown, the House went into committee on the bill to incorporate the Order of Oblates of Mary Immaculate, Smith in the chair. The bill passed through committee, and will be reported.

MR. TURNER presented a copy of PUBLIC ACCOUNTS.

He moved that they be referred to the Accounts committee. Carried.

MR. SEMLIN resumed the debate on THE PUBLIC SCHOOL BILL.

He said, been explained that the bill was to approximate the law to the of Prince Edward Island and New Brunswick, in order to do away with the dual character of the department. He showed that the public desired this, and he further claimed that this amendment did not really know that in respect they represented the majority people. He contended that the dual conditions of this province were different to those which existed in the other provinces. It was possible for the poor man to be very unjust and domineering to the detriment of the educational system. He denied that this bill would be a decentralizing. The government had, moreover, taken to themselves the powers, having removed from the power to elect their own trustees. He asked if the conduct of the department in the past had been such as to the House in according them more.

He never could see why

it had been the policy by successive acts to restrict the powers of trustees. In some provinces they had almost full control, but under this bill the trustees were to be made a nonentity both in the cities and in the rural districts. He deemed that it had been shown that the trustees here were not quite as capable as they were elsewhere. He could only conclude that the idea was to centralize the school control in the minister and in the department. If the Government had control of the schools as well as the departmental management they had broken their own regulations, and he instanced the case of Mr. Muir, who, in face of the specific and mandatory character of the law, had been refused a renewal of his certificate. The clause had in this case been broken by a minister by whom it had been introduced. The Premier sought he said, to make the House believe that had the conduct of certain teachers been reported to the Department their certificates would have been cancelled. Here he admitted a dereliction of duty. Certificates had been cancelled which should not have been cancelled, and others continued which ought to have been cancelled. Were parties who would act in this matter the proper parties to be entrusted with additional power? He declared that the appointment of trustees by the Government was a retrograde step. The minister had declared that because the City Council were not up to the standard which he should like to see, he proposed to raise them by placing in their hands the appointment of school trustees. The fact would be that, were the change made, instead of the Council being purified they would degrade the body which they proposed to exalt.

At the suggestion of the Premier, Mr. Semlin moved the adjournment of the debate.

MR. BROWN here read an extract from the Columbian, being an emphatic contradiction of the report of the Attorney-General as to the condition of the public documents at New Westminster. Mr. Brown added that the temporary offices at New Westminster were in first class order, and the gentleman in charge was a thoroughly first class man.

HON. MR. ROBINSON announced that next week, there would be night sittings, Monday, Wednesday and Friday, hereafter.

The House adjourned at 6 o'clock.

PROVINCIAL LEGISLATURE.
First Session of the Sixth Parliament.
TWENTY-FIRST DAY.
MONDAY, FEB. 23, 1891.
After prayers by Rev. D. Fraser.
There were presented the following PETITIONS.

MR. ROGERS—From J. B. Nason and others, re wagon road in Chilcoot, Cariboo District.

DR. MILNE—From Mr. Boddy and others, re extension of electorate franchise to women.

MR. KITCHEN—From residents of Chilliwack, opposing Bill giving power to direct the waters of Vedder river into the Lucon-Cook river.

MR. SEMLIN—From J. B. Leighton and others, re stock killed by C. P. R. on railway right-of-way.

MR. SWORN—From Alphonse Des Reins, and others, of Moosomin, settlement, re exemptions from provisions of Fraser river Dyking Bill.

MR. SWORN—From residents in Township 10, and Langley Province, re exemption from Fraser River Dyking Bill.

REPORTS.

MR. MARTIN presented the report of the Committee on Private Bills and standing orders, reporting Bills to incorporate the Vernon and Nelson Telephone company, with amendments; and asking leave to reconsider the Bill to amend the Toad Mountain & Nelson Tramway company. Adopted.

MR. BAKER presented the report of the Standing Committee on railways, reporting with amendments, Chilliwack railway Bill; Vernon and Okanagan railway Bill; and Nicola Valley railway Bill, also to amend Ashcroft and Cariboo railroad Act. Adopted.

NEW BILLS.

HON. MR. ROBINSON introduced a Bill entitled, "An Act for the observance of the Lord's Day, commonly called Sunday."

SECOND READINGS.

On motion of Mr. KITCHEN, the Bill respecting the Westminster and Vancouver Tramway Company, and the Westminster Street Railway Company, was read a second time. The member explained that it was to enable these two companies to use the same motive power, and announced, in order to prevent needless discussion, that there was no objection to the introduction of the Chinese clauses. The Bill is to be considered on Wednesday.

MR. BAKER moved the second reading of the Upper Columbia Navigation and Tramway Co's Bill. Carried. The Bill being referred to the Standing Orders and Private Bills Committee.

MR. SWORN moved the discharge of the order for the second reading of the Railway Bill, as he intended to introduce another Bill to take its place. Carried.

MR. McNAMEE'S CLAIM.

HON. MR. ROBINSON asked permission of the House to move, without the usual notice, for the appointment of a select committee, consisting of Messrs. Davis, Grant, Sward, Croft and Martin, to inquire into the circumstances under which local parties were admitted with Messrs. F. B. McNamee & Co. into the contract for the construction of the Esquimalt graving dock, in order that a satisfactory settlement might be reached.

MR. ROBINSON explained that it was advisable to have some information as to the application of the deposit and the financial position of matters at present. Mr. McNamee was now here, and wished to have a settlement. The idea was to make an arrangement without the aid of the courts. The Government therefore wished, under the circumstances, to have certain matters in evidence.

After some remarks from HON. MR. BAKER the motion was adopted.

DR. MILNE withdrew his Sunday Observance Bill, which was down for a second reading.

THE LAW OF LIBEL.

On the motion for the second reading of Hon. Mr. Beaven's Libel Bill, "stand!"

HON. MR. BEAVEN said, "stand!"

HON. MR. DAVIS said he had certain further amendments to offer to the Libel Bill, but had not proposed to hand them up until the bill was printed, because he did not know where to place them until he had seen the amended measure. On communicating with the Queen's Printer he discovered that the bill would not be reprinted as amended because there had been no order of the House to that effect. At the suggestion of the senior member for Vancouver he had stated on Friday that he should have no objection to have a clause introduced, and, indeed, he was prepared to move it, allowing one day to elapse before the publication of a bill and the issue of a writ. He saw, however, in the COLONIST that he was reported as having promised to bring in a measure, giving one day's notice. He had not said so, and was nowhere else reported as having said so. For some reason or other the COLONIST had chosen, and, moreover, had based two leading articles of abuse on its erroneous report of what he had said in the House.

MR. CORTON said what he had understood was that the Attorney-General would be prepared to allow one day to pass after publication, so as to allow the newspaper to make explanations before the issue of the writ.

MR. DAVIS said that the COLONIST had not announced the rejection by the House of the amendment of the member for Victoria to provide for notice being given. He had said, and said so still, that he would move in the direction suggested by the member for Vancouver, to allow one day to elapse before the issue of a writ to give a newspaper the opportunity of making matters better or worse.

The bill is to be reprinted as amended.

THE PHARMACY BILL.

DR. MILNE's motion for the second reading of the Pharmaceutical Bill was adopted and the House went into committee. Mr. Hunter in the chair.

After some discussion, MR. HALL complained of the time wasted by this bill, of which he could not approve, as creating an immense trade union. He thought it should have the six months' notice. He moved, therefore, that the committee rise.

Some further discussion arose as to the necessity for such legislation, which, on the one side, was described as being of a class and of a local character. On the other hand, it was contended that the safety of human life demanded such an act, which in no way constituted a trade union. It was further pointed out that such a law was specially needed in cities and towns.

DR. MILNE moved, in amendment to Mr. Hall's motion for the committee to rise, that the committee rise, report progress and ask leave to sit again. Carried.

The committee having reported, MR. BAKER presented the report of the Committee on Railways, asking for a ruling on certain points of committee practice. As being six o'clock, the House rose, the Speaker saying that in future no strangers would be allowed on the floor of the House, admission to which must be confined to members, officers of the House, and heads of departments.

The House resumed at 7:30 p.m., and went into committee of the whole on the Summary Convictions Bill, Mr. Kellie in the chair.

In Committee.

HON. MR. DAVIS proposed an amendment to insert "one or more of the Directors" in place of "Secretary." The Committee rose without reporting.

THE SPEAKER announced that he would give his decision to-morrow on the Report of Private Bills Committee, asking if they could consider a petition against a Bill after that Bill was reported. This was in reference to the Petition opposing Crow's Nest and Kootenay's railway bill.

HON. MR. DAVIS moved the second reading of the Supreme Court Bill, and remarked that in Westminster District especially, business would be facilitated by taking away the powers of trustees, and said the members of the Government could not devote themselves properly to their own departments and the school department also. The teachers were quite capable of managing their own institutes without Governmental interference. The School Bill was retrogressive, and those interested in educational matters criticised it severely.

PROVINCIAL LEGISLATURE.
First Session of the Sixth Parliament.
TWENTY-SECOND DAY.
TUESDAY, FEB. 24, 1891.
MR. SPEAKER took the chair at two o'clock.

After prayers by Rev. D. Fraser.

MR. CORTON remarked that it had been reported that the second reading of the School Bill had been carried without division, when a division had been taken. He had hoped to speak on the subject; but had expected the Land Bill to have occupied the entire session, and, in justice to himself and his associates, should be sorry to let it go abroad that it had gone without a division.

HON. MR. ROBINSON said it had passed without division.

HON. MR. BEAVEN said the Speaker had put the question, and it had been carried on division.

HON. MR. ROBINSON—The House was not divided.

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SPEAKER'S RULING.

The Speaker presented his ruling on the question raised yesterday by the Standing Committee on railways.

I am asked to rule on a question of privilege raised by the hon. member for East Kootenay, upon the following question:

"If a private Bill comes before the Standing Committee on railways or private bills, and is passed by the committee with or without amendments, and the report from the committee is received and adopted by the House, can petitions afterwards be brought before the House against the Bill on its second reading, or on the future stages of the Bill?"

Neither May nor our own rules and orders place any restrictions on the right to petition the House on any subject that is not in violation of the rules of the House. According to rule 57 of this House, all petitions before or against a bill are considered as referred to the committee on Private bills; but, if a time limit for the consideration of a petition by that committee shall have expired, it would be an arbitrary and unconstitutional stretch of authority to deny the petitioners the right to approach the House on the subject. The House is entitled to all the light that can be thrown, by petition or otherwise, on a measure upon which it is asked to legislate. In the instance before me, I think the interests of the petitioners occupy a secondary position—the value of the information contained in the petition to the House being the first consideration.

May (9th edition, page 622, says: "When petitions relate to any bill, or the subject matter of any motion appointed for consideration, a member may present them before the debate commences, at any time during the sitting of the House." So jealously is this right of petition given on one occasion a motion for the Speaker to leave the chair was withdrawn, in order to enable a member to present a petition, and was repeated as soon as the petition had been received.

I rule that the presentation of a petition to the House, under the circumstances set forth by the hon. member for East Kootenay, is in order.

D. W. HIGGINS, Speaker.

On motion on HON. MR. ROBINSON the ruling was ordered to be placed on the votes and proceedings.

REPORTS.

MR. BAKER presented the report of the Railway committee, reporting the bill of the Nelson & Fort Sheppard railway company with amendments. The report was adopted.

MR. MARTIN presented the report of the Private Bills and Standing Orders committee, reporting as correct the petitions of the Toad Mountain & Nelson Tramway company, the Vancouver & Lulu Island railway company, the Liverpool & Canoe Pass railway company.

NEW BILLS.

MR. KELLIE introduced a bill to incorporate the Toad Mountain & Nelson Tramway company—Private Bills committee.

MR. CORTON introduced the bill to incorporate the Vancouver & Lulu Island railway company—Railway committee.

MR. CORTON—To incorporate the Liverpool & Canoe Pass railway company—Railway committee.

The second reading was carried, however, without a division; the bill to be committed to-morrow.

The House rose at 9:40 p.m.

NOTICES OF MOTION.

By MR. CORTON—To add to the Westminster and Vancouver Tramway bill a section "That the company shall complete and equip that portion of its works, equipment, line and roadway, lying and situate between the boundaries of the cities of Vancouver and New Westminster, before Dec. 31, 1891."

By MR. SWORN—To introduce a bill respecting damages to stock.

By MR. SWORN—To move the adoption of the report from the committee on Railways, providing that the right of eminent domain upon special conditions, but without the necessity of a special charter, be granted as a right to applicants for a railway line.

By HON. MR. BEAVEN—To add the Chinese clauses to the following bills: To incorporate the Burrard Inlet and Fraser Valley railway; to incorporate the Chilliwack railway company; to incorporate the Vernon and Okanagan railway; to incorporate the Nicola Valley railway; to incorporate the Ashcroft and Cariboo railway; to incorporate the Vernon and Nelson Telephone Co., to incorporate the Toad Mountain and Nelson Tramway Co.

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MR. CORTON introduced the bill to incorporate the Vancouver & Lulu Island railway company—Railway committee.

MR. CORTON—To incorporate the Liverpool & Canoe Pass railway company—Railway committee.

MR. MARTIN—Bill to enable the Okanagan Land and Development company, limited, to construct telephone lines and tramways in the towns of Enderby and Vernon—Railway committee.

MR. HUNTER—Bill to incorporate the Vancouver & Lulu Island Electric Railway and Improvement company—Railway committee.

After some discussion between Hon. Messrs. Robson, Beaven and Peoley as to what constituted a division, Mr. Speaker said that the ayes and nays had been called, on the School Bill.

THE CHINESE QUESTION.

MR. BROWN moved, seconded by Mr. Forster: "Whereas the introduction of Chinese into the province is highly prejudicial to the best interests of the country, as Chinese can never become citizens in any true sense of the word; therefore, be it resolved, that an humble address be presented to His Honor the Lieut.-Governor, praying him to take such steps as may seem best to him to induce the Dominion Government to increase the tax on Chinamen coming into the country from \$50 to \$200."

He said his real object was to bring up the principle which could readily be pronounced. He did not ask the House to bind itself to the amount he had given for the poll tax, which could be made larger or smaller, as the House might desire. The best plan would be to keep the Chinese out of the country altogether.

HON. MR. ROBINSON said he was prepared to go the length of \$100, and would support \$200 or \$500 if he thought there were any chance of carrying it. But he was satisfied that there was much more likelihood of succeeding if the amount were placed at \$100. Otherwise the House would defeat the object it had in view. A reason for the request would be granted, and one higher would be regarded as a hostile act and would be refused. He thought the province ought to have two-thirds of the tax instead of what it now received. The Chinese came here to the detriment of the province, and against the will of the province. The better way to deal with them would be to keep them out as much as possible rather than refuse them employment when they were here.

MR. HUNTER said if there were any chance of getting a \$500 poll tax he would support such a step. The best plan was to keep Chinamen out of the country, not when they came here to prevent them exercising honest labor. Let it be shown that we would tax them heavily for coming.

MR. SEMLIN favored a \$200 rather than a \$100 tax, which would, he thought, tend altogether to prevent the Chinese coming. Let this House say what it thought would be effective and ask for that. If the principle were to keep out the Chinamen, let us keep them out.

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HON. MR. DAVIS traced the history of anti-Chinese legislation, saying that since the poll tax had been imposed the ill effects of their presence had been the less felt. He believed that the poll tax was far better than all the laws which went to deny Chinamen the right to earn their bread while here. He was not prepared to go to the extent of such Chinese restriction acts, as he would have done had there been no poll tax. Once the Chinaman was here, after having paid his poll tax, he had the right to work and earn his daily bread. There were, it was true, some cases in which he should be excluded from work. He referred to public works to which concessions were made. He pointed out that there were no restrictions against the Japanese who were just as injurious as the Chinese, and should support this resolution, but believed it would be better to make the tax \$100 instead of \$200. Having a tax of \$50 increase is a good position to get in the \$100, which would be putting in a further portion of the wedge.

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MR. MARTIN—Bill to enable the Okanagan Land and Development company, limited, to construct telephone lines and tramways in the towns of Enderby and Vernon—Railway committee.

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After some discussion between Hon. Messrs. Robson, Beaven and Peoley as to what constituted a division, Mr. Speaker said that the ayes and nays had been called, on the School Bill.

THE CHINESE QUESTION.

MR. BROWN moved, seconded by Mr. Forster: "Whereas the introduction of Chinese into the province is highly prejudicial to the best interests of the country, as Chinese can never become citizens in any true sense of the word; therefore, be it resolved, that an humble address be presented to His Honor the Lieut.-Governor, praying him to take such steps as may seem best to him to induce the Dominion Government to increase the tax on Chinamen coming into the country from \$50 to \$200."

He said his real object was to bring up the principle which could readily be pronounced. He did not ask the House to bind itself to the amount he had given for the poll tax, which could be made larger or smaller, as the House might desire. The best plan would be to keep the Chinese out of the country altogether.

HON. MR. ROBINSON said he was prepared to go the length of \$100, and would support \$200 or \$500 if he thought there were any chance of carrying it. But he was satisfied that there was much more likelihood of succeeding if the amount were placed at \$100. Otherwise the House would defeat the object it had in view. A reason for the request would be granted, and one higher would be regarded as a hostile act and would be refused. He thought the province ought to have two-thirds of the tax instead of what it now received. The Chinese came here to the detriment of the province, and against the will of the province. The better way to deal with them would be to keep them out as much as possible rather than refuse them employment when they were here.

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Mr. BEAVER moved, in amendment, seconded by Dr. Milne, to strike out all the words after "country" in line 2, down to including "\$200" in line 6, and insert:

"And whereas the 'Chinese Immigration Act of Canada' has proven in a great measure beneficial, but in some respects defective, more especially in that its third section permits the employment of a Chinese as interpreter, and we consider it would be preferable that a suitable person of our own race should be obtained;

"And whereas the 5th section permits vessels to carry one Chinese immigrant to any part of Canada for every ton of its tonnage; but we are of opinion that a much larger restriction should be imposed, and fewer Chinese carried on each vessel, or their importation prohibited;

"And whereas the 8th section imposes only an entrance duty of \$50 on every person of Chinese origin entering Canada, when \$200 is in our opinion the lowest entrance duty that should be charged, if Chinese are allowed to enter Canada;

"And whereas the 4th sub-section of the 8th section provides that the entrance duty of \$50 shall not apply to any Chinese person who resided or was within Canada on 1st January, 1886; and the 13th sub-section authorizes the issuance of a certificate of leave to depart and return to Chinese who wish to leave and return to Canada; but, in our opinion, the entrance duty should apply to all Chinese other than those mentioned in sub-sections (a) and (b.) of section 8, and the issuance of the above-mentioned certificates should be entirely abolished;

"Be it therefore Resolved, That a respectful address be presented to His Honor the Lieutenant-Governor in Council requesting him to take such steps as may seem best to him to move the Dominion Government in this matter."

Mr. BEAVER continued—This \$200 tax was manifestly insufficient, because it was well known that even with the small amount of public works going on, contractors had been ready to pay the present tax to get Chinamen. The sum should not be less than \$500; but it being useless in the temper of this House to stretch out for what this country would endorse, he had fixed the figure at not less than \$200.

Col. BAKER said that last week he had been informed by an American contractor from Spokane that hundreds of Chinese were employed on the railways on that side. He pointed out that many of the Chinese who came here were British subjects from Hong Kong, and the question arose had this country the right of taxing British subjects? Hon. Mr. BEAVER spoke of the tax as feeling in the state of Washington, and in the city of Tacoma and Pierce county, where even the ladies would not employ Chinese.

Hon. Mr. ROBSON said that in recently going to and coming from California he had seen long lines of Chinamen employed on railways, and was informed that they were principally employed on such works. The present was a question of principle and of expediency also, and the reason he was opposed to a large figure was because he feared it would prejudice the whole case, and prevent the obtaining of what was desired. He believed in excluding Japanese just as stringently as the Chinese. Indeed, they had not as strong claims as had the Chinese.

Hon. Mr. TURNER said it looked as if many people here had Chinamen on the brain, but he believed that if they had votes there would not be so much said against them. He did not say that there were too many Chinese at the present time; they were not all bad; they helped the industries of this country very greatly. Indeed but for Chinese labor many of them could not have been started and carried on. Take the salmon industry, some 420,000 cases were packed last year. The average cost of putting them up was \$3.75 per case, sometimes more. Out of this \$1 went to England for freight, or \$420,000 in all. All the Chinese received was about \$210,000, leaving \$940,000 expended among working people in British Columbia. Many of them, it is true, Indians, but the largest proportion were whites. Then as regards the clearing of land; large tracks had been cleared by Chinamen and sold to white men. Last year owing to the lack of Chinamen white men had had to be employed to clear lands at Saanich, in consequence of the cost of which it had not been possible to sell the cleared lands to white settlers. Chinamen did a considerable amount of good, and not all the harm laid at their doors. The Chinese were not, it was true, the most desirable neighbors, but that could be regulated by the authorities. At the canneries he had had Japanese employed, and they were on much the same footing as the Chinese. He urged that no hatred of the Chinese should be allowed to exclude them, and bring in the Japanese who were much like the corner, but as one of his foremen had said, had the white man's vices.

Mr. FORSTER said that the question of return certificates had been well brought up by the leader of the Opposition, and he believed the system should be improved. Though he had seconded the motion, the amendment met his views better than the original motion, and he should support it.

Hon. Mr. POOLEY did not believe in all the Chinese nonsense that he had heard talked here. He spoke of the important element the Chinese were in the salmon industry, saying that without cheap Chinese labor many industries could not be carried on. Of 150 years about half the Chinamen had left the country, and more were preparing to do so, while some of the Chinese merchants, on Cormorant street, were also talking about closing up. There must be in this country, he said, a certain amount of cheap labor or we should not be able to get along. The impression was being formed, on competent authority, that the Chinese were to be the future servants of the world. We had not too many Chinamen at present, and he would not vote to put them out. If they were totally excluded it would be a very serious loss. So far the Chinese had not contested the poll tax; but if it were made much heavier they would do so. He spoke of the experiences of Queensland, where they had contested the tax, and we should soon have the results of their contestations.

Mr. COTTON stated that he should support the amendment of the leader of the Opposition. He contended that what had to be done to get rid of the Chinese was not to give them employment, and he, for one, should see to the insertion in all possible Bills of the Chinese clauses. Until such action were vigorously taken, the Chinese evil would not be removed.

Hon. Mr. DAVIS reiterated his contention that unless the Japanese were restricted they would cause the same amount of trouble as that which was now caused by the Chinese. He moved an amendment to the amendment of the leader of the Opposition in effect to add the words "and Japanese," wherever the word "Chinese," occurred.

The Speaker ruled that the Attorney-General's amendment could not be put to the House until it had been decided whether or not the words should be struck out, which the leader of the Opposition proposed to substitute by his amendment.

Mr. SEMLIN contended that the Attorney-General had handicapped the effort to restrict the Chinese by bringing in the Japanese. He was convinced that this would kill the proposition when laid before the Dominion authorities. They had already dealt with the Chinese, and this was only increasing the tax upon them; but they had never been caused to consider this aspect of the Japanese question. If he did not give the Attorney-General credit for sincerity, he should be inclined to think he had brought up this proposition in order to kill the motion.

Mr. KIRK said that he was prepared to allow the Chinamen who were already here the opportunity of earning their livelihood, but he did not want to see any more of them brought here. He complained that the amount of the proposed tax was not sufficiently large, and moved, in amendment, to make the poll-tax \$500, nothing less than which would keep them out, as contractors would pay it.

Mr. HUNTER would like to know who those contractors were?

Mr. KIRK said he did not just remember, but he would, later on, inform the hon. member. He insisted that if this House favored the \$500 tax, it would show the Dominion authorities what this province required.

The SPEAKER said the amendment was out of order, at present, but could be moved at a subsequent stage.

Mr. SMITH thought that the natural decrease of the Chinese under the present system would accomplish all that was needed. No one was compelled to employ Chinese. He read a letter from his constituents opposing their employment.

Mr. ROBERTS said that it was only a matter of time when the ill-paid laborer of the East would come here, and he for one would be prepared to put in the heaviest restriction upon the Chinese.

Mr. HALL said the cannery business could not be carried on for two-thirds more than its present cost without the aid of the Chinese. He deprecated so much waste of time on the question. He believed that we should legislate for matters as they came along. His own hatred of Chinese was not at present as high as \$200 a head. He had found the "Japs" a very desirable people on the coast, and he hoped the House would not commit itself to this almost lunatic legislation.

Dr. MILNE considered every white man equal to five Chinamen in the interests of the country. He quoted at considerable length the resolutions adopted in this House in 1885, and urged that everything possible be done to get rid of the Chinese nuisance. Indeed he was surprised to see the manner in which there appeared to be a desire to shut this question.

Mr. COTTON thought that if more attention were paid to matters terrestrial than had recently been given to matters celestial the public interests would have been better subserved. He pointed out the great use of the Chinese element in the canning industry, and indicated that they might be turned to very great advantage in fruit growing. He drew a comparison between the Chinese and Japanese, the reason for bracketing whom with the Chinese he could not imagine.

Hon. Mr. ROBSON said he had never said a word which could be construed into favoring the employment of Chinese labor on public works, and was annoyed to see that some members had misconstrued him.

Hon. Mr. VERNON said that on the Eastern coast of America there were no Chinese, and labor regulated itself. But here the case was different. We had so close to us

all the American railways and canneries carried on with the aid of Chinamen at a low price, unless the Chinamen were excluded from the United States we could not afford to exclude them here. He should vote against both the motion and amendment, believing it best— all things considered—to be satisfied as we were.

Mr. BROWN said that we must have a laboring class. If we wanted to have a prosperous country we must have vigorous and enterprising white labor, which could not be had with the presence of the Chinese. He should vote for the amendment, but if that were not carried he should vote for his own motion. The question was: should we have Chinese labor and the consequent backwardness or should we have a prosperous growing country with the aid of white labor.

Mr. GRANT said that there was certain industries which could not be carried on in this country without the aid of Chinese. He was satisfied, however, that even the Minister of Finance would not care to assimilate with them. It was right to keep their numbers as small as possible, and he anticipated that in a few years there would be but few of them in this province. They had of late considerably decreased, so that it was impossible to supply all the Chinese labor that was asked for. The price at which Chinamen were to-day working left them very little to send home. He could not go as far on this question as did the leader of the Opposition. Indeed, had he (Mr. Grant) been as well treated by his own people as by the Chinese he should have been much better off. But he could not say they were a very desirable class of inhabitants. Without them it would be impossible to compete

with the labor of the Frenchmen of Quebec, who were content to work for 75 cents per day. These were facts. He thought the \$50 head tax had done much for white labor, and deprecated the idea of entirely doing away with return certificates, which would be doing a very great injustice, and he would not do an injustice either to an Indian or a Chinaman.

Hon. Mr. BOOTH said cheap white labor was not likely to come in here for some time, and in the interval we must have the Chinese. He should vote in favor neither the motion nor the amendment.

Mr. ROBSON said he should vote against the amendment of the leader of the Opposition, with the hope that the main motion would carry with the Attorney-General's amendment tacked on it.

Mr. GRANT said he should vote for the amendment of the leader of the Opposition, although he did not approve of the clause to do away with return certificates, in the hope that that portion of it would not be acted upon.

Hon. Mr. BEAVER's amendment was carried by 16 to 14.

Mr. BROWN hoped the Attorney-General's amendment would be voted down in such a way as to prevent similar action being taken again, as he was satisfied that it would destroy the effect of the amendment, as the Attorney-General must know well. It would raise an international complication that would put the matter out of court and cause the resolution to be pigeon-holed.

Mr. HUNTER said that the member for Westminster had misstated the matter from the first. The conditions of this province were such that he ventured to say that on the 1st of June, if the honorable gentleman came here in search of Chinese labor, he would find it difficult; if not impossible to obtain. He knew in fact that manufacturers already contemplated the obtaining of labor from Japan in view of the possibility of the Chinese being kept out.

Mr. EBERTS took the ground that it had

never been contemplated by the poll tax to totally exclude the Chinese. Moreover, when the Chinamen came here it was not to be supposed that they were to be totally excluded from work. Any Chinaman could leave his country, but a Japanese could not do so without getting a special permit from the government, and that was the reason they were not here in the same hordes as the Chinamen. The Japanese were wonderful coal miners.

On motion of Hon. Mr. ROBSON, the debate was adjourned, and the House adjourned at 5:45 till to-morrow, on which day there will be no evening session.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

TWENTY-THIRD DAY.

WEDNESDAY, Feb. 25, 1891.

After prayers by Rev. D. Fraser, P. M.

PETITION.

Mr. BROWN presented a numerously signed petition from New Westminster in favor of woman franchise.

REPORTS.

Col. BAKER presented the report of the Railway Committee, reporting the Burrard Inlet Railway and Ferry Co. Bill with amendments, and asking for an extension of eight days on the time for reporting Bills.

Col. BAKER said that unless this report was agreed to, several bills would not possibly be dealt with.

Mr. MARTIN said that he had also a report from the Private Bills Committee, asking an extension for two weeks.

As the messenger was conveying the report of the Railway Committee to the Speaker,

Hon. Mr. BEAVER secured possession of it, for which he was reprimanded by the Speaker; but he protested that he had asked for it before the Speaker had demanded it.

The report of the Standing Orders Committee reporting the Bill of the New Westminster and Burrard Inlet Railroad Co., also asking for an extension of time of two weeks for receiving reports on private Bills, was adopted and the extension of time granted.

Col. BAKER withdrew that portion of the railway report relating to the extension of time, and as amended the report was adopted.

PRIVILEGE.

Mr. SMITH rose to a question of privilege, saying that he had found on his desk a paper entitled, "Suggestions to the Mining Commission." He would like to know whether this was a regular document.

Mr. KELLIE said the Mining Commission had never authorized that paper to be placed on the desks, and whoever placed it there should take it off.

NEW BILLS.

Mr. COTTON introduced a Bill to incorporate the Vancouver Northern, Peace River and Alaska Railway and Navigation Co., Railway Committee.

Mr. KELLIE introduced a Bill to incorporate the Nicola, Kamloops and Similkameen Railway, Railway Committee.

Mr. SMITH said that the letter which he had read yesterday from his constituents said that if the Chinese were driven out farming would be starved out. It did not favor their further restriction.

RETURNS.

Mr. MCKENZIE moved for a return showing the area of all that portion of the land conveyed to the Dominion Government under section 3 of an Act entitled, "An Act relating to the Island Railway, the Graving Dock and Railway Lands of the Province," lying to the northward of a line running east and west half-way between the mouth of the Courtenay River (Comox District) and Seymour Narrows; also, for a return showing the area of the lands alienated up to 19th December, 1882, by Crown grant, pre-emption or otherwise, within the limits of the grant mentioned in section 3 of the Act entitled, "An Act relating to the Island Railway, the Graving Dock, and Railway Lands of the Province," and for a return showing the school reserves, Indian Reserves, naval or military reserves, and reserves for general public purposes within the limits of the public purposes within the limits of the grant to the Esquimalt and Nanaimo railway company, the several areas, and situations thereof. Carried.

Mr. SWORN introduced a bill entitled an Act respecting damage done to stock.

Mr. EBERTS introduced a bill to incorporate the Hot Springs and Goat River Tramway company.

Referred to Railway committee.

EMINENT DOMAIN.

Mr. SWORN moved that the following report from the select standing committee on railways be adopted:

"Your committee respectfully recommend to the House that before any of the present private railway bills before the House are taken into consideration, the Government be requested to consider the advisability of amending the present Railway Act by introducing a clause which will provide that the right of eminent domain upon special conditions, but without the necessity of a special charter, be granted as a right to applicants for a railway line."

Hon. Mr. ROBSON suggested that the motion be postponed.

Col. BAKER said the object was simply to ask the Government to take this subject into consideration.

Mr. SWORN consented to allow the matter to stand, and the debate was adjourned till Tuesday.

SETTLEMENT OF PUBLIC LANDS.

Mr. ANDERSON moved that in the opinion of this House the time had arrived when greater interest should be taken in the settlement of the public lands. Twenty-two years ago he had taken up public lands in the Saanich district, and like many others had not been able to clear more than 25 per cent. of his land, which was a loss, not alone to the settlers, but to the country at large. He spoke of the large quantities of land which explorers had shown to be open for settlement, if, meantime, they had not been alienated. But in order to induce people to settle in remote districts something more should be done than now. Moreover, frequently intending settlers went into the interior and not finding land that was not taken up came back to the towns discouraged. If the Government had some officials whom they could send out with parties who required lands to sections that were really available many people would go out, and with favorable inducements settle down. The fact was that too many settlers had taken up more land than they required, and were in fact land poor. Were the land laid off in plots of 50 or 60 acres it would be a great help both to the settler and the country.

Hon. Mr. ROBSON said he fully realized the remarks of the last speaker only knew what the Government would discover that they were doing out his ideas. The Government several schemes, one of them to the old country a number of eligibles who would be placed out without special charge on the country. The which the Government had in hand to discourage land speculation and age small holders. The Government already sent out survey parties seeking all possible information in lands so that there might be in offices all information with respect condition of the different parts policy was not to bring people look for a needle in a hay stack time the Government was acquiring nation and was developing schemes out settlers among them about old country people now resident United States. The remarks of able gentleman fully met with the of the Government, and now, he tained the information he sought, he would withdraw his motion.

Hon. Mr. BEAVER said that the ment had almost refused to make and it was evident that in the of the member for Victoria District, erment was not entitled to his co. He did not think the motion should drawn. There ought to be a land Vancouver to prevent people going the Sound. He denounced the exist system, but admitted that the Gov had made some surveys, about, regretted that little was known.

Mr. ANDERSON asked to withhold motion, saying that his object had tained in the encouraging announcement made by the leader of the Govern

Mr. SEMLIN said that the new L now before the House, did very facilitate settlement. He asked t of the Government to let the Hou all about those hundred families w to be brought from the States.

The debate was postponed.

QUESTIONS.

Mr. SWORN asked the Commis Lands and Works: (a.) What tions to purchase, under section 25 "Land Act," are now subject to fo (b.) What land has been applied f this section, the purchase of which been completed? (c.) What are t of the parties who have not comple purchases under this section, the their applications, the situations, a ges?

Hon. Mr. VERNON replied that gentleman would find information at the journals of 1889, since which ti had been applications for some acres, a number of which had not completed. During the last six about 54,000 acres had been applie under section 25. As to the other of the commissioner stated that so co sive and voluminous were the do that it would be well if the hon. would call at the Lands and Work where perfect access could be had papers.

THE WELLINGTON TROUBLE.

In answer to Mr. Mackenzie, Hon. Mr. POOLEY said not to his knowledge the person verbally or otherwise sulted or communicated with the cial Government, or any of its met deputies, concerning the sending militia to Wellington last summer, the calling out of that force.

VANCOUVER WATER WORKS.

Mr. MARTIN moved the seconding of the Vancouver Water Wor Most of the points of difference said, been settled and he did not there was anything which could not be settled in committee.

Mr. COTTON asked that this bill pressed. He had only seen the night as amended, and it was on postpone it until he had been able it to the mayor and corporation cession. They were the part concerned.

In answer to Mr. Hunter, Mr. MARTIN said that the me Vancouver had had sufficient oppor consult his constituents. It seemed that the object of the Vancouver tion was to compel the Water Wor pany to sell out to them at a figure.

Mr. HORNBY said it would be press the second reading to-day. he had in his hand was the first seen. He did not think it would be press it.

After a long discussion, the seconding was held over till Tuesday.

THE CHINESE QUESTION.

In resuming the debate, Hon. Mr. ROBSON said that he the whole performance of yeste connection with the Chinese ques calculated to prejudice the entire and he wished it could be got rid something more moderate would something be secured from Otta the majority ruled, and he was that mischief would have been do minds of the Dominion Government.

Mr. SEMLIN objected to the tack the Japanese question, which would the resolution negatory.

Mr. KIRK thought that, for th of the movement, it might possibl to withdraw the Japanese referenc influence had not yet been felt her Hon. Mr. ROBSON—Prevention than cure.

Mr. KIRK said he agreed with Attorney-General had said on this but he believed it would be bette pass that amendment.

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D DAY.

Feb. 25, 1891.

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Hon. Mr. ROBINSON said he fully agreed with the remarks of the last speaker, who, if he only knew what the Government was doing, would discover that they were only carrying out his ideas. The Government had several schemes, one of them to bring from the old country a number of eligible settlers who would be placed out without a financial charge on the country. The legislation which the Government had in hand was to discourage land speculation and to encourage small holders. The Government had already sent out survey parties and was seeking all possible information as to public lands so that there might be in the public condition of the different parts. The true policy was not to bring people here to look for a needle in a hay stack of the time the Government was acquiring information and was developing schemes to place out settlers among them about a hundred old country people now residents in the United States. The remarks of the honorable gentleman fully met with the approval of the Government, and now, having obtained the information he sought, he trusted he would withdraw his motion.

Hon. Mr. BEAVER said that the Government had almost refused to make surveys, and it was evident that, in the opinion of the member for Victoria District, the Government was not entitled to his confidence. He did not think the motion should be withdrawn. There ought to be a land office at Vancouver to prevent people going across the Sound. He denounced the existing land system, but admitted that the Government had made some surveys, about which he regretted that little was known.

Mr. ANDERSON asked to withdraw his motion, saying that his object had been attained in the encouraging announcement made by the leader of the Government.

Mr. SEMLIN said that the new Land Act, now before the House, did very little to facilitate settlement. He asked the leader of the Government to let the House know all about those hundred families who were to be brought from the States.

The debate was postponed.

QUESTIONS.

Mr. SWORD asked the Commissioner of Lands and Works: (a.) What applications to purchase, under section 29 of the "Land Act," are now subject to forfeiture? (b.) What land has been applied for under this section, the purchase of which has not been completed? (c.) What are the names of the parties who have not completed their purchases under this section, the dates of their applications, the situations, and acreages?

Hon. Mr. VERNON replied that the gentleman would find information as to this in the journals of 1889, since which time there had been applications for some 250,000 acres, a number of which had not yet been completed. During the last six months about 54,000 acres had been applied for under section 29. As to the other questions, the commissioner stated that so comprehensive and voluminous were the documents that it would be well if the hon. gentleman would call at the Lands and Works office, where perfect access could be had to all the papers.

THE WELLINGTON TROUBLE.

In answer to Mr. MacKenzie, Hon. Mr. POOLEY said it was not to his knowledge that any person, verbally or otherwise, consulted or communicated with the Provincial Government, or any of its members or deputies, concerning the sending of the militia to Wellington last summer, prior to the calling out of that force.

VANCOUVER WATER WORKS.

Mr. MARTIN moved the second reading of the Vancouver Water Works Bill. Most of the points of difference had, he said, been settled, and he did not think that there was anything which could not be settled in committee.

Mr. COTTON asked that this bill be not pressed. He had only seen the bill last night as amended, and it was only fair to postpone it until he had been able to send it to the mayor and corporation for their consideration. Hon. They were the parties most concerned.

In answer to Mr. Hunter, Mr. MARTIN said that the member for Vancouver had had sufficient opportunity to consult his constituents. It seemed to him that the object of the Vancouver Corporation was to compel the Water Works company to sell out to them at a nominal figure.

Mr. HORN said it would be unfair to press the second reading to-day. The copy he had in his hand was the first he had seen. He did not think it would be fair to press it.

After a long discussion, the second reading was held over till Tuesday.

THE CHINESE QUESTION.

In resuming the debate, Hon. Mr. ROBINSON said that he believed the whole performance of yesterday, in connection with the Chinese question, was calculated to prejudice the entire matter, and he wished it could be got rid of so that something more moderate would pass and something be secured from Ottawa. But the majority ruled, and he was convinced that mischief would have been done in the minds of the Dominion Government.

Mr. SEMLIN objected to the taking on of the Japanese question, which would render the resolution nugatory.

Mr. KITCHEN thought that, for the success of the movement, it might possibly be well to withdraw the Japanese reference. Their influence had not yet been felt here.

Hon. Mr. ROBINSON—Prevention is better than cure.

Mr. KITCHEN said he agreed with what the Attorney-General had said on this subject, but he believed it would be better not to pass that amendment.

Hon. Mr. DAVIE said that had the course he proposed been adopted fifteen or sixteen years ago with respect to John Chinaman there would not have been the trouble there was now. The Japanese he believed to be just as objectionable as the Chinese. They worked for just as small wages as the Chinamen, and were, therefore, especially objectionable to the working people. He was prepared to withdraw his motion because he did not wish to have it said that he had been the means of preventing the necessary regulations.

Mr. BOURN suggested to reconsider the action of yesterday and to substitute \$100 for \$200.

Hon. Mr. ROBINSON contended that it would not do to wait till the Japanese came. An ounce of prevention was worth a pound of cure, and should be applied now. Why should the Chinese be legislated against and not the Japanese? To talk on a Japanese resolution would not injure the object in view.

Mr. BROWN hoped the amendment would be withdrawn.

Hon. Mr. DAVIE having formally withdrawn his Japanese amendment,

The original motion of Mr. Brown, as amended by Hon. Mr. Beaver's amendment, adopted yesterday, was rejected by 16 to 13.

The question, as proposed, was—"Shall the resolution as amended pass." The following is the division: Yeas—Semlin, Grant, McKenzie, Cotton, Kellie, Milne, Beaver, Horns, Brown, Forster, Keith, Davie, Stoddard, Fletcher—14.

Nays—Sword, Kitchen, Smith, Baker, Robson, Vernon, Booth, Hall, Nason, Pooley, Turner, Martin, Croft, Hunter, Rogers, Anderson—16.

The House went into committee on the Westminster and Vancouver Street Railway company bill, Mr. Smith in the chair. The committee rose and reported progress, and the House adjourned at 6 o'clock.

PROVINCIAL LEGISLATURE.

First Session of the Sixth Parliament.

TWENTY FOURTH DAY.

THURSDAY, Feb. 26, 1891.

Mr. SPEAKER took the chair at two o'clock.

After prayers by Rev. D. Fraser, PRIVILEGE.

Hon. Mr. BEAVER rose to a question of privilege, with reference to a matter which occurred yesterday, when the report from the Railway Committee was introduced.

The SPEAKER said that he had an explanation to make which he thought would render any remarks by the hon. member unnecessary. He (the Speaker) had directed the sergeant-at-arms to convey the report back to the member for East Kootenay. The sergeant-at-arms, having been previously asked by Mr. Beaver to bring the report to him, and not understanding (as he has since explained) the direction of the Speaker, carried the report to Mr. Beaver, who, being unaware of the Speaker's instruction, retained it. A few minutes later, continued Mr. Speaker, I was amazed and annoyed to find that the report was in the hands of the leader of the Opposition, instead of Col. Baker's hands, and, knowing nothing of the request of Mr. Beaver, commented severely upon what I conceived to be an irregularity on his part. Since yesterday the matter has been explained by the sergeant-at-arms, and I have now no hesitation in saying that the leader of the Opposition was in no sense to blame for what occurred, and I offer him an apology for what I said.

Mr. BEAVER expressed himself entirely satisfied with the explanation, and the matter dropped.

NEW BILLS.

Hon. Mr. VERNON introduced a bill respecting land surveys.

Dr. MILNE—Bill to amend the Graveyard Act.

Mr. SWORD—Bill to amend the British Columbia Railway Act.

MAIL SERVICE.

Mr. MARTIN moved "That whereas at the present time the mail service for the Osoyoos District is a monthly service to Camp McKinney, to the great inconvenience of the inhabitants of the said district; And whereas it would be for the greatest benefit of the inhabitants of the said Osoyoos District to have the said mail service extended to Rock Creek and changed to a fortnightly instead of a monthly service; Be it therefore Resolved, That a humble address be presented to His Honor the Lieutenant-Governor in Council, praying him to take steps to cause the said mail service to be extended to Rock Creek, in the Osoyoos District, and to change the same to a fortnightly instead of a monthly service."

The motion was carried.

Mr. COTTON moved the second reading of the Bill relating to the New Westminster and Burrard Inlet Telephone company's Bill.

Mr. COTTON explained that the Bill was to enable the company to extend its operations in the Westminster district. They also sought power to amalgamate with other companies so as to be able to supply a more efficient service. The motion was carried, and the Bill read a second time.

NEW WESTMINSTER AND VANCOUVER STREET RAILROAD.

Mr. KITCHEN moved the House into Committee on the Bill relating to the Westminster and Vancouver Street railway company, Mr. Smith in the chair.

Mr. COTTON said he had no wish to embarrass the company, and was therefore prepared to allow of a clause to enable the Lieut.-Governor in Council, if he deemed it necessary, to extend the time.

Hon. Mr. ROBINSON thought that a reasonable extension of time should now be made, suggesting that it be to June or July. He read a telegram from the company's agent stating that two miles of the road were graded, and that the material had been shipped, and that the company desired to provide against all possibility of accident. He thought it best not to burden the Lieut.-Governor in Council with such a duty as that the members for Vancouver contemplated.

On motion of Mr. Cotton the following new section was added: "That the Company shall complete and equip that portion of its works, equipment, line, and roadway lying and situate between the boundaries of the cities of Vancouver and New Westminster, before March 31, 1891."

Mr. COTTON said that he would be prepared to allow some concession; but, if the company did not proceed with their work, a new organization would, he had understood, be desirous of obtaining powers from this House next session. He would not object to an extension to March 31st, 1892, instead of to 31st December, 1891.

Hon. Mr. BEAVER moved to add the Chinese clauses to the bill.

Mr. KITCHEN said that, on the introduction of the bill, he had said that there would be no objection to the Chinese clause; but, yesterday, he had received a telegram from the secretary of the company, Mr. Forin, saying that the contracts had been given out and that the work had been begun. On this account, the insertion of the Chinese clauses might complicate matters, while, so far, no Chinese had been employed.

Hon. Mr. BEAVER said that the insertion of the clauses instead of inserting the company would benefit it. It was manifest that no Chinese were to be employed, and therefore the clause could not injure them.

Hon. Mr. ROBINSON argued that this was not a public work, and that the insertion of the clause would be an interference with private rights, and at the same time be taking a mean advantage of the company.

Mr. COTTON said that it was true neither of the companies had Chinese clauses in their original charters, but it was stated by them last year that they had no objections to the Chinese clauses. Now, however, after the rejection yesterday by a small majority of 16 to 14 of the Chinese resolutions, they plucked up courage and said "don't put in the Chinese clauses." Let the House give practical proof of their desire to restrict the bill. There was ample white labor in Vancouver and New Westminster, and it would be considered an outrage were Chinese to be allowed to work on this enterprise.

Hon. Mr. ROBINSON said he had been buried in effigy in New Westminster because he had objected to the employment of Chinese labor on the railway leading into that city. The line should be drawn so as to prohibit Chinese only on enterprises which were receiving a provincial grant, but to interfere with this company which sought no money grant was just as much as to say to any householder that he should not employ a Chinaman to cook his dinner.

Mr. COTTON said the case was altogether different to the condition of affairs at the time to which the leader of the Government referred. Then there was a short supply of white labor, and, to-day, the case was utterly different.

Mr. HORN insisted on the insertion of the Chinese clause.

Mr. KITCHEN stated that though he had now been requested to secure the non-insertion of the Chinese clauses, he had announced, on the introduction of the bill, that the clauses might be inserted without objection, and he should therefore vote for them.

After a long discussion on the insertion of the Chinese clauses, they were lost on a vote of 15 to 13.

Hon. Mr. BEAVER announced that he would bring up the clauses when the bill was reported to the House.

The committee rose and reported.

Hon. Mr. ROBINSON presented a petition, signed by over 1,500 people, with relation to liquor licenses.

The bill relating to gold and other minerals was set down for second reading to-morrow.

BURRARD INLET AND FRASER VALLEY R. R.

Mr. KITCHEN moved the second reading of the Burrard Inlet and Fraser Valley Railway bill. The company, he said, had not made their locations, but the road would open up a valuable section of country and would have a branch into the Chilliwack valley. He could not say when the surveys would be completed, but work was to be begun within two and completed in five years. Carried. To be committed to-morrow.

Mr. ROGERS moved the second reading of the

ASHCROFT AND CARIBOO RAILROAD BILL.

Mr. SEMLIN objected that this was merely a promoters bill, as the road could not manifestly be built for the capital provided by the amended bill.

Mr. BEAVER said that roads were generally built by syndicates, who issued bonds, which they guaranteed. The capital stock in itself had but little to do with the building of roads. They were built upon the bonds.

Hon. Mr. BEAVER pointed out that, irrespective of the land and money grant for a wide or a narrow gauge road, the company was entitled to a mineral royalty. He held that, on this heavily bonused road, the desire was to take away the safeguards provided, and materially reduce the amount of the capital stock. He had understood and believed it to be true that this enterprise had been offered for sale at an exorbitant figure before the original charter passed the House last year. He knew that persons had made large profits by merely obtaining charters and selling them.

Hon. Mr. DAVIE was not prepared to throw the bill out. There might be a good explanation, though he had not heard it. The incorporation of this company and the building of the road were of the utmost importance to the province and the district of Cariboo. The amount of the original capital \$10,000,000 might have been more than enough to build it. He regarded the selling of charters to capitalists as perfectly legitimate. Capitalists did not usually procure charters, but if the promoters were able to add them for \$20,000 or \$50,000 each, there was a guarantee that the road would be built. In that way great advantage would be done to the province. He could only wish that the promoters of the Canada Western could sell their charter for a good round sum, as in that way the building of the road would be assured. In order that there might be more information before the House he moved the adjournment of the debate.

Mr. COTTON regarded the construction of this road as of the utmost importance. Bonds, he explained, were the first charge upon the company, but he wanted explanations as to why the capital stock was to be reduced from ten millions to one. He differed from the Attorney-General, as to the practice of selling railway charters. We had a country rich in mineral resources yet he would like to know why, though we gave such heavy land grants and royalties we could not get railways built. On the other hand, in Washington they were proceeding rapidly. He hoped the discussion would be postponed until the resolution as to eminent domain of the member for New Westminster District brought up yesterday, were taken up and disposed of.

Mr. BROWN should support the Bill, for which he would go further than for most bills. He pointed out that the country was not yet ready for so many proposed railways. In a large number of cases roads could not be built without land grants. We were, however, living too much on capital. It was a poor and wasteful policy to grant charters to promoters for the mere sake of allowing their charters to be sold.

Mr. NASON agreed with the proposed adjournment of the debate, saying that on a future occasion he knew his colleague could give better explanations.

COL. BAKER said that this road connected with the Canadian Pacific railway, and therefore came under the Dominion Act.

Mr. KELLIE said he understood the Government were going to take steps to do away with the royalty clauses, and he for one should like to see the debate adjourned until the Government's intentions were announced.

Hon. Mr. ROBINSON said the motion for a bill to repeal the royalty sections was on the paper, but he did not see why that fact should interfere with the second reading. He was perfectly satisfied to accept the bill when dealt with by the railway committee. It could be easily understood that the large capitalization of the company had been an obstacle in the way of forming the company; the law providing that a certain amount of capital must be subscribed and paid up before work was commenced. The cost of the road, however, did not depend on what the amount of capital was, and if the company thought it best for their interests to reduce their stock, he should not object. The road was one of the most important in the country, and should have a particularly strong claim upon the province owing to the immense advantages that it would confer.

Mr. ROGERS said there were 73 farmers in the Cariboo district, and three flour mills, with immense tracts of land open for cultivation, all that was required being means of access. It was in addition to the mineral resources an immensely well-favored district.

Mr. HORN dwelt on the importance of this road, and held that every encouragement should be given, by every legitimate means, to roads which would open up the country.

Mr. GRANT said that without Cariboo, British Columbia would have been very little, and with railways to it old Cariboo would astonish the province and the entire world. He had been largely interested there and he was sure that railways would do immense things for it, but all the other advantages and resources were as nothing to what might be got out of the mines, and when the Cariboo mines were developed, a market would be found for all the immense natural products of the district. What was wanted was railways. He should, after the explanations which had been made, vote for the second reading.

Hon. Mr. BEAVER complained that the company formed last session had done nothing. The question was, would this House, by passing this bill, assist in the construction of the road or merely place money in the hands of speculators?

Mr. NASON reiterated that the sale of the charter would ensure the construction of the road. He described Cariboo as one of the richest mineral countries in the world, which could only be developed by a railway.

way. It was so far inland that it was almost impossible to work a mine. It had been proved that even the low grade ores could be worked at a great profit, and he trusted every member would give this bill his hearty support. He spoke of the difficulties in the way of road building, but as far as route was concerned it was a comparatively easy line to build, and would be built provided the concessions were granted.

COL. BAKER explained that last year not a few railroads and steam lines had been hindered in their inauguration by the financial crisis, which was one good reason why the road had not been commenced. He should vote for the railway, and all railways that came up.

Mr. SEMLIN withdrew his opposition to the second reading.

Dr. MILNE asked how the company were going to start the road on one million dollars, when it would take eight million dollars to build it.

Mr. STODDARD explained the changes in this bill from the original one, and said that they had been well considered and devised.

Mr. KELLIE thought the railway policy of the country was all wrong. He believed in developing the country, but reflected that the province would bitterly regret granting such large tracts of land. The land grants on the island and mainland had materially retarded progress.

The bill was read a second time.

On motion of Mr. Kitchen, the CHILLIWACK RAILWAY Bill—a length of 25 miles—was read a second time.

Mr. KITCHEN spoke of the resources of the section and the necessity it had for being brought to the Vancouver market.

Mr. MARTIN moved the second reading of the

VERNON AND OKANAGON RAILWAY Bill. He said it would traverse a district very similar to that of the Cariboo road, and would open up a similar country. It would be of the utmost benefit to the section and to the entire province. The chances were that the mines that would be reached would be of the richest and most productive.