

**F E B**

**1893**

introduced on Wednesday. As a general rule, after the public bills are disposed of there is not much time wasted in proroguing the House, and if this is to be the case this session members having private bills in charge will do well to have them placed on the order paper to be dealt with as soon as possible.

The librarian's room adjoining the Legislature library has been opened, and placed at the disposal of members of the press gallery. It is a comfortable room, affording easy access to the members while the House is in session, and the change is appreciated.

Messrs. Nason and Keith were the only members not in their seats yesterday. Mr. Nason is still in the hospital and will probably not be out for a month, and Mr. Keith has not yet come down from Nanaimo. Among the latest arrivals were Mr. Anderson, of Saanich, and Mr. Rogers, of Yale.

According to the new arrangement of seats, Hon. Mr. Davie moves up to the desk formerly occupied by Hon. John Robson. Hon. Mr. Vernon being next to him and Hon. Col. Baker taking Mr. Vernon's old seat. The other Cabinet ministers retain their old places.

The new rules of order of the House are in force this session, and present some important changes in procedure. One of these changes makes it improper, unless under urgent circumstances, to have a bill read a second time, committed and passed the same day.

## PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

### THIRD DAY.

February 1, 1893.

The Speaker took the chair at 2 o'clock. Prayers by Ven. Archdeacon Scriven.

#### TO CONFIRM MINERAL CLAIMS.

HON. COL. BAKER introduced a bill to confirm the title to certain mineral claims. Bill read a first time; second reading to-morrow.

#### INSANE ASYLUMS ACT.

HON. MR. DAVIE introduced a bill to amend the Insane Asylums Act. Read a first time; second reading to-morrow.

#### ARBITRATIONS.

HON. MR. DAVIE introduced a bill respecting arbitrations. Read a first time; second reading to-morrow.

#### NOMINATION OF COMMITTEES.

The following members were nominated to constitute the various committees:

Private Bills and Standing Orders.—By Hon. Mr. Davie, Messrs. Eberts, Smith, Hunter and Martin; by Hon. Mr. Beaven, Messrs. Semlin, Kitchen and Dr. Milne.

Public Accounts.—By Hon. Mr. Davie, Messrs. Martin, Croft and Rogers; by Hon. Mr. Beaven, Messrs. Grant and Cotton.

Printing.—By Hon. Mr. Davie, Messrs. Anderson, Fletcher and Hall; by Hon. Mr. Beaven, Messrs. Brown and McKenzie.

Railways.—By Hon. Mr. Davie, Messrs. Booth, Hunter, Rogers, Eberts, Stoddart, Nason, Punch, Croft, Horne, Anderson and Dr. Watt; by Hon. Mr. Beaven, Messrs. Sword, Forster, Brown, Keith, Kellie, McKenzie and Grant.

Mining.—By Hon. Mr. Davie, Messrs. Smith, Rogers, Stoddart, Punch and Dr. Watt; by Hon. Mr. Beaven, Messrs. Kellie, Cotton, Grant and Keith.

#### QUESTION OF PRIVILEGE.

HON. MR. DAVIE, rising to a question of privilege, said he wished to make a statement in connection with something that had been said at the last sitting of the House in regard to the railway belt.

HON. MR. BEAVEN interrupted the hon. Premier, who, he said, had no right to make any statement without giving notice of it in the form of a motion, so that all members of the House could be prepared to debate it.

HON. MR. DAVIE said the remarks he was about to make were of great interest to the House and to the public, and the subject matter could not very well be brought up on a special motion.

HON. MR. BEAVEN insisted on a strict observance of the rules of the House.

HON. MR. DAVIE said that if the remarks he was about to make would be objected to by the hon. leader of the Opposition, he would let the matter rest for the present, although he well knew that he was within his rights, and he felt sure the hon. members of the House would, if asked to do so, grant him by their votes the privilege he asked.

The matter then dropped, and the House adjourned at 3 o'clock.

#### NOTICE OF MOTION.

HON. MR. BROWN.—To amend the Voters Act.

#### LEGISLATIVE NOTES.

MR. KEITH, of Nanaimo, took his seat yesterday for the first time this session, having been detained at Nanaimo on business.

Several bills were to have been introduced yesterday in addition to those presented, but they had to come down by message from His Honor the Lieut.-Governor, and were delayed in consequence. They will be introduced to-day.

The bill introduced yesterday by the hon. Minister of Mines to confirm the title to certain mineral claims, is a simple measure to protect parties who, acting in good faith and without available knowledge of the alterations in the Mining Act made last year, located and recorded claims under the old Act.

Mr. Brown has given notice that he will bring up his Women's Franchise bill again this session. He says he hopes by bringing the question up time and time again to convince the majority of the members that it is the correct principle to permit the ladies to have a voice in Provincial affairs.

Under the provisions of the Insane Asylums Act which was introduced yesterday by the hon. Attorney-General, the Province will be protected from an evil which has existed for some time past. It has been found that in numerous instances insane people have been sent into the Province to be dumped at the doors of the asylum who afterwards became an unjust charge upon the public, inasmuch as they should be cared for in their own province or state. The bill provides the means for their return to the place from which they come.

What is said to be one of the most concise of the British acts of Parliament, is being copied by the province of British Columbia, in an act introduced yesterday by Hon. Mr. Davie, with respect to arbitration. Hitherto there has been authority in British Columbia under the common law for the holding of arbitrations, but no machinery was provided, and in consequence the working out of the law was found to be difficult.

The new act provides for this. The original bill was drafted in England by one of the brightest legal advisers of the Crown, and is said to be as nearly perfect as any law of the kind can be.

There are several new reference books ordered for the Legislature library that will afford interesting and instructive reading. They include "The Law and Usage of Parliament," being a manual of the practice, procedure and usage of the House of Assembly of South Australia, by Edwin Gordon Blackmore, clerk; practice of the Legislative Council of South Australia, by the same author; decision of the Rt. Hon. Evelyn Denison, speaker of the House of Commons, 1857 to 1872; of Rt. Hon. Sir H. B. W. Brand, G.C.B., speaker of the House of Commons, 1872 to 1884; and decisions of Rt. Hon. Arthur Wellesley Peel, speaker of the House of Commons on points of order, etc.

The Librarian of the Legislature will make his first annual report this session. Since the opening of the 1892 session, the following books have been placed upon the shelves, viz: Harrison's Municipal Manual,

fifth edition, by Joseph; Constitutional Documents of Canada, Houston; Ben Hur, Wallace; Life and Letters of Stonewall Jackson; the Franco-German War, by Count Von Moltke; Von Moltke's Letters to his mother and brother; History of Canada, Vols I to VI, Kingston; Pharaohs, Fellahs and Explorers, Edwards; Hansard Debates, Statutes, Journals, Sessional Papers, etc., from Dominion and Provincial Governments; Report of Proceedings Royal Colonial Institute, 1891-92; Production of Gold and Silver in the United States, 1890-91, Leech; Early Biography of Ontario, Kingston; Ontario Gazetteer, 1892-3; and Canadian Mining Manual, B. T. A. Bell.

## DAILY COLONIST

MONDAY, Feb. 6, 1893.

The Speaker took the chair at 2 o'clock.

#### PETITIONS.

The petition of the B. C. Southern Railway Co. was read and received; also that of the city of Victoria to consolidate and amend the Official Map Act.

#### PUBLIC SCHOOL ACT.

The House went into committee, Mr. Smith in the chair, to consider the message of the Lieut.-Governor, enclosing a bill to amend the Public School Act.

HON. COL. BAKER moved that the bill be reported.

HON. MR. BEAVEN wished some explanation. He thought it should be discussed at this "stage of the game." (Laughter.)

HON. COL. BAKER pointed out that it was not the custom for members to exercise the right they had of discussing bills which were sent down from His Honor in Committee of the Whole, and the effect of such discussion would be to obstruct the business of the House. There was plenty of time and ample opportunity afforded for the full and complete discussion of all measures when they had passed the initial stage. The practice suggested by the hon. leader of the Opposition was not that followed in this House, in the Dominion House, nor in the House of Commons in England.

HON. MR. BEAVEN urged again that the bill be explained.

HON. COL. BAKER said he would reserve what he had to say until the bill came before the House at the proper time.

MR. SEMLIN supported the view of the leader of the Opposition.

HON. MR. DAVIE showed that it would be a waste of valuable time to discuss measures at such a time as the hon. leader of the Opposition proposed. Other members of the House wished to get through with the business of the Province without wasting time, so that they could get back to their private business. There was a proper, orderly way in which to discuss the bill, and every member could say what he wished they wished.

After further remarks by Hon. Mr. Beaven,

MR. BROWN said that he wished to enter a protest against the theory that a member was out of order in discussing a bill sent down by His Honor when it first went into committee. He had no objection to this particular bill; but there might be others which he wanted to discuss in the initial stage.

MR. KITCHEN wished to protest against the statement of the hon. Premier that there was no time to discuss the bill.

HON. MR. POOLEY corrected the hon. member for New Westminster district. The hon. Premier, he said, had not stated that there was no time to discuss the bill, but rather that there was much important legislation to be brought before the House, and that to open up the discussion now would be to waste valuable time. He explained that the custom of sending down bills by His Honor was confined to a certain class of important legislation which was presented in this way so that it could not be put through the House in a hurry. He explained the various stages a bill coming before the House in this way had to go through, the result being that by the time it came up for its second reading, hon. members might have had time to study the measure and know what they were talking about.

The bill was reported and read a first time.

#### LABOR STATISTICS BUREAU.

The House went into committee, Mr. Sword in the chair, on the message of the Lieut.-Governor transmitting a bill to provide for the establishment of a bureau of labor statistics and also of councils of conciliation and arbitration, for the settlement of industrial disputes.

HON. MR. BEAVEN raised the same objection to the procedure, which he said was an insult to the House.

HON. COL. BAKER remarked that if the hon. leader of the Opposition wished, he could move that the committee rise, and thus kill the bill.

MR. SEMLIN—Yes, we could do that.

HON. MR. DAVIE—Try it. (Laughter.)

The bill was reported and read a first time.

#### HOME FOR DESTITUTE PERSONS.

The House went into committee, Mr. Hall in the chair, to consider the message of the Lieut.-Governor transmitting a bill for the establishment and maintenance of a Provincial Home for destitute persons.

HON. MR. BEAVEN and Mr. Semlin raised the same objection speaking at some length. The bill was reported and read a first time.

#### PUBLIC HEALTH ACT.

HON. MR. DAVIE presented a message from His Honor the Lieut.-Governor transmitting a bill respecting the public health.

#### PROVINCIAL VOTERS' ACT.

MR. BROWN introduced a bill to amend the Provincial Voters' Act. Bill read a first time; second reading Wednesday.

#### INCORPORATION OF RAILWAY COMPANIES.

MR. KELLIE introduced a bill relating to the incorporation of railway, tramway, telephone and telegraph companies.

#### CARPENTER CREEK CLAIMS.

MR. KELLIE moved "that a select committee be appointed to inquire into the claims of certain applicants to purchase land near the mouth of Carpenter creek, and at the head of Sloan lake, West Kootenay district, with power to call for persons, papers, and examine witnesses and report to the House as occasion may require; said committee to consist of Messrs. Grant, Booth, Rogers, Croft, and the mover." Carried.

#### BILLS INTRODUCED.

HON. MR. DAVIE introduced the following bills, which were read a first time, second reading to-morrow:—

"To amend the 'Breeding Stock Act.'"

"To amend the 'Homestead Act.'"

"Respecting Agisters of Cattle and Livery Stable Keepers."

"To amend the 'Married Woman's Property Act.'"

"To amend the 'Companies Act.'"

to amend the 'Bills of Sale' Act, to secure uniform conditions of Fire Insurance."

RULES OF THE HOUSE.

HON. MR. DAVIE moved Rules and Orders of the House to the words "after the second day," and by inserting the following, "but the committee may proceed on the same day reading."

HON. MR. DAVIE said he did cast any reflection on the committee and prepared the new rules, mature reflection would show practice was best.

HON. MR. BEAVEN opposed motion.

MR. BROWN wished for no consideration what the amendments were.

HON. MR. VERNON moved amendment of the debate.

APPOINTMENT OF A LAWYER.

HON. MR. BEAVEN inquired as to have a law clerk.

HON. MR. DAVIE said yes, an accident that the law clerk present to-day.

CONSIDERATION OF THE HOUSE.

HON. MR. TURNER moved His Honor the Lieut.-Governor, consideration on Wednesday next.

ARCHITECTS ACT.

MR. HUNTER introduced a bill the profession of architects, first time; second reading to-morrow.

SETTLED ESTATES.

MR. EBERTS introduced a bill settled estates. Bill read a first time; second reading to-morrow.

REGISTRATION OF BIRTHS.

On the consideration of the bill, the committee of the Whole.

HON. MR. DAVIE moved amendments to facilitate registration provide for legal proof of deputy registrars.

After some discussion, the matter over for further consideration.

MINERAL BILL.

HON. COL. BAKER moved the reading of a bill to confirm the title to certain mineral claims. He briefly explained the bill was read a first time; to be committed to-morrow.

ARBITRATION BILL.

HON. MR. DAVIE moved the reading of the Arbitration bill, which would be found to be a useful bill, briefly explained its conditions.

HON. MR. BEAVEN and Mr. Semlin moved amendments to which they thought could be amended in committee. The second time.

INSANE ASYLUM ACT.

HON. MR. DAVIE moved the reading of a bill to amend the Insane Asylums Act. He explained that the bill was in charge of the hon. member for New Westminster district, and had resulted in a number of persons being sent into the Province, and had become an immediate public. The bill gave authority to the Lieut.-Governor in Council to people to the place where the new bill will also provide that should examine the supposed insanity of persons separately and give separate provision for imprisonment of dangerous lunatics.

HON. MR. BEAVEN supported the bill, which was read a second time on the orders to be committed to the committee.

The House adjourned at 4:45.

LEGISLATIVE NOTES.

At yesterday's session every order paper was advanced a step.

HON. COL. BAKER presented yesterday of refunds of all fine liquor license laws.

MR. KELLIE's motion, passed in to settle some complaints of in the Sloan district.

The bill to amend the Companies Act, to give companies, whether not, status as mortgagees.

MR. S. Y. WOOTTON moved to amend this year, and will attend the day during the balance of the session.

The Private Bills committee meet this (Tuesday) morning for organization, and to consider matters already in hand.

HON. MR. DAVIE's bill to Breeding Stock act gives authority to Police Officers to detain animals at large, etc., and to sell the provisions of the general act.

The members of the House lighted with the way the Government business in house. Everything now for steady sessions and may be expected to begin soon.

The restaurant was again open to-day. It is in the same efficient & L. Young, with the genial in charge as of yore. All the the House and the press gallery have been by Mr. Speaker.

Mr. Nason took his seat for yesterday, and was warmly welcomed on both sides of the is not yet recovered by any means his head done up in bandages expects before long to be his again.

The Married Women's amendment bill, to make the of the act workable in court. The order of protection may new bill, be made by a police magistrate or two justices of the peace.

HON. MR. DAVIE's bill to amend conditions in policies of fire insurance the statutory conditions form part of all policies issued in the Province. If these varied in any way the variations conspicuous type and in ink color, otherwise they shall not be valid.

The act to amend the Bills will make the law in this respect "transfers or assignments of stock or other moveable property railway company, if by the act of transfer or assignment any of such company is included."



MONDAY, Feb. 6, 1893.

The speaker took the chair at 2 o'clock.

## PETITIONS.

Petition of the B. C. Southern Railway read and received; also that of Victoria to consolidate and Official Map Act.

## PUBLIC SCHOOL ACT.

Mr. BEAVER went into committee, Mr. BAKER moved that the bill be read a first time.

Mr. BEAVER wished some explanation of the bill. (Laughter.) Mr. BAKER pointed out that it was a bill for members to exercise the right of discussing bills which had been introduced in Committee.

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to amend the "Bills of Sale Act," to secure uniform conditions in Policies of Fire Insurance.

## RULES OF THE HOUSE.

HON. MR. DAVIE moved to amend the Rules and Orders of the House by striking out the words "after the second reading it shall be ordered for commitment on a subsequent day," and by inserting in lieu thereof the following, "but the committee of a Bill may proceed on the same day of its second reading."

HON. MR. DAVIE said he did not wish to cast any reflection on the committee which had prepared the new rules, but he thought mature reflection would show that the old practice was best.

HON. MR. BEAVER opposed the amendment.

MR. BROWN wished for more time to consider what the amendments would mean.

HON. MR. VERNON moved the adjournment of the debate.

APPOINTMENT OF A LAW CLERK.

HON. MR. BEAVER inquired if the House was to have a law clerk.

HON. MR. DAVIE said yes. It was only an accident that the law clerk had not been present to-day.

CONSIDERATION OF THE SPEECH.

HON. MR. TURNER moved, seconded by HON. MR. POOLEY, "That the Speech of His Honor the Lieut. Governor, be taken into consideration on Wednesday next." Carried.

ARCHITECTS ACT.

MR. HUNTER introduced a bill respecting the profession of architects. Bill read a first time; second reading to-morrow.

SETTLED ESTATES.

MR. EBBERTS introduced a bill respecting settled estates. Bill read a first time; second reading to-morrow.

REGISTRATION OF BIRTHS, ETC.

On the consideration of the report of Committee of the Whole.

HON. MR. DAVIE moved certain amendments to facilitate registration, and also to provide for legal proof of registration by deputy registrars.

After some discussion, the report was laid over for further consideration.

MINERAL BILL.

HON. COL. BAKER moved the second reading of a bill to confirm the title to certain mineral claims. He briefly explained the provisions. The bill was read a second time; to be committed to-morrow.

ARBITRATION BILL.

HON. MR. DAVIE moved the second reading of the Arbitration bill, which he said would be found to be a useful measure. He briefly explained its conditions and provisions.

HON. MR. BEAVER and Mr. Brown congratulated the Government on the measure, which they thought could be somewhat amended in committee. The bill was read a second time.

INSANE ASYLUM ACT.

HON. MR. DAVIE moved the second reading of a bill to amend the Insane Asylums Act. He explained that the growth of commerce and opening up of means of transportation had resulted in a number of insane persons being sent into the Province, where they became an immediate charge upon the public. The bill gave authority to the Lieut. Governor in Council to return these people to the place whence they came. The new bill will also provide that medical men should examine the supposed insane person separately and give separate verdicts. There was also provision for the arrest and imprisonment of dangerous lunatics.

HON. MR. BEAVER supported the bill, which was read a second time and put down on the orders to be committed to-morrow. The House adjourned at 4:45 p.m.

LEGISLATIVE NOTES.

At yesterday's session every item on the order paper was advanced a stage.

HON. COL. BAKER presented a return yesterday of refunds of all fines under the liquor license laws.

MR. KALLIE's motion, passed yesterday, is to settle some complaints over property in the Slokan district.

The bill to amend the Companies act, is to give companies, whether registered or not, status as mortgagees.

MR. S. Y. WOOTEN is to be law clerk this year, and will attend the House every day during the balance of the session.

The Private Bills committee is called to meet this (Tuesday) morning at 11 o'clock for organization, and to consider the petitions already in hand.

HON. MR. DAVIE's bill to amend the Breeding Stock act gives authority to Provincial Police Officers to detain animals running at large, etc., and to sell them under the provisions of the general act.

The members of the House are all delighted with the way the Government has its business in hand. Everything is ready now for steady sessions and night work may be expected to begin soon.

The restaurant was again opened yesterday. It is in the same efficient hands, M. & L. Young, with the genial Louis himself in charge as of yore. All the members of the House and press gallery have tickets issued by Mr. Speaker.

MR. NASON took his seat for the first time yesterday, and was warmly welcomed by members on both sides of the House. He is not yet recovered by any means, and had his head done up in bandages, but he expects before long to be his own old self again.

The Married Women's Property act amendment bill, is to make the provisions of the act workable in country districts. The order of protection may, under the new bill, be made by a police or stipendiary magistrate or two justices of the peace.

HON. MR. DAVIE's bill to secure uniform conditions in policies of fire insurance contains the statutory conditions which shall form part of all policies issued on property in the Province. If these conditions are varied in any way the variation is to be in conspicuous type and in ink of different color, otherwise they shall not apply.

The act to amend the Bills of Sale act will make the law in this respect apply to stock or other moveable property of the rolling stock or other moveable property of any railway company, if by the said instrument of transfer or assignment any real property of such company is included. The new

bill will also enable the Lieutenant Governor in Council to define districts elsewhere than on Vancouver Island.

Under the provisions of the Homestead act personal property is exempt from seizure up to \$500. The bill introduced by the Attorney-General yesterday, proposes to amend the act sec. 10, by adding the words "provided that nothing herein contained shall be construed to exempt any goods or chattels from seizure in satisfaction of a debt contracted for or in respect of such identical goods or chattels."

## PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

TUESDAY, Feb. 7, 1893.

The SPEAKER took the chair at 2 o'clock.

Prayers by Rev. P. McF. Macleod.

## REPORTS OF COMMITTEES.

MR. KALLIE, from the select committee appointed to inquire into certain claims to land near the mouth of Carpenter creek, Kootenay district, reported, asking leave to employ a stenographer to take down the evidence. Report received.

PUBLIC HEALTH BILL.

The House went into committee of the whole to consider a message from His Honor the Lieut. Governor transmitting the Public Health Act. The bill was reported, and read a first time; second reading to-morrow.

LABOR DISPUTES BILL.

HON. COL. BAKER moved the second reading of a bill to provide for the establishment of a Bureau of Statistics, and also for the appointment of a Board of Conciliation and Arbitration for the settlement of labor disputes. He said:

In moving the second reading of this bill I cannot help feeling some diffidence, lest through any want of ability or shortcoming on my part I should fail to convince the House of the duty it owes to the community at large to make the purport of this bill the law of the Province. But the great importance of the subject to the vast majority of the people will, I trust, command both the attention and patience of the House while I use my best endeavors to do justice to the arguments which undoubtedly are in favor of the measure. It must be apparent to every thinking man who takes the trouble to study the situation that the relations between capital and labor have become so acute as to demand the most serious consideration of statesmen. The late melancholy proceedings at Homestead have simply emphasized a state of affairs which previously existed. We see there capital and labor arrayed against each other, armed to the teeth and ready to break out into internecine war. Capital on the one side demands that it shall be free to employ whom it pleases and at what remuneration it pleases. Labor on the other side demands that it shall be free to dictate the value of the labor which reproduces and adds to capital. It is impossible to regard such a position of affairs except with feelings of the profoundest pain, as well as anxiety, because when we realize, as we are obliged to do, that the very existence of man is dependent upon the co-operation of capital with labor, we are constrained to acknowledge that the harmonious working, one with the other, of these aboriginal factors in production, must be, from the nature of the case, the fundamental principle in the general prosperity of any society of human beings. Therefore any legislative action which will have the effect of producing peace and harmony between capital and labor must be of incalculable benefit to the general community. Now, sir, as I am about to deal with the relations between capital and labor, it will be advisable to review briefly the position of each party to the question, and in order to do so in an intelligent manner I must first define clearly what capital really is and how it has attained the extraordinary power which it undoubtedly wields in the present age. Capital may be defined as a product of the earth utilized by labor, and since it cannot be created without labor it may be termed "concrete labor." Capital first came into being when primitive man fashioned his bow and arrow or his spear in order to slay wild animals to provide his daily food; and let it be noted that the capital which he thus acquired was the product of his own labor; it was not the product of the labor of others. He was a simple capitalist in contradistinction to a compound capitalist; the latter was created by which might be termed "original sin." The strong primitive man stole the capital from his weaker neighbor, and then forced that neighbor to work with the stolen property in order to produce more capital for the despoiler. It was thus that war was first created between capital and labor. The stronger dominated the weaker, the savage side in the nature of man was in the ascendant, the doctrines of Christianity were unknown. This war has been waged for thousands of years with varying degrees of intensity, with the result that in the long run, capital has always been in the ascendant, and the reason of that ascendancy is that, since the very existence of man is dependent upon labor, and since capital is concrete labor, therefore the accumulation of capital in the hands of the few gives to the minority power over the very existence of the majority. Thus it is that we learn that although it is absolutely necessary, in order to carry on the affairs of life, that capital and labor should go hand in hand, yet, through the taint of original sin, the grasp of the hand is, too often, not that of friendship, but rather the iron grip of coercion. And, sir, it is in order to mitigate that coercion, and, if possible, to bring about a friendship between the two combatants, which is the object of this bill. Looking back then upon the past, we find that capital has been increasing by reproduction and addition step by step, through different phases of civilization, until it has culminated in that vast financial machinery which actuates the social life of man in the present day. But, sir, although capital has gone on increasing through past ages the rate of increase has been very far from uniform, and it is only within the last century that the wonderful discoveries in science have given such a marvellous impetus to the development and accumulation of capital as to intensify to an alarming extent the old standing war between labor and capital. And further than that, Mr. Speaker, it is only within the last fifty years that the subtle and widespread mechanisms of finance have so increased the velocity for the segregation of capital in the hands of the few as to produce an oligarchy of wealth whose despotic power bids fair, in some cases, to bring about a social revolution. But in justice to capital we must not lose sight of the fact that the evils of accumulation and segregation are not chargeable to any delinquency or abuse of the law. It is the system which has been in fault, and society has become

so incriminated by the plethora of wealth which has been thrust upon it by means of scientific discovery that it has failed to grasp the proportionate responsibility for distributing that wealth in an equitable manner. Competition between capitalists themselves has forced them to exploit labor to their own advantage, and as competition became intensified they sought protection from it by the formation of rings, trusts and combines which added enormously to the wealth of the few at the expense of the many, but it was all within the law. When we turn to the side of labor we have seen that forced labor or slavery was first established when the strong primitive man stole the capital from his weaker neighbor and the capital from his weaker neighbor stole him to work with the stolen property. As time rolled on it was found that nature was bountiful in her natural gifts in the shape of wind and of water which she offered for the use of man, and thus it was that

machinery was first begotten. Now, by means of that machinery, the slave could produce ten times more capital in the labor of one day than he could before its discovery, and thus the capital of his master increased and accumulated in like proportion. Civilization continued to advance until labor in the form of slavery was abolished, and the laborer was said to be free. Was he? No. The whip of the slave driver disappeared—that is true—but its place was taken by a scourge almost as galling, namely, the lash of hungry competition. Let me dwell for a moment upon this question of competition, because as with capital so with labor, it is the head and front of the antagonism between the two. Among all classes of men, whether among the highest aristocracy or the poorest laborers, we find a very great diversity of individuality. Some are by nature, or the force of circumstances, brutes, while others are gentlemen, and there is every degree of variety between the two extremes. Pray let it be understood that by the term gentlemen I do not mean the possession of the simple gilded tinsel of mere manner, but the higher attributes and qualities of the true man, which, happily, are not dependent upon class. Now it is the baser sort of men—the drunkards, the idlers and the drones, and all those others whose moral fibre is so flaccid that it cannot withstand the adverse pressure of circumstances—it is these baser sort of men who help materially to play up what I term the lash of hungry competition. For, no sooner does honest labor attempt to assert its own rights than capital can instantly fall back on these baser sort of men, who, half starving through their own vices, are ready to work temporarily upon starvation wages. It is thus that a reserve of labor is placed at the disposal of capital in case of emergency. But these baser sort of men do not by any means form the whole of that reserve, there is an honorable contingent to it in the form of men, women and children, who from no fault of their own are thrown out of work either by temporary sickness or by some other causes. Now, it must be remembered, that as society is at present organized, labor is the servant of capital, and that if it does not get employment—well, what then? It starves. Therefore it is that hunger drives the members of this labor reserve to compete for employment and to accept as wages the bare necessities of life. Some idea of the extent of this competition may be inferred when I mention that it has been proved by statistics that this industrial reserve army, or as I would prefer to call it, this flourishing labor army, forms nine per cent. of the total laboring population of Great Britain. It is thus that the right arm of capital is strengthened. Let me now pass on to the important change which has taken place and is still taking place in the relation between capital and labor by the utilization of steam and electric power within the last century. It has intensified an hundred fold the old standing war between capital and labor. Man now becomes a mere automaton as a laborer compared to his position in former times. With the assistance of science he can now do one hundred, nay, one thousand times more work in the labor of one day than he could then. Witness, for instance, the Nasmyth steam hammer, which can be operated by a boy, and which can strike one hundred five ton blows in one minute! Now, the effect of these scientific discoveries has been to change to a great extent the ratio in a manufactured commodity between the amount of capital expended upon machinery and the amount of capital expended upon labor. In other words, the importance of capital in a manufactured article is far greater than it used to be. But, side by side with this effect we happily find that the amount of surplus capital produced by means of machinery is so prodigious as to create a proportionate demand for labor in order to utilize it. In fact, by scientific discovery, the wealth of the world has been enormously increased, and with this wealth there has grown desire, with desire there has come demand, with demand there has come supply, and so the great circle of production has been completed. Another effect of scientific discovery has been to localize labor in factories and towns, and thus again to greatly increase the power of capital, because the laborer, no longer requires to be so skilled as formerly, and therefore capital can always fall back upon the famishing labor army in case of emergency. In fact scientific discovery has greatly increased competition. It has also increased the power of capital by the facility which it affords for the localization and consequent organization and sub-division of labor to such an extent that the laborer himself becomes almost a part of the machinery, which is operated at pleasure by the capitalist. Now, sir, there is nothing wrong in the spectacle of a great industrial organization for the production and increase of capital; on the contrary, it is commendable enterprise, fortified by creditable energy, and it is the object of this bill to provide the means for adjusting the rewards of this energy so that they may be fair and satisfactory to the parties concerned. Let us now turn to the consideration of the workingman himself, and let us take him, the honest workingman, at his adult age and let us look at him in all the plenitude of his strength and in all the dignity of his manhood. What does he represent? He represents the expenditure of former labor. His flesh and his bone and his blood are the products of the



work, in the day is sufficient to provide this necessary labor, and that all work beyond that time produces surplus capital, which goes into the pocket of the employer, or rather, to be more accurate, it does not go into the pocket of the laborer. But why, it may be asked, should not a portion of the surplus capital go into the pocket of the laborer? Why should he be left with the bare necessaries of life for himself and family, which have been produced—together with the capital employed—in six hours out of a day's labor of, say, ten hours? Because at this point there falls upon the working man the lash of hungry competition, and just as the strength of a man is its own pocket, so the pocket measures of his daily wages will be that point at which the famishing labor army is ready to work. Therefore, whether the working day is eight or ten or twelve hours, the wages will eventually be brought down to the bare necessities of life. Of course, I am now speaking of the whole of the working day, not of isolated cases here and there, but the economic forces which, under the present organization of society, combine to create that law, are inexorable, and although they may be temporarily checked by local circumstances, still as water will eventually find its own level, although it may frequently be checked by the rocks, so will the social economic forces eventually bring wages down to this level I have indicated. By that law of wages it can be shown that, where there is no scarcity of labor, the greatest injury a working man can do to his class, is to habitually work overtime, because by so doing he lowers the value of his class's share of labor. Piece work has a similar effect, and it is that which has given rise to that cruel system of labor which is known as the "sweating system," and which so demoralizes the laborer and so dehumanizes the employer. When piece work is adopted the employer soon finds out how much work can be done in a day, and he will then fix the price so that a maximum of work shall only cover a minimum of wages. It is easy to see that when, by competition, wages are brought down to a bare existence, fluctuations in trade may inflict a degree of hardship upon laborers amounting to starvation for themselves and families. Where workers have no voice, they are unable to measure their grievances against society by the opinion of the wealthier classes who surround them. The result has been a protective organization against the despotism of wealth by the formation of trades unions, and as competition became intensified this protective organization sought for some other method of endeavor to arouse the lethargy of public opinion and force it to recognize the rights of laborers to a fair share of the products of their own labor. Unfortunately for the laborers as well as for society at large, the method which was fixed upon was the suicidal system of strikes. Suicidal to capitalists because it tends to divert from its customary channels, suicidal to laborers because the diversion of that trade must mean ruin and starvation to the workmen and because all wealth being the product of labor a strike means a reduction of labor and consequently of wealth product, and this means a reduction of the necessities of life, which falls most heavily upon the workingman in addition to the hardships and privations he has to endure during the strike. Therefore strikes are economically a mistake to all parties concerned; they are equivalent to killing the goose which lays the golden egg. But how, then, can we ask the laborer to obtain a recognition of his grievances and to resort to force in order to obtain its just demands? God forbid that labor should ever be so mad or so wicked or so foolish as to attempt to resort to force in order to obtain its just demands, for by so doing it would inevitably bring the most terrible punishment on its own head in the shape of that hideous "Anglo-Saxon," which it would be sure to arouse. No, says thanks to the electoral freedom of the people, at least in Anglo-Saxon-speaking countries, there is always a legitimate way open by which labor can arrive at justice, namely, through the representatives of the people, and therefore, it is on the floor of this House that the rights of the labor in this Province should be fought out, and a satisfactory and peaceable conclusion. It is the object of this bill to offer the balance of justice between capital and labor, and the working of it will benefit one

wear the House by citing evidence from host and other employers of labor, but it is overwhelming in favor of the competition the benefit they are to trade in the prevention of strikes. When we go into our committee we can discuss the details of the bill, what we have now to do is to discuss its principle. Well, sir, with regard to this principle and the necessity for showing, I have endeavored to show, that it is not in the interest of the competition among capitalists, a competition among laborers has arrived at such a pass as to endanger the safety and well-being of society; that the cause of this competition is a plethora of wealth which has been thrown upon society by means of scientific discovery; that the effort upon the part of labor to get a fair tide of the goods of the world, strikes is not only suicidal, but it is paving the road to anarchy; that it behooves every thinking man to rouse himself to a proper appreciation of the critical situation of affairs. To recognize that a great change has come over the world, which is not met by an adequate organization. The old structure of the world as it appeared upon a feudal foundation with its castles as its corner stones, has in reality been swept away and its place has been taken by a great manufactory of wealth operated by selfishness and wherein men are struggling with each other with the result that more and more the poor, success alone at any cost being the passport to eminence. And out of the great inebriator of cupidity there has been hatched a very strange peculiarity, and that is, there is no such thing as *safety*, but the greater the individual wealth the greater the responsibility to be met by the capacity for greed and for power, so that it has become recognized for axiom of society that the great capitalist swallows up the smaller capitalist. If riches increase, set your hearts upon them! But fortunately for humanity there is a safety valve to this inversion of a great Christian principle. The corrective lies in the fact that the more the people are educated is advancing and becoming universal, as facilities of inter-communication are tending to disseminate knowledge, there falls upon the ears of statesmen a warning voice swelling like a strain of music with harmonious sounds of justice, and demanding that the needs of the majority shall take precedence of the needs of the minority. We are in duty bound to give heed to this warning; we who, living in the boasted civilization at the close of this nineteenth century, have with shame to acknowledge that the working classes were far more secure in the necessities of life as far back as the nineteenth century than are the working classes in the present age. We shame upon shame that the number of people who in Great Britain to-day are starving and have no prospect of any amelioration of their wretched existence are more than equal to the whole population of Great Britain in the fourteenth century. These are the facts that are crying for a more general prosperity. There are volumes of reports and statistics which agree in showing that in manufacturing districts and large towns not only in Great Britain but also in Europe and America the laborers both male and female are in many instances overworked and underpaid and live amidst the most miserable and filthy surroundings, the natural products of the loss of the human element that they have become a degenerated race of men and women, who are breeding a race still more degenerate than themselves. In fact, sir, we have only to lift that veil of selfishness and luxury, which partially

Mr. KEENE joined with the honorable member for Westminister City in complimenting the hon. Provincial Secretary, not only on his speech but also on the measure he had introduced, which was the most practical, in fact the only practical attitude that had ever been made to settle the disputes between capital and labor in the Province of British Columbia. He was of opinion that it was high time some thing were done in the way suggested for the benefit of the workmen. He had found that, in the past, capital had always been able to protect itself—not so the workman. He expected great things from the Board of Conciliation. Workmen, as had been said, were not unreasonable; nor was capital unreasonable, but it had been found that in some individuals capital, both workmen and capital, were not willing to settle. He thought the arbitration clause should be made compulsory, although he knew it would be going further than had ever been gone before, but why should not British Columbia lead? He, however, while giving full credit to the introducer of the bill, who he knew was sincere in his views, could not be understood to say the bill was a political "catch," for political purposes. He did not know if the Hon. was on the eve of a general election; but so, was this bill brought in to catch votes. He hoped not. He thought the bill ought

Hon. Mr. DAVID said: I am sure we  
 feel deeply indebted to the hon. Province  
 Secretary for his statesmanship in intro-  
 ducing the bill under discussion, as well as  
 the vast amount of information he has  
 given us upon a subject which has just  
 opened up with so much pleasure. (Hear, hear.)  
 I cannot help thinking though, Mr. Spe-  
 er, that while we are so deeply indebted  
 to that hon. gentleman, we must be to a  
 corresponding degree disappointed at the  
 manner in which the bill is presented by the  
 leader of the Opposition. That gentleman  
 sir, cannot apparently deal with any sub-  
 ject, not even with one like this, with-  
 out descending to suspicion or without ex-  
 pressing views which are a credit neither to  
 himself nor to the country he lives in. And  
 only that, but, sir, I regret to say  
 that the trial of the credit and honor of  
 himself the credit and the honor which  
 should properly belong, and does belong,  
 those on this side of the House, who are  
 responsible for the introduction of this me-  
 asure. He tries to tell us that the bill  
 before us is a sign of the success of himself and  
 of the followers of the Government, and that  
 Government to see things in the light in which  
 he sees them. Heaven forbid that the  
 Government should ever be brought to

that my hon. friends opposite are given to playing to the galleries on every possible occasion, but with us it is different, as the only reason for this is that I am not aware that any election of a member of this House is pending. We are now in the early stages of the third session of this House, and I do not see any reason for supposing that the general elections will take place soon. Of course, we cannot tell what may occur, or what may appear to be in the true interests of the country in the near future, but so far as I can see now, I do not know anything pointing to a desire on the part of the Government to catch votes. That the policy of the hon. leader of the Opposition, who makes it his business, whenever he can, to introduce catchpenny resolutions, but so far as we are concerned, need none of it, so that my hon. friend Mr. Nansam may be perfectly satisfied that he supports this measure, and the policy of the Government generally, he is supporting measures that are for the true interests of the country, and for the people, so far as the amendment suggested by the hon. leader of the Opposition is concerned, I say now that we will not consider, in connection with this bill at all, the eight-hour question, or any other amendments of the same character. I hold that there ought not to be an eight-hour clause inserted in this bill, and that any such provision, made, would be fatal to the best interests and to the prosperity of the country. There are some considerations, it is true

MR. CORTON humorously  
one of the first questions w  
referred to the Board of Com  
be the differences between th  
and the leader of the m  
warmly congratulated th  
financial position of the  
and courage in tacklin  
important labor question, a  
for one was not disposed to  
way the motive of the Govern  
the measure forward. I  
nothing more than to esta  
basis the Bureau of Statist  
the Government, and to  
furnish valuable informat  
many who were now labor  
misapprehension. He did  
the hon. member from Nans  
tration clause should be ma  
nor did he agree with the h  
the Government, and he ei  
should be inserted in the  
was in favor of eight hour  
work on Government con  
clusion, he said he would h  
eure in supporting the sec

[illegible]



questions in the light in which he  
them, for, sir, such a thing would not  
the advantage of this or of any other  
ative community." He says that the  
at bill is a sign of the success he has  
in bringing about the changes he has  
sated. That is a remark similar to one  
the other day when he declared, on  
floor of this House, that certain  
ures foreshadowed in the Speech  
the Throne had been "wringing  
a reluctant Government." I  
to say, sir, that whatever may be the  
one way or the other to which the  
ment is entitled for bringing in this  
ure, it has not followed in the  
of the hon. leader of the Opposition  
of his small party, in this or in any  
measures for the public good which  
been introduced. When, I would like  
now, did ever the hon. leader of the  
osition, or any of his followers, who  
himselves for bringing in this  
to themselves for what we are doing—  
n, I would like to know, did he or did  
do anything but content themselves  
carping and finding fault? I would  
the hon. gentleman to point to some  
ortant speech of his delivered at any  
e, whether in this House or out of it,  
reported in his own party organs or in  
other newspaper, wherein he made any  
suggestions he now claims as his own,  
any important speech of his in which he  
outlined a proposed bill such as  
one we are now considering? Has  
ever done anything of the kind?  
he has not. All that he has done, all  
he claims to have done, has been to  
up his anti-Chinese resolutions time  
time again, until the very persistency  
h which he brings them before, the  
use makes them nauseating to the mem-  
bers and destroys what chances he might  
otherwise have of convincing some honorable  
members that he has a complaint. He is  
the bringing up any public question,  
Speaker, taken the trouble to go into  
subject in the way in which my hono-  
rable friend the Provincial Secretary did  
day? No, he has not, and I say more,  
that he has never done anything but  
d fault and waste valuable time in useless  
pling. I would like him to point out a  
gle occasion when he has advocated any  
asure for the benefit of the Province.  
e, he has found fault with what the  
vernment has done, both this Govern-  
ment and every one before it to which he  
is in opposition for the past ten  
ars, and endeavored to hamper them  
his opposition, but I want him to prove  
claim and show me what bills we have  
ought forward and what measures we  
e adopted that he advocated in times  
t. Did he ever propose a bill to aid the  
l and infirm people of the Province, or  
d he ever suggest anything like that?  
nd yet he says this is one of those mea-  
sures and to widen the breach, and now he  
comes here and tells us that he ought to  
ve the credit for the bill which has been  
ntroduced to conciliate them. He confines  
himself to finding fault and does nothing  
e. I have heard him point out the  
oubles and difficulties of the laboring  
asses, but has he done any-  
ing, as he now suggests, to find  
way to bridge over the chasm  
nd surmount those difficulties? Did you  
ver find him introducing a bill like the  
nane Asylums Act to try and rid the  
rovince of a class of unfortunate who  
ome here or are sent here and immediately  
ome a charge upon the Province? Did  
on ever hear him propose an amendment  
to the school law on the lines of that now  
roposed by the Government to give the  
tutes a per capita grant, and leave the  
atter of the school management in their  
ands? No, sir. I say that neither he nor  
y one of his party ever proposed anything  
of the kind, and now when the Govern-  
t brings up measures of this kind, we find the  
on, gentleman and his friends trying to  
ake to themselves credit to which they are  
ot entitled on any grounds whatever.  
his Government, sir, is not following in  
he wake of the hon. leader of the  
osition or any of his narrow-  
inded followers. We are origi-  
ating a policy, and a progressive,  
business policy in the interest of the  
rovince, and I am proud to say that in doing  
we are having the support of the greater  
art of the members of this House. My  
on, friend from Nanaimo says that he is  
raid this bill is a trap to catch votes.  
here is no desire at present that I know of  
to catch votes. That is not the object of  
the legislation of hon. members on this  
ide of the House. I am perfectly aware  
that my hon. friends opposite are given to  
playing to the galleries on every possible  
ccasion, but with us it is different, and  
there is no reason for anything of the kind.  
I am not aware that any election of any  
member of this House is pending. We are  
now in the early stages of the third session  
of this House, and I do not see any reason  
for supposing that the general elections are  
to take place soon. Of course, we cannot  
tell what may occur, or what may appear to  
be in the true interests of the country  
in the near future, but so far  
as I can see now, I do not know of  
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the Government to catch votes. That is  
the policy of the hon. leader of the Opposi-  
tion, who makes it his business, whenever  
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but so far as we are concerned we  
need none of it, so that my hon. friend  
Nanaimo may be perfectly satisfied that if  
he supports this measure, and the policy of  
the Government generally, he is supporting  
measures that are for the true interests of  
the country. And, Mr. Speaker, so far as  
the amendment suggested by the hon.  
leader of the Opposition is concerned, I will  
say now that we will not consider, in con-  
nection with this bill at all, the eight-hour  
question, or any other amendments of the  
same character. I hold that there ought  
not to be an eight-hour clause inserted in  
this bill, and that any such provision, if  
made, would be fatal to the best interests  
and to the prosperity of the country.  
There are some considerations, it is true,

where the eight-hour system would be a  
good thing, and in some cases even shorter  
hours of working than eight hours would be  
advisable, and even necessary, but to say  
that in all cases, the eight-hour system  
should be enforced, would be subversive of  
the spirit of the present bill and contrary  
to what we believe in. There should not be  
a clause in this bill at all stating what the  
hours of labor for any employment should  
be. It is to settle matters of that kind,  
that this act is being passed. If in any  
particular industry the laborers contend  
that, on account of the class of labor, it  
would be better to have the six-hour sys-  
tem, or the seven-hour system, or the eight-  
hour system, then they can under the pro-  
visions of the present bill, bring their cause  
before the Board of Conciliation or the  
Board of Arbitration. I think that my  
hon. friend from Nanaimo will see this be-  
cause he is a reasonable man—I think he  
will see that any such suggestion as that  
the hours of labor should be controlled in  
the way mentioned, would be subversive of  
the bill, which leaves matters of that kind  
to the Boards of Arbitration and will give  
a much more satisfactory result. With the  
general principles of this bill I am in per-  
fect accord. I am sorry that the hon. leader  
of the Opposition has seen fit to try and mix  
it up with the Chinese question. That ques-  
tion will come up upon its merits later on.  
I might say that while the hon. gentleman was  
in office many years, he never succeeded—I  
do not say that was his fault—but he did  
not succeed in getting the Government of  
the Dominion to pass such restrictive legis-  
lation as was obtained by the Government  
which followed. But while the Chinese are  
in the country, and I will say that I would  
gladly see them supplanted by a different  
class of labor, they should have the oppor-  
tunity of earning a living. I don't think  
this is the time to discuss that matter, how-  
ever. The present bill, as has been ably  
stated, is to conciliate the employers and  
the employed, and put an end to the differ-  
ences which sometimes arise between them,  
and I think we have heard enough now to  
convince us that it is at least a step in the  
right direction. (Applause.)

Mr. FORSTER said he differed with the hon.  
Provincial Secretary in some of the economic  
arguments in support of the measure, but  
he could not but congratulate him on its  
introduction, which showed that his  
heart was in the right place. He  
advocated the single tax on land as a  
measure which would strike at the root of  
the evil.

Hon. Mr. POOLEY said that this was a  
free country, and a man should be allowed  
to do as he pleased so long as he obeyed the  
law. When the eight-hour question came  
before the House he would be prepared to  
discuss it on the same terms as he had  
always been. Replying to what had been said  
by the hon. member for Nanaimo City, that  
the arbitration clause should be made com-  
pulsory, he would say that it would be im-  
possible to make it so, and if it should be  
made compulsory it would simply bring the  
people of British Columbia back to the old  
days of slavery, for three arbitrators would  
then be able to say to so many workmen,  
"You shall work so long and at so much  
pay," and to the capitalist, "You shall  
pay so much money per day or per year."  
He was sure the good sense of the members  
of the House would enable the bill to go  
through the House without containing any  
clause which would intimidate capital,  
which was now looking with great favor  
towards British Columbia, and more espe-  
cially towards the great Kootenay country.  
There was nothing so timid as capital, and he  
trusted that the bill would contain nothing  
that would frighten it out. For his own  
part he would work vigorously in committee  
to assist in producing a bill as complete and  
workable as possible.

Mr. COTTON humorously suggested that  
one of the first questions which should be  
referred to the Board of Conciliation should  
be the differences between the hon. Premier  
and the leader of the Opposition. He  
warmly congratulated the hon. Provin-  
cial Secretary on his ability  
and courage in tackling such an  
important labor question, and said that he  
for one was not disposed to question in any  
way the motive of the Government in bring-  
ing the measure forward. If the bill did  
nothing more than to establish on a firm  
basis the Bureau of Statistics, it would be  
of great utility, for such statistics would  
furnish valuable information to a great  
many who were now laboring under some-  
what misapprehension. He did not agree with  
the hon. member from Nanaimo that the arbi-  
tration clause should be made compulsory,  
nor did he agree with the hon. leader of the  
Opposition that the eight-hour clause  
should be inserted in the bill, although he  
was in favor of eight hours being a day's  
work on Government contracts. In con-  
clusion, he said he would have much plea-  
sure in supporting the second reading of  
the bill.

Mr. HALL expressed surprise that the  
hon. leader of the Opposition had not fol-  
lowed his usual custom of throwing mud at  
a measure introduced by the Government.  
That hon. gentleman (Mr. Beaven) had said  
he could add something to it. No doubt he  
could. He could never suggest or frame a  
beneficial measure of this kind; but when  
one was brought forward by the Govern-  
ment then he (Mr. Beaven) was ready to say,  
"Oh, yes, I can add something to it."  
After generally criticizing some of the  
speeches of hon. members, Mr. Hall con-  
gratulated the House on having resolved  
itself into a mutual admiration society.  
(Laughter.)

The bill passed its second reading.

#### HOME FOR THE DESTITUTE.

Hon. Mr. DAVIE moved the second read-  
ing of a bill to provide for the establishment  
and maintenance of a Home for destitute  
persons. He said that he thought this was  
a bill which was worthy to follow in the  
steps of the one which had just been under  
discussion. While one of the objects of  
the bill which had just been before the  
House was to provide work and suitable re-  
muneration for people who were able and  
willing to work, so the present bill was for  
the purpose of finding a suitable home with  
a reasonable amount of comfort for those  
who would work if they could, but were no  
longer able to do so. The object was to  
provide a Home for those who had made  
their residence in this country and had been  
worn out in their work and in the service of

the country, and he wished it understood  
that a bill of the kind did not in any way  
infer that the country was not prosperous,  
for there were old and infirm in  
the most prosperous as well as in the poorer  
countries. The present prosperous state of  
the Province of British Columbia was large-  
ly due to the energy of these pioneers of the  
Province, many of whom did not have that  
good luck and success which had been the  
reward of others. Many of them had been  
here in the old gold days, and it was the  
gold-fields of the Province that had brought  
the country into prominence in the first  
place. These gold-fields would never have  
been discovered if it had not been for the  
labor of these men, many of whom were now  
penitents, and while they had not gained  
for themselves that pecuniary reward which  
they deserved, the country had profited by  
their labors, and it was due to them that in  
their declining years a Home of some degree  
of comfort should be theirs. He was quite  
prepared to admit that much in this direc-  
tion had already been done by the munici-  
palities. He thought that a Home con-  
ducted by the Province could be  
better managed than any Home under the  
direction of a municipality. For in-  
stance, take the case of the Home in Vic-  
toria that had done so much good, for which  
he gave it every credit; but it was cramped  
up on one or not more than two lots, and  
the inmates, many of whom would be will-  
ing to do some work if they could, had  
not the scope, and were compelled to live in  
enforced idleness. He did not think this  
was a desirable condition, and thought it  
could be very much bettered, and the Home  
to be established by the Government under  
the present bill could be made self-support-  
ing, or nearly so, by the work of the in-  
mates. The plan which he thought would  
be adopted would be to have the Home on  
some considerable tract of land, which  
would give those that were disposed to  
work a chance of doing so. In this way, for  
instance, all the vegetables for the institu-  
tion could be grown, and in other ways too,  
useful work might be done, so that the  
home would be to some extent made  
self-supporting. Besides this an opportu-  
nity would be afforded to the benevolently  
inclined to contribute towards the main-  
tenance of the place. This bill, it would be  
noticed, did not make it compulsory for  
municipalities to contribute towards the  
support of the institution, as they need not  
avail themselves of its benefits if they did  
not feel so disposed. Municipalities could,  
if they wished, instead of establishing a  
firm of their own, have their old and in-  
firm people taken care of by the Province  
by paying a certain variable sum to be made  
up as an average of the cost of maintenance,  
so that the municipalities would save money  
by using the Provincial Home. On the  
whole he thought it would be seen that the  
bill was one of sufficiently liberal provisions  
and which gave sufficient safeguards to all.

Hon. Mr. BEAVEN opposed the measure,  
which he suggested was a continuation of the  
policy of the hon. Premier, which he de-  
clared was one of interference with the rights  
of the municipalities. It was a species of  
revenge on the part of the hon. Premier  
against the city of Victoria for not having  
elected him again.  
Hon. Mr. DAVIE—I didn't ask them.  
(Laughter.)  
Hon. Mr. BEAVEN continued, that the  
hon. Premier could not have been elected if  
he had run in Victoria. He said the city  
of Victoria would retain its present Home  
for the aged and infirm even if the present  
bill did pass. He charged that the Govern-  
ment, with all its anxiety for the aged and  
infirm, had, on a previous occasion, disposed  
of the first and only Home the Province had  
ever had.

Hon. Mr. TURNER replied that when the  
old Home mentioned by the hon. leader of  
the Opposition, was disposed of, an arrange-  
ment was made by the Government that all  
the inmates should be taken care  
of for life by the Provincial  
Royal Jubilee Hospital. The present bill  
was not to interfere with the municipalities  
in any way, but to take the Home, which  
was shown recently by an incident which  
he related. An old infirm man came to the  
Government for assistance. It was a most  
deserving case, and the Government, inas-  
much as it contributed 25 per cent. to the  
cost of the Victoria city Home, thought  
that he should be admitted there. But  
when they came to try this it was found  
that the Corporation had passed a by-law  
without the knowledge of the Government,  
which by-law prevented anyone being ad-  
mitted to the Home who had not lived a  
certain length of time in Victoria. This  
was a most one case, and there were others.  
Mr. GRANT said that no matter what part  
of the House such a measure as the one  
under discussion came from, it should receive  
the hearty support of every member. He  
differed with some of the details of the bill,  
which could be amended in committee, but  
the principle was right and was one which  
he had always advocated.

Hon. Mr. DAVIE explained that, the  
other conditions being complied with, the  
bill would admit foreigners and females.  
Mr. KITCHEN was also in accord with the  
principle of the bill, but thought the Home  
should be Provincial in its support as well  
as Provincial in its character. He did not  
think the municipalities should have to  
bear any of the expense. The bill, he  
thought, was a one-sided one.

Mr. BOOTH supported the bill because he  
thought it was in the interests of the coun-  
try and of the public, but he was afraid  
there would be some difficulty in carry-  
ing out the scheme unless the in-  
stitution was made self-supporting. He  
thought the Government should pay the  
bills in the first place and see that they  
made it up again. He believed that the  
experience would be that the least deserv-  
ing men would be the most persistent in  
getting in.

The bill was read a second time, to be  
committed to-morrow.  
The House adjourned at 5:45 p.m.

#### NOTICE OF MOTION.

By Mr. KILLIE: That the report of the  
committee to inquire into the claims of  
certain applicants for lands at Slokan Lake  
be adopted.

#### PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

#### SEVENTH DAY.

WEDNESDAY, Feb. 6, 1893.

The Speaker took the chair at 2 o'clock.

Prayers by Rev. P. Mc. F. Macleod.

#### PETITIONS.

Petitions were presented as follows:  
By Mr. MARTIN: From D. Oppen-  
heimer, J. B. Pike and W. D. Burdis, for  
power to construct a ship canal between  
Burrard Inlet and Pitt River.

By Mr. CROFT: From C. T. Dupont, H.  
S. Mason and others, for power to construct  
the Kootenay Central Railway from Nelson  
to Carpenter Creek, in West Kootenay.

By Mr. CROFT: From C. T. Dupont and  
F. B. Pemberton, for power to construct a  
Railway from Sheep Creek to the Trail  
Creek mines, West Kootenay.

By Mr. MARTIN: From C. G. Major, J.  
Welfisch and A. W. Jones, for power to  
incorporate the Nakusp and Slokan Rail-  
way Co.

By Mr. COTTON, from J. M. Browning,  
land commissioner C.P.R.

By Hon. COL. BAKER, from J. J. Camp-  
bell and other residents of Golden, that the  
control of water powers be not granted  
within a radius of 25 miles of Golden; also  
that no charter for a railway from Golden  
to the international boundary be granted,  
with guarantees being given for completion.

By Mr. CROFT, from the Nelson Electric  
Light Co., for extension of time.

#### REPORTS.

MR. MARTIN, from the Private Bills com-  
mittee, reported that the rules had been  
compiled with in the case of the petition of  
the B. C. Southern Railway Co. for a private  
bill.

The first annual report of the Librarian  
was received and adopted.

#### SUPPLY.

Hon. Mr. TURNER moved, seconded by  
Hon. Mr. Vernon, that supply be granted  
to Her Majesty, and that the House go into  
committee of the whole on Friday next to  
consider the same. Carried.

#### COAL MINES ACT AMENDMENT.

MR. KEITH introduced a bill to amend  
the Coal Mines Act; bill read a first time,  
second reading Wednesday next.

#### INDUSTRIAL DISPUTES BILL.

Hon. Mr. BEAVEN moved, seconded by Mr.  
Keith, as an instruction to the committee of  
the whole on a bill to provide for the estab-  
lishment of a Bureau of Labor Statistics, and  
also of Councils of Conciliation and Arbitra-  
tion, and for the settlement of industrial  
disputes, an amendment empowering the  
committee to provide in the bill that eight  
hours shall constitute a day's labor in car-  
rying on Provincial and Municipal public  
works, and that a clause be inserted in all  
contracts for such to the effect that the  
hours making up a day's work of the work-  
men and laborers to be employed under it,  
shall not be more than eight, under a  
penalty for the violation of such provision.

Hon. Mr. BEAVEN supported his motion  
in an extended speech. If men were com-  
pelled, he said, to work long hours, it was  
a matter of impossibility for them to get  
results being that they deteriorated. An-  
other fact was that if eight hours were to  
be a day's labor, there would be more men  
employed, thus furnishing the solution of  
many of the labor difficulties.

Hon. COL. BAKER said that he had to  
confess that he thought the hon. leader of  
the Opposition had chosen a very unfortu-  
nate moment to bring forward this eight-  
hour question, and more especially to en-  
deavor to introduce such a clause as the one  
proposed into a bill which, in fact, had no-  
thing to do with the question whatever.  
The bill which the hon. leader of the Opposi-  
tion was so desirous of amending was to  
deal with conciliation and arbitration, and  
to establish a Bureau of Labor Statistics,  
and was not for the purpose of laying down  
any law as to reference to hours or wages, or  
anything of the kind. Such a clause as was pro-  
posed, introduced in the bill, would only  
complicate it and produce nothing but con-  
fusion. Whatever might be the merits of  
the eight-hour question, and it had some  
merits, this was not the time to discuss it.  
The question had been discussed all over the  
world, and there was a great divergence of  
views on it, not only among legislators but  
also among workmen themselves. He was  
not prepared to discuss the question  
until the workmen themselves could  
make up their minds what they wanted,  
for in the meantime legislation  
of the kind were introduced, the result  
would be that workmen would be work-  
ing against each other, and the people  
would receive no benefit. Even were the  
principle proposed by the hon. leader of the  
Opposition to be brought up at another  
time, it would require great consideration  
—much greater consideration in fact than  
the hon. gentleman had given it. But to  
introduce the clause into this bill would be  
to turn a useful measure into ridicule and  
deprive it of its advantages. He would  
certainly vote against the motion.

MR. KEITH seconded the motion and  
argued that it would have a great edu-  
cational effect.

MR. COTTON said he would oppose the  
motion for three reasons: first that it would  
arbitrarily fix the hours of labor, which  
would be contrary to the very spirit and  
intention of the bill. Secondly, because it  
was opposed to the principle of munici-  
pal rights; and he was surprised at the  
inconsistency of the hon. leader of the  
Opposition in attempting to do what he  
had so long opposed, viz., directly interfere  
with the prerogative and authority of the  
municipal councils. Thirdly, he opposed  
the motion because its working out would  
be unsatisfactory and impracticable, and  
would only result in confusion and disaster.  
He would be in favor of a law making the  
hours of work on Government contracts  
conform with the local custom, which might  
be eight or nine hours or more, as the case  
might be.

MR. BOOTH also opposed the motion,  
which he characterized as one which at-  
tacked the best interests and rights of the  
workmen, and would have the result of  
interfering with the material prosperity of  
the country.

MR. BROWN said he could not support

the motion of the hon. leader of the Opposi-  
tion, which would tend to make a bad  
system worse. For his own part he believed  
in eight hours as a day's work, but had  
generally found, as his own experience,  
that he had to work eight hours  
before dinner and eight hours afterwards.  
The result of such a principle carried into  
effect would be to lower wages, and true  
friends of labor, who had gone carefully into  
the question, had decided against it.

Hon. Mr. BEAVEN rose to reply, and had  
been speaking for some minutes when  
Hon. Mr. TURNER rose to a point of  
order.

Hon. Mr. BEAVEN said he knew he was  
out of order all the time. (Laughter.)

The motion was lost on the following  
division, viz:

AYES—Messrs. Beaven, Milne, Grant,  
McKenzie and Keith—5.

NAYS—Messrs. Baker, Davie, Vernon,  
Pooley, Turner, Eberts, Stoddart, Booth,  
Hall, Nason, Martin, Croft, Hunter, Rogers,  
Anderson, Fletcher, Watt, Kellie, Cotton,  
Punch, Kitchen, Brown, Sword, Smith and  
Forster—25.

#### HOME FOR DESTITUTE PERSONS.

The House went into committee of the  
whole on the bill to provide for the estab-  
lishment of a Provincial Home for destitute  
persons; Mr. Kitchen in the chair.

The words "British subject" were struck  
out of clause 7, to permit of aliens, other  
than Chinese and Indians, who had fulfilled  
the other conditions, to be admitted to the  
home.

After some other amendments to the rules  
of admission,  
Hon. Mr. DAVIE announced that he  
would move an amendment at a later stage,  
that the municipalities which have a Home  
of their own may elect whether they will  
keep their own poor there or not.

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

#### PRIVATE MEMBERS' DAY.

Hon. Mr. DAVIE drew attention to the  
fact that, under the new rules, Thursday  
was private members' day.  
The House adjourned at 5:45 p.m.

#### LEGISLATIVE NOTES.

There is a larger attendance in the gal-  
leries this session, so far, than usual.  
The vote on the eight-hour question was  
25 to 5. Messrs. Horne and Semlin were  
not in their seats.

The Librarian's report recommends that  
some of the old records of '59-'60-'61-'62,  
etc., which are of historical value, should  
be preserved.

Night sessions are to begin next week.  
This shows a disposition to get through  
business as speedily as possible, consistently  
with careful work.

A bill is to be brought in by Mr. Keith to  
amend the Garnish Act in such way as to  
prevent workmen's wages up to a certain  
amount from being attached.

Petitions came in yesterday like a flood.  
There will be more to-day, this being the  
last day for receiving them. If the time is  
to be extended, a recommendation to this  
effect must come from the Private Bills  
committee, and it is said to be doubtful if  
the members will consent to it.

Hon. Mr. Beaven will move on the con-  
sideration of the report of committee of  
the whole on the bill to provide for the  
establishment of a Provincial Home for  
destitute persons, that the salary of the  
superintendent shall be only such as shall  
be voted by the Legislative Assembly.



# PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

## EIGHTH DAY.

THURSDAY, Feb. 9, 1893.  
The Speaker took the chair at 2 o'clock.  
Prayers by Rev. P. McF. Macleod.

### PETITIONS.

Petitions were presented as follows:  
By Mr. COTTON: From the Corporation of the City of Vancouver, to amend their charter.

By Mr. PUNCH: From A. Ewen, D. J. Munn and others, to incorporate a railway company.

By Mr. HORNE: From C. D. Rand, A. W. Vowell and others, to construct a canal from Burrard inlet to Pitt river.

By Mr. STODDART: From A. Holman and others, to incorporate the Osoyoos and Okanagan Railway Co.

By Mr. CROFT: From J. S. Robertson and others, to incorporate a railway company to build in West Kootenay.

By Mr. CROFT: From G. Castleton and others, to incorporate a telephone and cable company.

By Mr. HORNE: From A. T. Ceperley and others, to operate a smelter and reduction works in Vancouver.

By Mr. HORNE: From the trustees and officers of the B. C. Methodist Conference, to incorporate the B. C. College.

By Mr. HORNE: From the Vancouver Y. M. C. A. for incorporation.

By Mr. KELLIE: From P. C. Dunlevy, Robert Irving and others, to incorporate the Jarvis & Kootenay Railway Co.

By Mr. BEAVEN: From Masonic lodges for incorporation.

The following petitions were read and referred to the Private Bills Committee:  
From C. G. Major, J. W. Johnson and A. W. Jones, to incorporate the Nakusp and Slocan Railway Company.

From C. T. Dupont and F. B. Pemberton, to incorporate a railway company, Trail C.

From C. T. Dupont, H. S. Mason and others, to incorporate the Kootenay Central Railway Company.

From J. Campbell and others, residents of Golden and vicinity, opposing private bill re Water Works and Railway at Golden.

From the Nelson Electric Light Company, Limited, to amend their corporate act.

### REPORTS OF COMMITTEES.

MR. MARTIN, from the Committee on Standing Orders and Private Bills, reported that the rules had been complied with in the case of the petition for a bill amending the Victoria Official Map Act; also advising that the time for receiving petitions for private bills be extended ten days.

On motion the rules were suspended for the consideration of the report.

MR. MARTIN moved the adoption of report.

MR. SWORD moved in amendment the fees for all petitions presented after ten days had expired should be doubled.

The amendment was ruled out of order and the original motion was carried.

### CARPENTER CREEK CLAIMS.

MR. KELLIE moved, seconded by Mr. Cotton, "that the report (re stenographer) of the committee to inquire into the claims of certain applicants for land at Slocan lake be adopted."

HON. MR. DAVIE said that the matter of the employment of a stenographer was an important one, inasmuch as if there was very much evidence to be taken the expense of reporting it would run into a very large amount.

MR. SPEAKER said that the custom of the House had been to have requests of this kind made from the committee to the House, but the stenographer could not be employed without the vote of the House.

MR. KELLIE said that the committee asked for a stenographer on the ground that there were conflicting interests, and the work would be very much facilitated by having the evidence officially reported.

HON. MR. VERNON assured the House that the present inquiry would be a short one, and the expense of a stenographer would not therefore be very heavy.

HON. MR. DAVIE said that under these circumstances he would withdraw his opposition, but he wished it understood that it must not be taken for granted that every committee should have a stenographer.

The motion to adopt the report carried.

### SETTLED ESTATES ACT.

MR. EBERTS moved the second reading of a bill to amend the Settled Estates Act. He explained that this would enable trustees of estates to mortgage the property under their charge for rebuilding, repairing, etc.

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

### PROVINCIAL VOTERS ACT.

MR. BROWN moved the second reading of a bill to amend the Provincial Voters Act in such a way to extend the franchise to women. He said that at present, under the law regarding voting, women were classed in the same category as Indians, Chinese, Japanese and felons.

HON. MR. BEAVEN—No, no.

MR. BROWN continued that the women's franchise movement had of late years extended very much, and in view of the general qualification for voters in the Province, it behooved those who opposed the bill to show that women were inferior to men.

From the public school reports he saw that there were five medalists last year, of whom four were girls. The general reports showed that the girls were the more proficient students. These and other returns showed that women were fully as competent, if not more competent than men, to exercise the rights of the ballot.

MR. MARTIN said he had in former years taken a stand against the principle of the bill, and he proposed to do so again. He did not say that women were not as competent as men to exercise the right of the ballot, but if they accepted the privilege of voting they must accept the responsibilities as well. And he did not think it was woman's place to appear in public life, notwithstanding the fact that elections in this Province were conducted most decorously.

MR. SEMLIN and Mr. Keith spoke in support of the bill, the latter suggesting that if ladies were elected to the Legisla-

ture and one were placed beside the hon. Attorney-General and one beside the hon. leader of the Opposition their presence would have a restraining influence. (Laughter.)

MR. FORSTER also spoke in favor of the bill. MR. HALL opposed it. He said that one of the best arguments against it was that did not want the franchise which was tried to be imposed upon them by a number of gentlemen who wished to cultivate popularity with the fair sex. (Laughter.)

DR. MILNE thought the subject was being treated too jocularly—not with the earnestness it deserved. He thought the House should be willing to accept the bill with an amendment to prevent the ladies being elected to the Legislature.

HON. MR. DAVIE said he had had the honor of casting a vote on this subject on several occasions in the past and he was prepared to do so again to-day. The reasons of the hon. member for Yale (Mr. Martin) were sufficient to show that the measure was not a wise one. The House was asked here to support a change and a very radical change, and while he was not one of those who on principle oppose every change, at the same time he took the position which he thought was one that every prudent man would take, to advocate no change until he was satisfied that that change would have a good effect. (Hear, hear.)

So that the first thing which presented itself for consideration was this—was there any advantage to be gained by the enfranchisement of women, and if so what advantage was it? He could only see one possible advantage which the bill would have, and that would be to duplicate the number of votes cast at Provincial elections.

This, he said, might be one effect of the passage of such a bill; but judging from experience with the right of franchise given to females in municipal and school trustee elections, in which cases they had not availed themselves of it to any very considerable extent, it would hardly have even that effect. The ladies themselves would think that one of the last places they would wish to frequent would be the election booth. They would much rather be at home with their children, enjoying the quiet of their own firesides. But assuming for the sake of argument that the measure, if brought into effect, would have the advantage of duplicating the vote, would that advantage compensate for the disadvantages that would result? How about the little children? He would like to know what was going to happen if their mothers were encouraged to leave them and go away to the polling booth. He heard some hon. members say they would have their nurses and their servants, and so forth. That would be all well enough in its way if all were well enough off, but all were not so circumstanced. That being the case, if the mothers were to be running about attending election meetings and going to polling booths, what would happen to the poor little children? The hon. member for Victoria City (Dr. Milne) said the ladies should be allowed the privilege of voting, but should be kept out of the House. He entirely disagreed with him, for if they were to have the privilege of voting they should also have the right of being elected members of the House and take their seats upon the floor. If they were to vote they must vote intelligently. There was no use in allowing them to vote at all unless they were to be given the means of informing themselves for they ought to be able to form an intelligent opinion. If it were otherwise, why the working out of the measure would be subversive of its principle and its power. The woman who voted ought to know why she was voting, so she would read the newspapers, and besides reading the two papers she would have to go to public meetings—not to one public meeting, but to all of them, and then what was to become of all the poor little children? Notwithstanding what had been said by his hon. friend (Mr. Brown) he still differed with him in the opinion that the ladies had a desire for this measure. They had no desire whatever to have their homes interfered with. He knew that amongst the ladies of his acquaintance he had not found any strong desire for voting. His experience had been that they had very little to say upon the subject, and when they did speak it was generally to express an opinion adverse to it. He was unable to see that there was any advantage to be gained from the measure to equalize the disadvantages. It would be found that the vote on this question would fairly reflect the opinion formed in the House, and that that sentiment would be largely against the measure.

DR. MILNE explained that he would prefer to see ladies in the House, but had suggested the change in the bill to meet opposition.

HON. MR. BEAVEN expressed the opinion that in Provincial matters the women did not desire a vote. He suggested a plebiscite to find out what they did want, and moved in amendment that the question should be submitted to the women themselves for a decision.

MR. SPEAKER ruled the amendment out of order, inasmuch as it had to do with the revenue. Moreover there was no provision in the constitution for a plebiscite, as had been decided on the opinion of some eminent Dominion authorities.

HON. MR. BEAVEN did not agree with Mr. Speaker on the point of order, but did not appeal.

MR. GRANT opposed the bill on the same grounds as the hon. leader of the Opposition had done.

The second reading of the bill was lost on the following division:

Ayes—Messrs. Brown, Nason, Milne, Semlin, McKenzie, Kellie, Keith, Watt, Forster and Sword—10.

Nays—Messrs. Baker, Davie, Vernon, Eberts, Stoddart, Hall, Pooley, Turner, Martin, Croft, Hunter, Rogers, Anderson, Fletcher, Beaven, Horne, Grant, Punch, Cotton and Kitchin—20.

ARCHITECTS INCORPORATION BILL.

MR. HUNTER moved the second reading of the Architects bill, which he explained was one which would raise the standard of architecture in the Province, and would give ample protection to the public, who were now practically at the mercy of any men who wished to call themselves architects whether they were qualified or not.

MR. SEMLIN opposed the measure on principle, inasmuch as it would make another close corporation.

HON. MR. POOLEY supported the bill, which he argued was one which would be of very great use indeed to the public, and would benefit them considerably by protecting them against men who were not qualified.

Messrs. Hall, Smith, Croft and Keith spoke in opposition.

HON. MR. BEAVEN objected to the bill being read a second time because it would form a close corporation for architects without being of any benefit to the public.

HON. MR. DAVIE said that on questions of a similar nature as this he had always been in opposition to the hon. leader of the Opposition, who seemed to have entirely lost sight of the fact that it was not a matter of protecting the members of the profession at all, but of protecting the public. There should be a standard to which the public could depend so that people could have some guarantee that men were qualified in their professions. Otherwise incompetent and unskilled men would be able to impose on the public. This bill and other bills of the kind were for the purpose of creating a standard, the same as was done in other provinces and in other countries. There were some matters in which this bill went too far and would require amendment in committee if the bill passed its second reading. He alluded to the clause requiring architects to be British subjects and to have practised five years, besides one year in this Province. He considered that whether an architect came from Great Britain, France, the U. S. or anywhere else he should be on the same footing as those from other countries.

The second reading was lost.

HOMESTEAD ACT AMENDMENT.

HON. MR. DAVIE moved the second reading of a bill to amend the Homestead Act, which he explained as being a measure to prevent fraud.

The bill was read a second time; to be committed to-morrow.

AGISTERS BILL.

HON. MR. DAVIE moved the second reading of the Agisters bill.

Bill read a second time; to be committed to-morrow.

The House adjourned at 5:35 p.m.

NOTICES OF MOTION.

By Mr. HALL: Asking to have pointed out to the Dominion Government the very urgent necessity existing, for providing an efficient mail service on Northern Coast route, by steamers of good speed and accommodation. The present requirements are: Victoria to Port Simpson, Naas and way ports every week, and Victoria to Queen Charlotte Island points every four weeks.

By Mr. BROWN: To ask for copies of correspondence not printed with the sessional papers of 1892, between the Government of this Province and the Government of the Dominion, relative to the census of 1891.

By Mr. SWORD: To amend the Rules and Orders by adding to section 58 the words: "Private bills brought in on petition presented after the first two weeks of the session shall be subject to double the regular fees."

By Mr. WATT: To introduce a bill to amend the Medical Act.

By Mr. HALL: To introduce a bill to amend the Game Protection Act, 1892.

By Mr. KEITH: To introduce a bill to abolish the attachment of wages.

By Mr. STODDART: That a select committee be appointed to inquire into the question of the protection of winter cattle ranges and the desirability of defining certain boundaries in which sheep may be depastured. Such committee to consist of Messrs. Martin, Semlin, Rogers, Watt, Smith and the mover.

By Mr. MARTIN: That the time for presenting private bills and receiving reports from the Private Bills Committee be extended ten days.

NOTICE OF QUESTION.

By Mr. SEMLIN: To ask the Attorney-General: "Will the Government object to the institution by petition of right of an action in the Supreme Court of British Columbia by J. P. McLeod against the Crown for damages sustained by the cancellation of his certificate in December, 1891? Will the Government advise His Honor the Lieutenant-Governor to grant his fiat 'That right might be done' to such petition of right?"

LEGISLATIVE NOTES.

Mr. Horne has recovered from his indisposition and was in his seat again yesterday. There will likely be an interesting debate to-day. Government business will be gone on with.

The Mining committee will meet this morning. Some changes in the act are contemplated.

A deputation from the Victoria Board of School Trustees had an interview yesterday with the Minister of Education.

The Speaker has ruled that bills like the Architects bill, introduced yesterday by Mr. Hunter, shall hereafter be considered to be private bills.

The time for presenting petitions for private bills having been extended ten days, it follows that the time for receiving the last report of the committee will also be extended.

The petition from H. T. Ceperley and others of Vancouver, re the establishment of a smelter in the Terminal City, has been ruled out of order as it asks the Government to guarantee five per cent. interest on a million dollars worth of bonds.

# PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

## NINTH DAY.

FRIDAY, Feb. 10, 1893.  
The Speaker took the chair at 2 o'clock.  
Prayers by Rev. P. McF. Macleod.

### PETITIONS.

Petitions were presented as follows:  
By Mr. BROWN: From Bishop Silbitt of the Diocese of New Westminster, for incorporation.

By Mr. BROWN: From the R. C. Bishop of New Westminster, for incorporation.

By Mr. COTTON: From Sir Donald A. Smith and R. B. Angus, to secure certain deeds and transfers.

By Mr. HORNE: From D. Oppenheimer, H. J. Camble and others, to incorporate Whetnam college.

The following petitions were read and referred to the Private Bills Committee:  
From the Corporation of the City of Vancouver, to amend their Corporate Act.

From John Hendry, D. J. Munn and Alexander Ewen, re railway along Kootenay river to Kootenay lake.

From C. D. Rand, A. W. Vowell and F. S. Barnard, re ship canal, Pitt river to Burrard inlet.

From Andrew Holman, E. E. Wootton and P. C. Dunlevy, to incorporate the Osoyoos and Okanagan Railway Company.

From J. R. Robertson, J. B. McKilligan and H. G. Ashby, to incorporate the Bedlington and West Kootenay Railway Company.

From the Right Hon. Baron Castletown and others, re gulf cable and telephone lines.

From Joseph Hall, J. F. Betts and others, to incorporate the British Columbia College.

From J. Rogers, J. T. G. Campbell and others, to incorporate the Young Men's Christian Association of Vancouver, B. C.

From P. C. Dunlevy, W. H. Ellis and others, to incorporate the Lardeau and Kootenay Railway company.

From Victoria Columbia Lodge, No. 1; Vancouver Quadra Lodge, No. 2, and Columbia Royal Arch Chapter, No. 120, A. F. and A. M., to incorporate the Masonic Temple Association of Victoria, B. C.

### REPORTS OF COMMITTEES.

MR. MARTIN, from the committee on private bills and standing orders, reported that the rules had been complied with in the case of the following petitions: To incorporate the Nakusp & Slocan Railway Co.; to incorporate the Kootenay Central Railway Co.; to incorporate the Red Mountain Railway Co.

INDUSTRIAL DISPUTES BILL.

MR. HUNTER inquired when work on the Industrial Disputes Bill would be continued.

HON. COL. BAKER replied, on Monday.

### ARBITRATION BILL.

The House went into committee of the whole on the Arbitration Bill, Mr. Smith in the chair.

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

### PUBLIC HEALTH ACT.

HON. MR. TURNER moved the second reading of the Public Health Act. He drew attention to the fact that this was a very important measure, and briefly reviewed some of its chief provisions. In the first place it provided for the establishment of a Provincial Board of Health to consist of five members, four of whom should be medical men. The duties of this Board would be extensive. Amongst other things they would have to arrange for the appointment of local boards of health, which would have the carrying out of the regulations made by the central organization. The Provincial Board of Health would also arrange for the collection of statistics and sanitary matters with a view of using this material in such a way as to enable local boards of health to deal with disease and epidemics, should such unfortunately occur, and in the meantime to guard against them. The local boards of health were given jurisdiction, to prevent the introduction and spread of disease, to regulate drainage, cleanliness, etc., and also an important matter—to regulate unwholesome trades, these being often very detrimental to the public health. He also drew attention to the fact that this bill was, to a great extent, compiled from acts on the statute books of other provinces of the Dominion and of other countries. The Ontario Public Health Act, for instance, had been the result of a rather severe experience during the smallpox epidemic of 1885, and the effect of the Ontario legislation had been very beneficial and very successful. There had been to some extent a feeling of antagonism between certain districts and municipalities because the methods of each were different, but the present bill would remove this by making one uniform system to cover the whole province. This would prevent different districts having different systems of methods to combat disease, and there was also a provision in the bill to enable municipalities to combine for health purposes, so that the expense to each would be in this way reduced. Legislation of a similar character to the bill now before the House was becoming universal, and the trend of it all was to centralize the system so as to more adequately protect the public health. It had been found by experience that it was best to have the districts and municipalities all working together for the one purpose and in the same way, so that when disease appeared they were all prepared to cope with it intelligently and effectively. He was sure the bill would be received with favor by the House.

HON. MR. BEAVEN said that he was satisfied the intentions of the hon. Finance Minister were good, but should the present bill become law, instead of it having a beneficial effect, it would create hostility and friction between the Province and the municipalities. The Government had quite enough to do to look after its own affairs without interfering with the municipalities. If the Government was going to interfere with the cities and appoint a lot of incompetent men as had been done, they should have to pay the bills. To say that an irresponsible executive should have power to appoint an irresponsible Board of Health

with power to interfere with municipalities, was entirely contrary spirit of constitutional government. Had some experience of the kind, when the hon. Attorney attempted to resurrect an law, and on the strength evolved a conglomeration of contradictory and unintelligible regulations which no one could understand. Possibly this might pass in British Columbia, but it would not be tolerated else in the British Empire.

This was a matter of the past, and authority for these regulations did not and never existed, it did not make sense. He had not expected that on this measure would have been today, or he would have shown under which the hon. Attorney had presumed to act was out of date long been repealed. The hon. Mr. Beave further, too, and had passed a there should be no appeal to the co-endeavoring to set aside the power courts, a proceeding which would allowed anywhere except in the courts, and even there, it was proposed by the province to perpetrate this kind of thing, not have opposed the appointment Provincial Board of Health under circumstances, but when such propositions as were made in this past before him, he could not do so and would certainly oppose the measure.

HON. MR. DAVIE replied to leader of the Opposition in a forcible in which he reviewed the event showed the cause of the action of government in issuing the rules and re public health, and the benefit they had produced. The Governor said, had taken hold at a time of panic, and had done no more than bounden duty. It had not interfered, and would not have had it not been forced in by the inactivity of the opposition. It was all well enough now for leader of the Opposition to say that under which the rules were issued and had been repealed, those rules were before the Supreme Court, and would not have been upheld and enforced, and this would not have been the fact that similar legislation was in other countries, and the measure was simply following the precedent universally laid down by the law.

DR. MILNE said that there was a man in the world who had aough belief in the efficacy of laws than he had. Prefacing his with this statement, he reviewed the history of the smallpox outbreak in Victoria last summer, and argued that the Government had unwarrantably at a time when the city officials everything in their power and that could have been expected circumstances. He claimed differences of opinion between himself and the hon. Attorney, but he had always been in the forefront of the Provincial Health debate had come on unexpected documents. He therefore moved the adjournment of the debate.

The House adjourned at 5:50.

### LEGISLATIVE NOTES.

Two returns were presented by Hon. Col. Baker, of copies of correspondence between the Provincial and Dominion governments on the question public works; the other was a judgment of the Supreme Court upholding the validity of Provision.

Two witnesses were examined select committee on Carpenter yesterday. Another meeting mittee will be held on Tuesday. The debate on the Public Health Act will probably last for several days. The anti-Chinese resolution again this year by Mr. Smith, was given yesterday.

Night sessions will not be until towards the end of next month. Hon. Mr. Beaven is preparing to the Municipal Act. The Private Bills Committee again on Monday.







place, and they did take place. The city authorities would not undertake the removals, and seemed paralyzed, so the Government had to undertake this most disagreeable task, and one not unattended with danger to the officers who had to do it. Dr. Milne—You killed one poor fellow, too.

Hon. Mr. Davie—There were forty or fifty removals and one man unfortunately died just after being taken into the hospital. The man had a bad case of smallpox and would have died in any event. He was removed with all the possible care and attention that could be had, and you would not visit upon those officers of the law who were charged with the duty of removing the patients the burden of having been responsible for his death. This patient, before his removal was under the care of one, if not two, medical men, and the fact that the removals were to take place was known to every one. Now, in the case of several medical men, although they did not like their patients to be removed, although they would have preferred that their patients be allowed to stay where they were in their own private houses until they had recovered, yet the doctors recognized that what was being done was a public necessity, and they acquiesced and rendered all the assistance in their power in carrying out the regulations, and some of them, sir, I may mention, Dr. Hanington, in particular, attended and superintended the removal of their own patients. If they desired any reasonable delay it was accorded. Now, in the case of this man who unfortunately died, it was known for days that all the patients were to be removed, and would be removed at an early date. The medical man who was in charge of this particular patient, McKay, knew that he was going to be removed along with the others, yet never raised one word of protest, nor ever even suggested that he should not be removed. The doctor was not present at the time the man was removed, was to take place, and it was his duty, if there was any reason why the patient should not have been removed, for the doctor to have been there, and to have said why. I do not lay the blame on any one. It was an unfortunate occurrence, but if there was any fault in the matter at all, it was the fault of the medical man who was supposed to be attending to that patient and who was not there when the patient was removed, and did not tell the officers, if he thought so, that it would be unsafe to effect the removal. A nice time it was, Mr. Speaker, after the man had been removed and after the death, for the medical man to come forward and say that he should not have been removed. A nice time, I say, to blame the Provincial police officers and the medical man who had charge of the removals, for carrying out the regulations and doing what the city authorities had shown themselves utterly unwilling and unable to do. Then there was some difference of opinion between the city Health Officer and the Provincial Health Officer. I am not going to say who was right or who was wrong—that is a matter which is not now in question—although I have my own opinion about it, but the fact was there was a difference of opinion as to the carrying out of the rules. The Provincial Health Officer gave instructions that all the patients should be removed to the hospital and the suspects should be removed out to the Ross Bay station at once. It was in the interests of the public health that these patients and suspects should be removed at once. The Provincial Health Officer was rigid and would not give way in this. The City Health Officer advocated a plan that was not quite so rigid, and at any rate there was a difference of opinion between the two. It was a time of emergency. There was no time to argue the question. We could not have a divided authority, and the Government had to decide between its own officer, the one they had appointed, and the officer of the City. The Government had either to uphold its own officer or discharge him. The Government came to the conclusion that it was best to uphold its own officer, and as we could not have two officers, on my advice as Attorney-General, the Government passed those regulations suspending Dr. Milne so far as smallpox was concerned. It was an active step. We all knew that it was that, but it was a necessary step for the purpose of carrying out the regulations and stopping the spread of the disease. My hon. friend the leader of the Opposition now says that those rules were obsolete and were not worth the paper they were written on. Well, the matter was brought by the City Health Officer before the Supreme Court. Then was the time for my hon. friend, the leader of the Opposition to come forward with his legal objections and say that those regulations were not worth the paper that they were written on. He says that those regulations were based upon an act that was repealed years ago, and that since that time the Government has had no authority to interfere as it did. If that is the case, sir, then was the time for my hon. friend to have shone, and have come forward and raised his objection that the Health Act was obsolete, and the regulations were paper. But did he do it? No. Points were raised about the construction of the regulations themselves, but it was never contended, it was never even suggested, that the Government had no power to pass them. What was the result? An injunction of the court was issued upholding those regulations and enforcing them, and restraining Dr. Milne from acting, and do you suppose that the Supreme Court of British Columbia would have done that if there had been the slightest doubt about the validity of the regulations, or if the Government had had no power to pass them? No, the result would have been different; and now my hon. friend comes and says that those regulations were based upon an Act that was repealed and obsolete. It is just like the result in other matters in which my hon. friend puts forward his knowledge as a legal man against the knowledge of others who are qualified and who know what they are talking about.

Hon. Mr. Beaven—Do you mean to say that I went into the Supreme Court and argued the question? Is it preposterous?

Hon. Mr. Davie—No, that is not what I

said. Those rules were contested in the Supreme Court on behalf of the city.

Hon. Mr. Beaven—No, they were not.

Hon. Mr. Davie—But I say yes; the City Barrister appeared and contested the rules on behalf of the Medical Health Officer of the city, with the result that the regulations were enforced by injunction of the court. Will the hon. leader of the Opposition tell me that he was not there in court and heard the argument? Will he tell me that he had no right, and that the city had no right through him, to elect a representative, to instruct the City Barrister to adopt any line of argument that he chose? Of course my hon. friend had the right, and if he thought that the act under which the rules were issued, was obsolete and repealed, was it not his privilege as well as his duty to then have instructed the City Barrister to take that line of argument? If he had thought that he had a case, or that the act was obsolete, would not he have stated so through his counsel? Of course he would have done so, but he did nothing of the kind, or if he did try that his counsel thought that it was not worthy of argument and did not bring it forward. And now, after having had the chance to bring this contention before the Supreme Court and have the matter settled, and having failed to do so he comes to this House, where, of course, he can raise any contention he likes, and tells us that the rules, which he never questioned when he had the chance, are void. This, Mr. Speaker, was the extent of the interference of the Government, or of myself, with the corporation of the city of Victoria, and the occasion for it. It was our duty to interfere, at the time we did, and we should have been unworthy as a government if we had not. It was no agreeable task. Do you suppose for a moment that it was a matter of choice on our part or a matter of choice with me that I should have taken the steps I did? Do you suppose it was with any desire to interfere with the hon. leader of the Opposition or that it was with the desire to undertake what would be an agreeable task, that the Government, or that I took the action I have mentioned? We could have left things exactly as they were, but we did not think we would be doing our duty if we did. For my own part I would have been only too happy to have gone away to the country with my wife and my children for a while instead of staying here to look after matters which my duty compelled me to take up. And, moreover, what the Government did was endorsed and sustained by nine-tenths of the people of this city and of the Province at large. Now, Mr. Speaker, I have gone into the facts of the matter to the extent of the complaint my hon. friend has against me and against this Government for our interference with the city during the smallpox epidemic. It has never been my idea or desire to interfere with municipalities except in urgent cases where the law compels it or where the highest interests of the public and of society demand it. I recognize as clearly as any one does the rights of the municipalities to self-government, but there are cases where the great principle of justice to the interests of the public demand the adoption of such regulations as will insure the proper carrying out of measures for certain purposes. We must in health matters have uniformity. Other Governments have seen it and we have seen it. In health matters as in other matters, if everything is being done by the municipalities that can be done, there will be no interference, but if the public health, above all things, is threatened, it is the duty of the central Government to step in. This bill now before the House is based upon good precedent. British Columbia, you are all aware, stands in a different position in many respects from other provinces of the Dominion, but the general scope of the bill is not different from legislation in other parts of the world, although certain provisions are varied to meet the different circumstances. Where the circumstances of the country require a change, we have made it, but there no change was necessary, we have followed the lines laid down in other countries. These are the principles of the bill which have been brought forward by my hon. friend the Minister of Finance, and I am sure it will be read with favor by hon. members of this House, more particularly in view of our experience of last summer.

## PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

### TENTH DAY.

MONDAY, Feb. 13, 1893.

The Speaker took the chair at 2 o'clock.

#### REPORTS OF COMMITTEES.

MR. MARTIN, from the Private Bills committee, reported that the rules had been complied with in the case of the following petitions: City of Vancouver; re Kootenay river to Kootenay Lake Railway; re Osoyoos and Okanagan Railway; re Masonic Temple Association, of Victoria; re Cable Company between Vancouver Island and Mainland; re Lardeau and Kootenay Railway.

#### FEES ON PRIVATE BILLS.

MR. SWORD moved, seconded by Mr. Horne, "To amend the rules and orders by adding to section 58 the following words: Private bills brought in on petition presented after the first two weeks of the session shall be subject to double the regular fees."

HON. MR. DAVIE said he thought it would be better if the hon. member would not proceed with his resolution. All hon. members, he said, understood the laudable object the hon. member from New Westminster district had in view, but as (Mr. Davie) thought it would not be quite fair to those who had private bills in charge, and to promoters of private bills, to pass the motion now. Next session something of the kind might be incorporated in the rules.

MR. SEMLIN supported the resolution. HON. MR. DAVIE said his objection was that the rule would, under the resolution, come into force this session. MR. HORNE said that as seconder of the resolution he understood the principle would not apply until next session.

On suggestion of the hon. Premier the motion was allowed to stand over for amendment.

#### ATTACHMENT OF WAGES.

MR. KEITH introduced a bill to abolish the attachment of wages. Read a first time; second reading Thursday.

#### EXTENSION OF TIME FOR PRIVATE BILLS.

MR. MARTIN moved, seconded by Mr. Stoddart, "That the time for presenting private bills and receiving reports from the Private Bills committee be extended ten days." Carried.

#### MEDICAL ACT AMENDMENT.

DR. WATT introduced a bill to amend the Medical Act. Read a first time; second reading Thursday.

#### PROTECTION OF CATTLE RANGES.

MR. STODDART moved, seconded by Mr. Smith: "That a select committee be appointed to inquire into the question of the protection of winter cattle ranges and the desirability of defining certain boundaries in which sheep may be depastured; committee to consist of Hon. F. G. Vernon, Messrs. Martin, Semlin, Rogers, Watt, Smith and the mover."

MR. STODDART said: In moving this resolution for a select committee, which, you will notice, is composed of hon. members who represent districts that are largely interested in stock raising, I would say that my reason for wishing to have this committee appointed is to try to amend the Cattle Ranges Act of 1888, which was so amended by a slight error last session in introducing a change in the Commons Act that it was found to be unworkable. My idea is to so amend the Act that the different stock raisers' associations throughout the Province will have a certain amount of control over the ranges in the different polling divisions, but I certainly think that the parties who have invested their capital in sheep are also entitled to some protection. In the district which I have the honor to represent there have been imported within the last two years several thousand head of sheep from Oregon and from Ontario—I think something over 15,000 head—and I am informed that there will be large importations this year. It is a well known fact that cattle and sheep will not thrive on the same grazing land, especially in a dry section of country, and some people are of the opinion that sheep should not be allowed to pasture on public land, especially in a bunch grass country. This Province, however, is large in area, and I think there ought to be room for both cattle and sheep, providing the Act is so amended as to give justice to the owners of both. The Cattle Ranges Act of 1888 gave the stock-raisers north and east of the Cascade range, power to form themselves into an association by having a two-third majority of the qualified resident holders of land, and was found to work well, with very few exceptions, and I am still of the opinion that cattle raisers should have ample range for their cattle as they are the oldest settlers in the Province and have the bulk of their capital invested in that enterprise. The principal dispute is in regard to the winter ranges, which are principally situated along the banks of the different rivers and in ordinary winters cattle and sheep can be pastured without any serious loss. I sincerely hope that this committee will be able to so amend the act as to give general satisfaction to all the parties interested in stock raising.

MR. SMITH said that in seconding the resolution he did so with the idea in view that the result of the work of the committee would be to find a solution of the question. He thought that men who had lived for a length of time in the country, as the cattle men had, should have a certain amount of protection. It was generally conceded that sheep would destroy the cattle ranges, and he hoped legislation would be had to prevent the grazing being all destroyed.

MR. SEMLIN supported the resolution, but thought it should include summer as well as winter ranges.

HON. MR. VERNON thought that the resolution was a good one, which should commend itself to every hon. member of the House. The subject was a very difficult one to deal with. Parties who invested their money in sheep claimed the same rights as other citizens to the use of a portion of the public domain. On the other hand, the cattle men had been in business for many years, and felt that they should not be injured by sheep being allowed to

destroy the pasture. He would have much pleasure in assisting in the inquiry, which, he hoped, would result in the settlement of the much vexed question.

MR. SEMLIN drew attention to the rules which provide that select committees shall not have more than five members.

After some considerable discussion, HON. MR. DAVIE said that there was every reason why the committee, should have on it all of the members from the interested districts. The question before the House was one which had given the Government much concern, and he was sure the information which would be gathered by the committee would be of great use and assistance in settling the difficulty.

MR. HUNTER supported the motion, which was carried unanimously.

#### B. C. SOUTHERN RAILWAY.

MR. SMITH introduced a bill to amend the B. C. Southern Railway Act; read a first time and referred to Railway committee.

#### KOOTENAY CENTRAL RAILWAY.

MR. CROFT introduced a bill to incorporate the Kootenay Central Railway Co.; read a first time and referred to Railway committee.

#### RED MOUNTAIN RAILWAY CO.

MR. CROFT introduced a bill to incorporate the Red Mountain Railway Co.; read a first time and referred to Railway committee.

#### BREEDING STOCK ACT.

HON. MR. DAVIE moved the second reading of the Breeding Stock act, which he explained as being for the purpose of permitting a constable to take charge of stock running at large.

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

#### AGISTERS BILL.

The House went into committee of the whole on the Agisters bill, Mr. Kitchen in the chair. The committee reported the bill complete with amendments.

#### QUESTION OF PRIVILEGE.

HON. MR. BEAVEN, rising to a question of privilege, said that he saw by the votes and proceedings of Friday that a couple of amendments he had made to the Arbitration bill in committee, were not printed in the votes and proceedings as now laid before the House. He suggested that the amendments should be printed from day to day in the votes and proceedings so that omissions of the kind, if any, could be rectified.

HON. MR. DAVIE said the amendments to the bill were only to rectify what might be called printer's omissions. They appeared in the amended bill.

MR. SMITH explained that he was chairman of the committee, and the two "amendments" the hon. leader of the Opposition referred to as being omitted from the votes and proceedings were the words "in" and "to." (Laughter.)

HON. MR. BEAVEN wanted the amendments inserted in the records.

HON. MR. DAVIE said he thought it was carrying the matter altogether too far; every time an "in" was not dotted or a "to" was not crossed a record must be made upon the votes and proceedings. He drew attention to an error in the Agisters bill where a word had been wrongly spelled. Because one letter was out of place or a word was misspelled was a record of the correction to be made? All substantial or material amendments would be recorded, but there was such a thing as carrying the thing too far.

#### MINERAL BILL.

The House went into committee of the whole on the Mineral bill, Mr. Booth in the chair. Bill reported complete with amendments.

#### INSANE ASYLUM BILL.

The House went into committee of the whole on the Insane Asylum bill, Mr. Rogers in the chair.

There was a lengthy discussion on the clause as to who should have the power of committing a lunatic to the asylum. Finally the clause passed as in the bill.

After further discussion the committee reported progress, and asked leave to sit again.

#### PETITIONS.

HON. COL. BAKER presented a petition from certain residents of Golden against a private bill to grant certain water rights. The following petitions were read and referred to the Private Bills committee:

From the Lord Bishop of New Westminster, to incorporate the Synod of the Church of England in the Diocese of New Westminster.

From the Right Rev. Paul Durien, Roman Catholic Bishop of New Westminster, to incorporate the Catholic Bishop of New Westminster.

From D. Oppenheimer, J. C. Keith, and H. J. Cambie, to incorporate Whetnam College.

From D. A. Smith and R. B. Angus, to validate certain conveyances of real estate executed by the petitioners' attorneys in fact.

The House adjourned at 5:55 p.m.

#### NOTICES OF MOTION.

By HON. MR. BEAVEN: For a return showing the section of the act under which the land was purchased, the minerals of the Crown grant (if any), the name, acreage, price per acre, and district from which the sum of \$213,519.41 has been received at the treasury from the sale of Crown lands for the fiscal year 1891-2.

By HON. MR. BEAVEN: For a copy of the opinion given by Dr. Bourinot as to the power and privileges of the Legislative Assembly, for which a fee of \$100 was paid, as per public accounts for 1891-2.

By HON. MR. BEAVEN: For the names of each mining recorder and mining district in the Province, date of appointment and establishment of same also for the date upon which each recorder was notified by the Minister of Mines that the Mineral Act 1891 Amendment Act 1892 had been passed by the Legislative Assembly.

#### NOTICE OF QUESTION.

By MR. BEAVEN: To ask the Minister of Finance and Agriculture what was the total revenue and expenditure from July 1 to December 31, 1892? What was the amount of revenue brought to account at the Treasury during the first six months of the fiscal year 1892-93, on account of land sales?

What amount had the Government credit or debit at the Government 31st December, 1892, and on 31st January, 1893, and what was the cash the Deputy-Treasurer's fund at dates.

#### LEGISLATIVE NOTES.

A ministerial dinner is to be given at the residence of Hon. C. S. Robb, of the Vancouver, on Monday night, 14th inst.

The Mining committee met this morning and heard the views of Kootenay miners, as to the act.

Amongst the visitors to the gallery yesterday were Jas. Orr, ex-M.P.P. and Deputy Sheriff Thos. A. Vancouver.

Dr. Watt's bill to amend the provisions for the fixing of the fee by resolution or by-law of and for the registration of gening an Imperial qualification.

A deputation of trades unionists upon the Government yesterday some slight amendments trial Disputes bill. They expressed much pleased with the whole.

The text of the judgment of Court of Canada in the Count peal case, sustaining the validity of legislation, was distributed yesterday. It appeared in some time ago.



bury the pasture. He would have much to say in assisting in the inquiry, which, he hoped, would result in the settlement of a much vexed question.

Mr. SEMLIN drew attention to the rules which provide that select committees shall have more than five members.

After some considerable discussion, Hon. Mr. DAVIE said that there was every reason why the committee should go on it all of the members from the interested districts. The question before the committee would be of great use and importance in settling the difficulty.

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Hon. Mr. DAVIE said the amendments to the bill were only to rectify what might be called printer's omissions. They appeared in the amended bill.

Mr. SMITH explained that he was chairman of the committee, and the two "amendments" the hon. leader of the Opposition referred to as being omitted from the votes and proceedings were the words "in" and "so." (Laughter.)

Hon. Mr. BEAVEN wanted the amendments inserted in the records.

Hon. Mr. DAVIE said he thought it was trying the matter altogether too far if every time an "i" was not dotted or a "t" was crossed a record must be made upon the votes and proceedings. He drew attention to an error in the Agisters bill where a word had been wrongly spelled. Because one letter was out of place or a word was misspelled was a record of the correction to be made? All substantial or material amendments would be recorded, but there was nothing as carrying the thing too far. The matter dropped.

**MINERAL BILL.**

The House went into committee of the whole on the Mineral bill, Mr. Booth in the chair. Bill reported complete with amendments.

**INSANE ASYLUMS BILL.**

The House went into committee of the whole on the Insane Asylum bill, Mr. Rogers in the chair.

There was a lengthy discussion on the use as to who should have the power of committing a lunatic to the asylum. Finally the clause passed as in the bill.

After further discussion the committee reported progress, and asked leave to sit again.

**PETITIONS.**

Hon. COL. BAKER presented a petition from certain residents of Golden against a private bill to grant certain water rights. The following petitions were read and referred to the Private Bills committee:

From the Lord Bishop of New Westminster, to incorporate the Synod of the Church of England in the Diocese of New Westminster.

From the Right Rev. Paul Durien, Roman Catholic Bishop of New Westminster, to incorporate the Catholic Bishop of New Westminster.

From D. Oppenheimer, J. C. Keith, and J. G. Camble, to incorporate Whetnam Mills.

From D. A. Smith and R. B. Angus, to validate certain conveyances of real estate cut by the petitioners' attorneys in 1891.

The House adjourned at 5:55 p.m.

**NOTICES OF MOTION.**

By Hon. Mr. BEAVEN: For a return showing the section of the act under which land was purchased, the minerals of the own grant (if any), the name, acreage, and price per acre, and district from which the sum of \$213,519.41 has been received at the treasury from the sale of Crown lands for the fiscal year 1891-2.

By Hon. Mr. BEAVEN: For a copy of the motion given by Dr. Bourinot as to the power and privileges of the Legislative Assembly, for which a fee of \$100 was paid, as public accounts for 1891-2.

By Hon. Mr. BEAVEN: For the names of the mining recorder and mining district in the Province, date of appointment, and establishment of same; also for the date on which each recorder was notified by the Minister of Mines that the Mineral Act Amendment Act 1892 had been passed by the Legislative Assembly.

**NOTICE OF QUESTION.**

By Mr. BEAVEN: To ask the Minister of Finance and Agriculture what was the total revenue and expenditure from July 1 to December 31, 1892? What was the amount of revenue brought to account at the Treasury during the first six months of the fiscal year 1892-93, on account of land sales?

What amount had the Government to its credit or debit at the Government bank on 31st December, 1892, and on 31st January, 1893, and what was the cash balance in the Deputy-Treasurer's fund at the same dates.

#### LEGISLATIVE NOTES.

A ministerial dinner is to be given to-night at the residence of Hon. C. E. Pooley. The select committee on the Carpenter Creek claims meets this morning at 11 o'clock.

S. R. Robb, of the Vancouver World, was in the press gallery yesterday. He is here on a short holiday.

The Mining committee met yesterday morning and heard the views of a deputation of Kootenay miners, as to changes in the act.

Amongst the visitors to the House yesterday were Jas. Orr, ex-M.P.P., Sam Greer and Deputy Sheriff Thos. Armstrong, of Vancouver.

Dr. Watt's bill to amend the Medical Act provides for the fixing of the registration fee by resolution or by-law of the Council, and for the registration of gentlemen holding an Imperial qualification.

A deputation of trades union men waited upon the Government yesterday to suggest some slight amendments to the Industrial Disputes bill. They express themselves as much pleased with the measure as a whole.

The text of the judgment of the Supreme Court of Canada in the County Courts appeal case, sustaining the validity of Provincial legislation, was distributed to members yesterday. It appeared in the COLONIST some time ago.

### PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

#### ELEVENTH DAY.

TUESDAY, Feb. 14, 1893.

The Speaker took the Chair at 2 o'clock. Prayers by Rev. J. E. Combes.

#### PETITIONS.

The petition from H. E. Beasley and others opposing private bill to grant certain water rights near Golden, was read and referred to the Private Bills committee.

#### GAME PROTECTION ACT.

Mr. Hall introduced a bill to amend the Game Protection act; bill read a first time, second reading on Thursday.

#### CENSUS RETURNS.

Mr. BROWN moved, seconded by Mr. Kitchen "That a respectful Address be presented to His Honor the Lieutenant-Governor requesting him to cause to be sent down to this House copies of all correspondence, not printed in the Sessional papers of 1892, between the Government of this Province and the Government of the Dominion, relative to the census of 1891."

#### REPORTS OF COMMITTEES.

Mr. MARTIN, from the Private Bills committee reported that the rules had been complied with in the case of the following petitions: From the Roman Catholic Bishop of New Westminster, for incorporation; to incorporate a railway company to build from Lardeau river to the International boundary.

#### PETITION OF RIGHT.

Mr. SEMLIN asked the hon. Attorney-General the following questions, which the attached answers were given:

Q. Will the Government object to the institution by petition of right of an action in the Supreme Court of British Columbia by J. P. McLeod against the Crown for damages sustained by reason of the cancellation of his certificate in December, 1891?

A. The Government will not object.

Q. Will the Government advise His Honor the Lieutenant-Governor to grant his fiat "that right be done" to such petition of right? A. Yes.

#### PUBLIC HEALTH ACT.

Dr. MILNE resumed the adjourned debate on the Public Health Act, and reviewed the history of the difference of opinion between him and the Provincial Health Officer during the smallpox outbreak last summer. He claimed that he had been unjustly treated in being deprived of the right of acting as Health Officer, and that when the Provincial Government took hold of it there was one law for the rich and another for the poor. There was also a law for those who were opposed in politics to the Government, and a law for those who supported the Government. The Provincial Health Officer after having deprived him (Dr. Milne) of power, fell in with the suggestions he had made. The hon. Attorney-General had said in his recent speech that he (Dr. Milne) had run away from his post of duty.

Hon. Mr. DAVIE—Allow me to correct the hon. member. I said nothing of the kind—but a guilty conscience needs no accuser. There were a number of other things to which I might have referred; but I was as easy upon the hon. member as possible. (Laughter.)

Dr. MILNE continued, explaining that he had gone East on private business, which could not be neglected, but fully a week before going had notified the Mayor and the Health Committee. He read a letter from Dr. Bryce of Ontario, which he claimed, showed that he was right and Dr. Davie was wrong. After the Attorney-General had ousted him from the position of Health Officer, he (Dr. Milne) had appealed to the Courts and had been re-instated by the Chief Justice, although, as smallpox was rampant at the time, the Provincial Government were allowed to have control of that. (Laughter.) Then the Attorney-General had passed an order-in-council to put the Sheriff in charge of the city of Victoria if the Mayor did not comply with his demands; but the Attorney-General had never dared use the power and would never dare to take such power to himself again. He found fault with the bill, which he claimed was an exact copy of the Ontario Act of 1888, but had not the amendments which had since been made, and without which it would be unworkable. To show that Dr. Davie was not consistent in his treatment of smallpox cases and suspects, he alluded to a case of smallpox which had been taken from the New York hotel last October, and said that although the patient had been in the hotel a week under the supposition that the disease was typhoid fever, Dr. Davie had not ordered the hotel to be quarantined, nor had he quarantined the suspects. If he (Dr. Milne) had done such a thing during the epidemic he would have been strongly censured; but after the epidemic was over Dr. Davie could do it without any complaint being made. He appealed to the hon. member for Cariboo (Dr. Watt) to bear him out in this statement.

Dr. WATT fully approved of the bill before the House, which would be of great benefit to the Province, and which, when once in operation, would meet with very little opposition. As regards the personal difficulty between Dr. Davie and Dr. Milne, he knew very little, but had some knowledge of the smallpox outbreak, having been here at the time of the first alarm. Nearly all of the first cases of smallpox had been reported through himself, and he saw from the first that the matter was likely to be serious. It might have been easy to stop the progress of the disease if there had been any preparations made to meet it in the way of a contagious disease hospital. He knew that Dr. Milne had done all in his power to cope with the disease with the appliances at his hand, but the advice he gave to the Mayor had not always been acted upon as promptly as was possible. With another Mayor there might have been a different story to tell. Even Mayor Beaven's own friends were complaining of the lack of energy and action—this he (Dr. Watt) knew of his own knowledge, as he was present and heard many complaints made. Dr. Milne was then working on a magnificent salary of \$2 a day, while the Mayor, who was so lax in his duty, was getting much higher pay. So far as the dispute between Dr. Davie and Dr. Milne was concerned, he had only to say that Dr.

Davie's position was like that of a general commanding an army. His orders must be obeyed and should have been obeyed, and the discussion of them could come in afterwards. He fully approved of the action of the Government in taking the management of smallpox affairs into their own hands and making the orders of the Provincial Health Officer supreme. This was a matter in which the whole Province of British Columbia was concerned—it was not a matter of Victoria alone, and whether they were right or wrong the orders of the Provincial Health Officer should have been obeyed. (Applause.)

As regards the New York House case, he corrected Dr. Milne. The case had not been in the hotel for a week but only for one day, and the only person really exposed was one girl who slept in the same room with the patient and who was removed to the suspect station. This girl did not afterwards develop the disease. What had been

done in this case, had been what he (Dr. Watt) thought was right and proper, and his opinion had been endorsed upon consultation with Dr. Davie. Subsequent events, too, showed that the precautions taken to prevent the spread of the disease had been all that were reasonably necessary, as no cases developed from this source. Moreover, there was no general epidemic at this time. If there had been, it might have been better to have erred on the side of strictness, but there being none, everything necessary was done and the disease did not spread.

Hon. Mr. VERNON regretted the dreary discussion into which the House had drifted, which had been brought about by the remarks of the hon. leader of the Opposition, who, no doubt, smarting under the apparent indignity of last summer, when, for manifest reasons, he had been deprived of the power to deal with smallpox matters, now had to give vent to his feelings. And he would not be at all surprised if the hon. leader of the Opposition was already preparing an amendment to the motion in order to get another opportunity of airing his views. (Laughter.)

With regard to the remarks of the hon. member for Victoria city (Dr. Milne), all he would say was that everyone was liable to error, and there was no doubt that Dr. Milne had made a mistake last summer in his method of dealing with the smallpox outbreak. He did not think that a baker's dozen of people in Victoria could be found who would say that Dr. Milne had not made an error, and a serious one, too. It was an unfortunate thing that the hon. leader of the Opposition was also Mayor of the city of Victoria, for the particular *habeas corpus* of the hon. gentleman was the Attorney-General, and whatever the hon. Attorney-General did, no matter how much in the direction of the general public good, no matter how wise and beneficial, would be criticised and carpated at by the hon. leader of the Opposition, who seemed utterly unable to give the Government the least credit for anything whatever that might be done. If it had been simply Hon. Robert Beaven, Mayor of Victoria, and not also leader of the Opposition, the Mayor might not then have been so blinded by his political prejudices, and he would, no doubt, have worked in harmony with the Government for the common welfare and advantage, and the Government would not have been compelled to take the whole control out of the power of the Corporation. If Hon. Mr. Beaven had not been a politician anxious to make every possible point against the Government of the day, there would have been no friction, and, instead, harmonious work could have been done by the Government and city officers.

Mr. SEMLIN—I quite agree with you.

Hon. Mr. VERNON continued that when it was found that smallpox matters were being mismanaged the Government realizing the importance of having them handled properly, made a move in this direction. Then, as was his wont, the leader of the Opposition had to do exactly the opposite. Continuing, he ridiculed the idea that the Government would have taken any action had they not been forced to it, and while he himself had been in the hospital at the time the Government came to the rescue, he heartily endorsed everything they had done and was sure the action would likewise be endorsed and applauded from one end of the country to the other. He referred feelingly to the unfortunate McKay death, which the Opposition were trying to make a political handle, and concluded by hoping that the report of the Royal Commission would shortly be presented as it might be of considerable use in the discussion.

Mr. BROWN regretted that sanitary matters generally in the Province did not receive that amount of consideration due them, and was glad the present bill would provide for a central board, the work of which would have a beneficial result. He criticized some of the clauses of the bill, more particularly that referring to compulsory removal, which he said was hostile to his feelings. An improvement, he thought, could be made in the bill, by attaching as a schedule the Sanitary Rules issued by the Government last summer, which, with some slight amendments, would be excellent laws.

Mr. SEMLIN continued the debate, arguing that Victoria and its Mayor were last summer, for political reasons, made a mark for the Provincial Board of Health. He claimed that the Provincial Board of Health had tried to take by the throat the Victoria city authorities, who probably at first were somewhat derelict in their duty, but who afterwards grappled with the disease, and then, just when the city authorities were getting some results for their work, the Provincial Government stepped in and tried to take all the credit. (Laughter.) He moved, seconded by Mr. McKenzie, that the further discussion of the bill be postponed until the Royal Commission report be received.

Mr. FORSTER favored centralization of power in health matters, and would support the bill.

Hon. Mr. BEAVEN supported the motion for the adjournment of the debate until the Royal Commission report should be brought down. He was sure the commissioners had done their duty in collecting evidence, etc., and he was sure also, when the report came down, it would contain many and valuable suggestions. If the commissioners reported facts and truths, they could not come to any such conclusion in regard to

the management of the smallpox in Victoria, as had been come to by the hon. Attorney-General and the Chief Commissioner. He took credit to himself for having been re-elected Mayor of Victoria, a fact which he claimed showed conclusively that the citizens of Victoria approved of what he had done during the smallpox outbreak. Reviewing the history of the energetic steps he had taken to stamp out the smallpox, he blamed the hon. Attorney-General for a panic having been caused in the Province. He also blamed the Attorney-General for the death of McKay while being removed to the hospital, and in this connection read a letter from C. D. McKay censuring the Government and the officers who had charge of the removal. Referring to remarks made by the hon. Attorney-General as to his (Mr. Beaven's) contention that the Health Act under which the Government acted last summer was obsolete and repealed, when he (Mr. Davie) wanted to know why these objections had not been raised in the Supreme court in argument on the Milne injunction, he replied that then was not the proper time to do so. In attempting to show that he was right, he read some voluminous correspondence re "case stated," as suggested by the Government in October, 1892. Continuing, he charged that the Provincial Health Officer was afraid to act in the same manner in Vancouver as he did in Victoria. Dealing with the remarks of Dr. Watt, he said that the reason of them was the personal dispute between Dr. Watt, jr., and himself over the payment of an account for medical services, which he (Mr. Beaven) had on several occasions declared to be excessive and extortionate. This was the personal reason which would make Dr. Watt say what he did about lack of energy. He said he objected to the compulsory removal clause of the Public Health bill, and would oppose

the putting of any such power in the hands of any executive in the Province. The Government had last summer acted illegally and were afraid to bring their "laws" before the Supreme court, for if they had done so they would have been so beaten on their own arguments that they would have had to fall back upon their servile majority in the House, the same as they did in the Kennedy case last session.

As regards the hon. Chief Commissioner of Lands and Works, he thought that a gentleman should have been the last one in the world, after the kindly way he had been treated by the city last summer, to complain about what the city officers had done. The city had then caused cottages to be built on the Jubilee Hospital ground, one of which cottages was occupied by Hon. Mr. Vernon when he had the smallpox, and he had never paid a cent for it. He thought that after the city had treated Hon. Mr. Vernon like that, no complaint should have been made by him about the negligence of the city; on the contrary, that gentleman should have been grateful.

Dr. WATT replied to the hon. leader of the Opposition, who he said had been uncharitable enough to impute certain motives to him. He entirely repudiated those motives, and warmly declared that the censure upon the head of the leader of the Opposition was so well deserved that even his (Mr. Beaven's) own friends were the ones who were loudest in their complaints. It was not until after eight or nine days of the epidemic had gone by that the Mayor at all realized the serious nature of the outbreak. So far as the statement that the action of the Government had created a panic was concerned, he would say that the panic was already created before the Government took charge, and their action instead of creating a panic had allayed it.

Hon. Mr. VERNON asked leave to make an explanation in reply to the statement of the hon. leader of the Opposition, that he owed a debt of gratitude to the city for providing him with a cottage at the Jubilee smallpox hospital. It was perfectly true, he said, that he had a cottage there, but he had never received any bill for its use, nor had he ever heard that he owed anything for it. He had been out of pocket over \$1,000 on account of having had smallpox, in addition to his being confined to the quarantine grounds, but he had never made any claim against the City for anything, as others had done. More than this, if the City had any claim against him he would be happy to settle it if they would send him the bill. When the City or anyone else had any bill against him he wanted it to be sent in and he would attend to it. (Applause.)

Hon. Mr. DAVIE said that without going over any of the ground covered in the debate on Friday last, he would have a reply as brief as possible to make to the remarks of the hon. leader of the Opposition and the member for Victoria City (Dr. Milne). In doing this he would endeavor to avoid the path which both the hon. members had trod—that of personal abuse and personal reference. He thought it was much to be regretted that hon. members could not debate a public question without descending, as they had done, to attacks first upon one hon. member of the House and then upon another. Possibly there was some excuse when they made a personal attack upon him, because he was not only a member of the Government, but had taken an active stand in the matter. When, however, they descended to a personal attack upon a private member of the House and brought up personal matters in relation to what had occurred between them, he thought they were going very much beyond the ordinary usages and customs of debate. Although these were the methods of the hon. leader of the Opposition he (Mr. Davie) would try to avoid them; but he would at the same time set right some of those things on which the hon. gentlemen had ingenuously and without explanation tried to mislead the House. He would refer at the outset to the fact that the hon. leader of the Opposition had recently been re-elected Mayor of Victoria, and had, in the course of this debate, taken credit to himself for having thus had his action in connection with the smallpox outbreak approved and endorsed by the citizens. If the hon. gentleman when he had been running for Mayor and was canvassing for votes had made the smallpox question and his action thereon the issue; if he had brought the matter up and asked for the opinion of the people on it, there might have been some reason for



this argument; but the hon. gentleman took very good care to be "down" on that subject and to refrain from introducing it in his speeches. If he had made the attempt, as he would now let the House believe he had, to justify his own action, it would have been a different matter; but he had studiously avoided the question, knowing full well that although the citizens of Victoria were lenient, although they recognized, as all hon. members of the House did, many good qualities in him, still he knew that beyond all measure this would be a dangerous question for him to refer to. Hence it was that when he was canvassing, he took good care to say nothing about matters which he to-day debated.

HON. MR. BEAVEN—You are altogether wrong.

HON. MR. DAVIE replied that he was not wrong. The hon. leader of the Opposition had taken good care to discuss all sorts of civic matters, but never once did he make mention of what he now called the Government's interference. He (Mr. Beaven) might have said something of health matters and doubtless he did so, but he took good care never on the public platform during the election, to challenge the Government's action in regard to the smallpox. Continuing, Mr. DAVIE said that he had, on Friday last, showed that there was every reason why the Government had interfered as it did, and, moreover, the Government would have been untrue to its duty if it had not done so, and that the consequences would have been very serious, indeed, if there had been no intervention. He would now claim the indulgence of the House while he briefly replied to some of the statements of hon. gentlemen opposite in regard to what occurred after that. Owing, however, to the lateness of the hour, he would move the adjournment of the debate.

The House adjourned at 5:55 p.m.

#### NOTICE OF MOTION.

By HON. MR. BEAVEN: To cause to be brought down copies of all orders-in-council not published referring to the outbreak of smallpox in the Province last year, and any correspondence between the members or officers of the Government and the various municipalities in the Province on the same subject.

#### LEGISLATIVE NOTES.

The Mining committee meets this morning. To-day is Ash Wednesday. The House will sit as usual.

A number of petitions were printed and distributed yesterday.

Invitations are out for a Speaker's dinner on the evening of the 22nd.

Mr. Hall was his seat again yesterday after a trip up the Fraser valley.

His Honor Judge Ross of New Westminster, had a seat on the floor of the House yesterday.

Mr. Keith having failed to move his anti-Chinese resolution on the day for which it was set, under rule 25 it drops from the order paper. It will be brought up again, however.

The committee to inquire into the claims of certain parties to lands near the mouth of Carpenter Creek met yesterday morning and examined the witnesses. It meets again on Friday.

Members of the Vancouver bar had an interview with the Government on Monday to urge amendments to various acts. They also went to see the Government for a law library in Vancouver.

The resolution carried.

DR. BOURNOT'S OPINION.

HON. MR. BEAVEN moved, seconded by Mr. Semlin, "That an order of the House be granted for a return showing the section of the act under which the land was purchased, the numerals of the Crown grant (if any), the name, acreage, price per acre, and date, from which the sum of \$213,519.41 has been received at the Treasury from the sale of Crown lands for the fiscal year 1892-93."

MR. VERNON said he would be glad to see the information down at the earliest possible date.

HON. MR. BEAVEN moved, seconded by Mr. Semlin, "That an order of the House be granted for a copy of the opinion given by Dr. J. G. Bournot, as to the prevalence and privileges of the Legislative Assembly, for which a fee of \$100 was paid, as per page 24 of the Public Accounts for 1891-92."

HON. MR. BEAVEN said he did not know how much the opinion was worth, Mr. Bournot being some officer of the House of Commons—librarian, he thought—and he believed the author of some constitutional work. When the Kennedy Bros. were at the bar of the House last year, he (Mr. Beaven) was of opinion that a mistake had been made, and expressed the opinion that the Speaker and every member of the House were personally liable to an action for damages. He did not blame Mr. Speaker, who no doubt was acting conscientiously, but was wrongly advised by the Attorney-General.

HON. COL. BAKER rose to a question of privilege. The hon. leader of the Opposition was casting a reflection on a previous vote of the House.

HON. MR. BEAVEN continued, when, Y. HALL rose to a question of privilege, calling attention to the fact that the hon. leader of the Opposition was talking to the galleries, and was not confining himself to the question. (Laughter.)

MR. SPEAKER ruled Mr. Beaven in order.

HON. MR. BEAVEN continued that he had no doubt if the House had not been prorogued last year when it was, the courts would have decided that the Attorney-General was wrong.

HON. MR. DAVIE said that the hon. leader of the Opposition and his friends the Kennedys need have no apprehension that the Government would ask for an act to indemnify them for what had occurred in connection with the Kennedy matter. The observations of the hon. gentleman about what had been done by the House last session would only remind hon. members of the House that his legal opinions were generally almost exactly opposite to the opinions of legal tribunals of the land. There would be no objection to the opinion of Dr. Bournot being brought down, when it would be found to be exactly in accord with the opinions of the court, supporting the

### PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

TWELFTH DAY.

WEDNESDAY, Feb. 15, 1893.

The Speaker took the chair at 2 o'clock. Prayers by Rev. J. E. Coombes.

#### PETITIONS.

MR. COTTON presented a petition from the Burrard Inlet and Fraser Valley Railway Company for an extension of time in their original Act.

#### REPORTS OF COMMITTEES.

MR. MARTIN, from the Private Bills committee, reported that the rules had been complied with in the case of the petition from His Lordship Bishop Sillitoe for incorporation.

#### NORTHERN MAIL SERVICE.

MR. HALL moved, seconded by Mr. Booth, "That a resolution be presented to the Lieut.-Governor requesting that he will cause to be pointed out to the Dominion Government the very urgent necessity which exists for the providing of an efficient mail service on what is known as the Northern coast route of this Province by steamers of good speed and accommodation, equal in all respects to the American steamers plying to Alaska. The present requirements are as hereunder, viz: Victoria to Port Simpson, Nias and way ports every week, and Victoria to Queen Charlotte Islands points every four weeks."

MR. HALL said that this resolution came before the House on a practically the same language as had been used on three previous occasions. Each time it had been unanimously supported by the House, and he thought it was unfortunate that such a representation made to the Ottawa authorities would have no effect. However, he would keep persistently and steadily working away at the question, with the idea of at some time getting what his constituents believed to be nothing more than fair play. Referring to the opening up and development of the Northern Coast country, he declared that it was an outrage that after twenty-five years of settlement up the Coast, the mails should yet be carried by an irregular steamer which could not go more than six miles an hour. He did not propose to take up the time of the House with a lengthy speech, but could not refrain from making a few remarks to show how great the injustice was that so little had been done for the British Columbia Coast settlements by the Dominion Government. He compared the excellent service to Alaska by the American liners, with what the Canadian Government had given its people, and concluding said he hoped the resolution would not only be carried, but would be urged upon the Dominion Government by the Executive of the Province.

HON. MR. TURNER, after congratulating the mover of the resolution on his persistence in bringing forward the question year after year, promised in this case more particularly that the subject matter should be urged upon the Dominion Government. The cost of a mail service to the Northern Coast would not be very great, as it was all waterway and would not cost so much as overland. He was sorry to say, however, that the efforts of the Provincial Government to get justice from the Dominion Government were not always as successful as they should be. He would be very glad once more to urge this important matter upon them.

#### DR. BOURNOT'S OPINION.

HON. MR. BEAVEN moved, seconded by Mr. Semlin, "That an order of the House be granted for a return showing the section of the act under which the land was purchased, the numerals of the Crown grant (if any), the name, acreage, price per acre, and date, from which the sum of \$213,519.41 has been received at the Treasury from the sale of Crown lands for the fiscal year 1892-93."

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MR. SPEAKER ruled Mr. Beaven in order.

HON. MR. BEAVEN continued that he had no doubt if the House had not been prorogued last year when it was, the courts would have decided that the Attorney-General was wrong.

HON. MR. DAVIE said that the hon. leader of the Opposition and his friends the Kennedys need have no apprehension that the Government would ask for an act to indemnify them for what had occurred in connection with the Kennedy matter. The observations of the hon. gentleman about what had been done by the House last session would only remind hon. members of the House that his legal opinions were generally almost exactly opposite to the opinions of legal tribunals of the land. There would be no objection to the opinion of Dr. Bournot being brought down, when it would be found to be exactly in accord with the opinions of the court, supporting the

power of the House to protect its own privileges. There was no doubt there had been some defect in the legislation of previous years, but that had all been provided for in an act which was passed last session before the matter was proceeded with.

The motion carried.

HON. MR. BEAVEN moved, seconded by Mr. Semlin, "That an order of the House be granted for the following: (a) The names of each mining recorder and mining district in the Province, the date of appointment and establishing of the same; (b) the date upon which each mining recorder was notified by the Minister of Mines that the 'Mineral Act, 1891, Amendment Act, 1892' had been passed by the Legislative Assembly."

HON. MR. DAVIE said there was no question about giving the information, but it would be impossible to give that asked for in part (b) of the resolution.

MR. HUNTER thought it would be better for the hon. leader of the Opposition to withdraw his motion, which would not result in any good.

HON. MR. VERNON moved in amendment that clause (b) be struck out.

HON. MR. BEAVEN said that the way the Government was acting in this matter just showed that the ministers were a lot of incompetent nobodies, who didn't have brains enough even to notify a mining recorder of changes in the Act.

HON. MR. VERNON—Very clever! (Laughter.)

HON. MR. BEAVEN—Yes. (Renewed laughter.)

HON. COL. BAKER said the Government would indeed be showing a want of brains if it would permit such a stupid and ridiculous motion to go through the House. Such resolutions were only brought forward by the hon. leader of the Opposition for effect—there was such a short distance between his mouth and the gallery. (Laughter.)

The amendment carried on the following division—

AYES—Messrs. Fletcher, Rogers, Hunter, Croft, Martin, Turner, Nason, Hall, Booth, Stoddart, Vernon, Davis, Baker, Watt, Smith, Kellie and Punch—17.

NAYS—Messrs. Semlin, McKenzie, Sword, Kitchen, Cotton, Milne, Beaven, Brown, Forster and Keith—10.

#### QUESTIONS.

HON. MR. BEAVEN asked the hon. Finance Minister the following questions:

1. What was the total revenue and expenditure from 1st July to 31st December, 1892?

2. What was the amount of revenue brought to account at the Treasury during the first six months of the fiscal year 1892-93 on account of land sales?

3. (a) What amount had the Government to its debit or credit at the Government bank on 31st December, 1892, (b) and on 31st January, 1893, and what was the cash balance in the Deputy Treasurer's hands at the same dates?

The replies given were as follows: 1—Revenue, \$468,850.87; expenditure, \$685,090.98. 2—\$156,612.74. 3—(a) Cr., \$580,160.23; (b) Cr., \$602,100.70.

Cash deposited in Deputy-Treasurer's hands 31st Dec. 1892, \$11,169.88; 31st Jan., 1893, \$7,307.08.

#### PUBLIC HEALTH ACT.

HON. MR. DAVIE resumed the adjourned debate on the Public Health Act. He said that the amendment of the hon. member for Yale (Mr. Semlin) had undoubtedly been moved for only one purpose, and that was to allow the debate to be continued by the hon. leader of the Opposition. The House had no guarantee of when the report of the Royal Commission would be sent down, or if it would be sent down at all in time for the present session. That report would no doubt contain very many valuable suggestions, which would, however, not be of very much use in framing the Health Act, which was drawn upon the lines adopted in other parts of the world; but when it came to passing rules and regulations under the Act which was now being considered, those suggestions would be very useful indeed. He approved of the suggestion that had been made during the course of the debate by the hon. member for New Westminster district to add to the bill as an appendix the rules and regulations in regard to sanitary matters that had been issued by the Government last summer. The suggestion was well worthy of consideration, and very likely before the bill was through committee of the whole, the House would have the advantage of the report of the Commission, when it might be possible to add some valuable regulations to the bill. He referred to remarks that had been made during the course of the debate on Tuesday by the hon. leader of the Opposition. For simple, pure distortion and twisting of facts, the speech of the hon. leader of the Opposition was the most persistent piece of misrepresentation he had ever heard from even the hon. gentleman, and that was saying a good deal. His action in the matter had been unfair, and his method in the debate had been dishonest in the extreme—that was, dishonest speaking in a parliamentary sense, and he (Mr. DAVIE) would have to claim the indulgence of the House while he related the true facts of the case. As an illustration of how little sincerity there was in anything that Hon. Mr. Beaven had said, and at the same time as showing how shallow were his efforts at distortion, he alluded to the Kennedy case and to the assertion without argument made by Mr. Beaven that what was done was illegal and that the Speaker and all concerned were liable to an action for heavy damages because of it, and that the Kennedys would have brought such an action had they not known that the Government would legislate against it. That statement was an insult to the intelligence of this House, and well the hon. gentleman knew it, for he must have known, if he knew anything at all, that the House would not support any government for a single day, that no government could regain the confidence of the House for a single hour, if ever an attempt was made to legislate away vested rights. If there was one thing more than anything else which this Government prided itself, it was the desire to retain and maintain vested rights, and if these parties had any good cause for an action against the Speaker or members of the House, they could rest assured

that nothing would ever be done to take it away from them. But assuming, for the sake of argument, that the Government would have passed a measure of that kind, surely in the nine or ten months since that matter was before the House before there had been time for them to bring their action? And in that time what opportunity would the Government have had to come before the House and ask for legislation? The hon. gentleman had said on Friday last that the debate had come upon him unexpectedly or else that he would have been prepared to have shown that the Health Act under which the rules and regulations were issued last summer, was repealed and obsolete. He (Mr. Beaven) had had another chance yesterday to favor the House with this argument, but nothing had been heard of it then. Replying to what Mr. Milne had said about the Government trying to deprive him of all the powers of Health Officer for the city of Victoria, he said the Government wanted to do nothing of the kind. They simply wanted to have control of smallpox matters, which were being mismanaged by the city, and exercised until they had stopped the spread of the disease. He briefly recalled the circumstances of the "case stated" which had been proposed to be submitted to the Supreme Court, and which would have been submitted had not the City Council, after asking the Government for aid, made other arrangements so that the money asked for was not required. As to the charge that the Government had threatened to put the sheriff in charge, all he would say was that the City refused or hesitated to pay certain bills contracted for labor, supplies, etc., and the Government came to the rescue and, having paid the bills, provided a means for collecting the money from the City, but it had never been necessary to use that process to collect it as the Council repaid every dollar of the money expended on its account, some \$4,000, showing that they regarded it

as a just and proper claim. He ridiculed the statement made by the hon. leader of the Opposition that the Health Rules were unintelligible, etc., and had to be amended from time to time, showing that there had really been no amendments made, and that the supplementary rules were but additions for particular purposes. As to the charge that the Government had one law for the rich and another for the poor, he instanced the case of the removal of Hon. Forbes G. Vernon, who, though he would have liked to have remained in his own house, where he was as comfortable as any man could be under such circumstances, had been one of the first patients to be taken out to the Jubilee quarantine station. Dealing again with the circumstances of the unfortunate death of the man McKay, he showed by indisputable evidence that both the medical health officer, Dr. Milne, and the medical gentleman, Dr. Crompton, who had charge of the case, knew the removal was to take a calumny on the authorities for what they never complained of at the time when it was their duty to have done so, if they had seen any cause. For hon. gentlemen opposite to say there had been any political animus in the action of the Government during the smallpox outbreak was a foul untruth, for a ghastly time it would have been to mix up politics with health matters when there was danger of the loathsome disease spreading to all parts of the Province, because of the neglect of the Victoria City authorities in handling the disease until there were thirty-five to fifty cases. The Government was taunted because it had not interfered with the City authorities in Vancouver, New Westminster and Nanaimo. Why should they have done so when those City authorities were dealing promptly with the disease and taking every necessary step to prevent its spread? He took decided exception to the statement of hon. gentlemen opposite that the Government had employed unqualified men, for it was a well known fact that they had secured the services of the very best men available, men who, like Dr. Davis, Dr. Hasell and Dr. Wade, stood high in the ranks of their profession. Concluding, he referred to the fact that the smallpox was a thing of the past now. When there had been danger and widespread panic the Government had come to the rescue, and then the men who were now vilest in their attacks had nothing but praise for them; but when the atmosphere had cleared, then there was nothing but abuse. It was another illustration of the old saw:

"When the devil was sick  
The devil a monk would be.  
When the devil got well,  
The devil a monk was he."

MR. COTTON said that a number of the hon. members on his side of the House were agreed that a measure such as the Public Health Act was advisable. He would like to see the rules appended, but was well aware that for cases of epidemic and emergency no rules which would cover everything could be made until the epidemic or emergency arose. The principle of the bill had his hearty support, and he was satisfied that in committee some minor amendments could be made, which would complete it so that it would work satisfactorily.

DR. MILNE again spoke, covering the same ground as previously.

MR. HUNTER said that he would support the measure on its merits, and if its provisions were strict they were just what was required for the Province of British Columbia.

MR. HAZEN considered the general provisions of the bill good, but some amendments in committee would improve it. He would support the second reading.

HON. MR. POOLEY continued the debate, and warmly repudiated the suggestion that had been thrown out by hon. members opposite that the Government had, last summer, acted in the smallpox matter with a political motive. What the Government had done was done in the cause of humanity and for the public good alone, and it was

a unfair thing now to attack the Government for their active endeavors to spread of the disease at a time when they were placed in such an awkward position. (Hear, hear.) Concluding, he would those hon. gentlemen who had amendments to be made in committee of the bill—the preservation of public health.

The second reading of the bill was ordered, and the amendment rejected on the following division, viz:

AYES—Messrs. Baker, Davis, Stoddart, Booth, Nason, Pooley, Rogers, Croft, Hunter, Martin, Fletcher, Watt, Keith, Forster, Smith, Horne, Kellie, Cotton, Pugh, Smeaton, Sward—25.

NAYS—Messrs. Beaven, Milne, and Semlin—4.

MARRIED WOMEN'S PROPERTY. HON. MR. DAVIE moved the second reading of a bill to amend the Married Property Act.

Bill read a second time; to be considered to-morrow.

REGISTRATION OF BIRTHS, ETC. On the motion to consider the amendments of the whole on the amendments of the Births, Deaths, and Marriages Act, several amendments were proposed. Further consideration was postponed.

VANCOUVER INCORPORATION ACT. MR. COTTON introduced a bill to amend the Vancouver Incorporation Act, first time and referred to the Privy Council.

BREEDING STOCK BILL. The House went into committee of the whole on a bill to amend the Breeding Stock Act. Bill reported complete amendment. Report adopted and a third time and passed.

The House adjourned at 5:30 o'clock.







school trustees when asked for by them in favor of J. N. Muir, in 1892?

#### LEGISLATIVE NOTES.

The Railway committee meets for organization on Monday.

Amongst the first business to be taken up next week will be the School Act amendment bill.

Mr. Brown was not in his seat yesterday, having gone up to New Westminster on a short trip.

Deputations of private bills promoters are beginning to arrive. Next week there will be swarms of them.

The amendments to the Vancouver city charter will be considered by the Private Bills committee on Tuesday.

The Chinese question debate occupied the whole of yesterday. It was just a repetition of the speeches of former years.

Copies of the Toronto Daily Mail and Toronto Daily Globe are to be ordered for the Legislature library during the session.

According to the ruling of Mr. Speaker yesterday the closure is to be moved as follows: "I move the previous question."

The motion will then be put from the chair: "That this question be now put."

The Carpenter Creek Claims committee met yesterday morning and heard additional evidence. They will probably have to meet once or twice more before the work will be completed.

There are certain "annuals" in the way of private bills which bloom every spring just about the time the Legislature meets.

Some of them are: To amend the Municipal Act; to amend the Vancouver Incorporation Act; to amend the Coal Mines Regulation Act; to amend the Chinese Immigration Act; to amend the Franchise Act; to amend the Game Act; to incorporate the architects—and so on *ad lib.*

#### PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

##### FIFTEENTH DAY.

MONDAY, Feb. 20, 1893.

The Speaker took the chair at 2 o'clock.

##### PETITIONS.

The following petitions were read and received:

From John H. Brownlee, G. F. Cairnie, and Emil S. Levi, to incorporate the Mount Tolmie Park and Cordova Bay Railway Company.

From C. G. Major, A. B. McKenzie, and others, to incorporate a company, re railway from Nelson via Sloon, New Denver, and Nakusp Pass.

From J. M. Burke, Henry Anderson, and others, to incorporate a company, re railway from Kaslo to Bear Lake.

From A. H. Green, E. E. Coy, and others, to incorporate the Kaslo Electric Light, Power, and Water Works Company, Limited.

From J. N. Muir, asking for repeal of section 56 of the School Act, 1891.

Mr. COTTON presented a petition from H. O. Bell-Irving and others, re private bill to amend Vancouver City charter.

Mr. KITCHEN presented a petition from John Hendry and others, against the granting of a charter to the Kootenay Central railway.

##### REPORTS OF COMMITTEES.

Mr. BOOTH, from the Railway committee, reported the bills re B. C. Southern railway and re Red Mountain railway.

##### RETURNS BROUGHT DOWN.

HON. COL. BAKER presented a return of the annual report of the Asylum for the Insane.

HON. MR. DAVIS presented a return of the annual report of the registrar of births, marriages and deaths.

HON. COL. BAKER presented a return to an order of the House for copies of correspondence re census of 1891.

##### DEBATED PRIVATE BILLS.

Mr. SWORD moved to amend the rules and orders by adding to section 58 the following words: "Private bills brought in on petition presented after the first two weeks of the session, shall be subject to double the regular fees."

HON. MR. DAVIS moved an amendment providing that should it be deemed advisable to extend the time then bills brought in under the extension should pay double fees.

##### MUNICIPAL ACT AMENDMENT.

HON. MR. BEAVEN introduced a bill to amend the Municipal Act; bill read a first time, second reading Thursday next.

##### CARIBOO STAGE ROBBERY.

MR. SEMLIN moved, seconded by Dr. Milne: That a select committee, composed of Messrs. Martin, Stoddart, Smith, Rogers and the mover, be appointed to inquire into the claims of John Wilson and B. F. English, in reference to the reward offered by the Government for the apprehension and conviction of the perpetrator or perpetrators of the stage robbery in July, 1889, and to report to this House.

HON. MR. DAVIS said he understood there were some rival claims for this reward. A man named Wells claimed to have been the first one to give information to the authorities. He had no objection to the committee, which would relieve him of the responsibility of making an investigation he had decided to hold.

##### ROYAL COMMISSION REPORT.

HON. MR. BEAVEN asked the Hon. Provincial Secretary the following question, to which the attached answer was given:

Q. "Have the Commissioners appointed to inquire into the causes which led to the recent outbreak of smallpox in the Province, and the best means of preventing a recurrence of smallpox and the introduction of other epidemic and endemic diseases, made their report to the Executive? If so, on what date was it received by the Government?" A. The report of the Commissioners was received to-day.

##### INDUSTRIAL DISPUTES BILL.

On the consideration of the report of the committee on the whole on the Industrial Disputes bill.

MR. HUNTER moved an amendment giving workingmen or employers the authority to be represented upon the Council of Conciliation, whether organized or not.

The amendment carried. Several other minor amendments were made and the report as amended was adopted.

##### ORDERS DISCHARGED.

HON. MR. DAVIS moved that the orders for the second reading of the Companies bill and the Bills of Sale bill be discharged. Carried.

##### REGISTRATION OF BIRTHS.

On the consideration of the report of committee of the whole on the bill to amend the Registration of Births, Deaths and Marriages act.

HON. MR. DAVIS moved an amendment to permit the undertaker who takes charge of the body for interment, to report the death.

DR. MILNE asked that the amendment be placed on the orders for further consideration.

##### CONSIDERATION OF REPORT POSTPONED.

##### ARMY BILL.

The House went into committee of the whole on the Army bill, Mr. Smith in the chair. The committee rose and reported the bill complete with amendments.

##### DEATH OF D. W. GORDON, M.P.

HON. MR. DAVIS, in rising to move that this House at its rising do stand adjourned until 2 o'clock on Wednesday next, said that it was his painful duty to refer to a visit which the grim reaper Death had paid to the Province, taking away a gentleman well known to all hon. members of the House, a man to all in public life, as one who for many years had been a representative in this House, and who recently had been elected a member of the House of Commons of Canada. His life-time he had been highly honored for his integrity, his opinions had always been received with great respect, and his ability was very generally recognized. He (Mr. Davis) referred to the late D. W. Gordon, M.P., who had been a member of the House of Commons of Canada.

day morning. Some hon. members of the House were desirous of attending the funeral, which would be held to-morrow (Tuesday) and he (Mr. Davis) was also desirous of attending, and he would therefore move that the House adjourn until Wednesday.

HON. MR. BEAVEN seconded the motion, saying that he did so with feelings of great regret that the Province should have lost one whom it could so ill afford to spare—the late D. W. Gordon, M.P. That gentleman had been in this House for several sessions and he (Mr. Beaven) had noticed with great regard and respect with which he (Mr. Beaven) had said had been listened to when he (Mr. Gordon) had gone to Dominion Parliament, there, he (Mr. Beaven) had been heard with the same attention. How ill Mr. Gordon was, and how that he (Mr. Beaven) was dead the loss would be felt not only in British Columbia but in Canada. Mr. Gordon had been a pioneer and had worked well, and while he (Mr. Beaven) regretted the painful duty he felt that out of respect the House ought to adjourn.

MR. COTTON was sure all hon. members of the House would join in the motion of the hon. Premier, much as they regretted the occasion for it. He had had the pleasure of the acquaintance of Mr. Gordon since he (Mr. Cotton) had been in the Province. There was a sincerity and an earnestness in Mr. Gordon's life which had interested the people of British Columbia, and which appealed at once to all who knew him. The deceased gentleman had commanded great respect and attention from members on both sides of this House and of the House of Commons at Ottawa, and he (Mr. Cotton) felt that the Province had by his death sustained a loss which it would be hard to replace.

##### INSANE ASYLUMS BILL.

The House went into committee of the whole on the Insane Asylums bill, Mr. Rogers in the chair. The committee reported the bill complete with amendments.

##### HOME FOR DESTITUTE PERSONS.

The House went into committee of the whole on the bill to provide a Home for destitute persons, Mr. Anderson in the chair.

HON. MR. DAVIS moved an amendment to permit a municipality to have a Home of their own, and to relieve them from all responsibility. Also to limit the contribution of other municipalities to 75 per cent. of the cost.

After considerable discussion, HON. MR. DAVIS said that inasmuch as the Government only proposed the measure in the endeavor to make it satisfactory to all concerned, he thought that probably it might be well to make something of a change in the provision for maintenance. He therefore suggested that it be provided that the entire cost of the Home should be paid by the Province, but if the municipalities wished to avail themselves of the accommodation of the Home they should pay a fixed rate which would be the average cost of maintenance of each inmate. He promised to draw some amendments to the bill looking towards this end.

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

##### ROYAL COMMISSION REPORT.

HON. MR. DAVIS presented the report of the Royal Commission on Epidemic Diseases.

##### VANCOUVER COURT HOUSE TENDERS.

HON. MR. BEAVEN asked the hon. Chief Commissioner of Lands and Works the following question, to which the attached answer was given:

Q. Was any tender for the Vancouver Court House received at the Lands and Works Department, Victoria, after 12 o'clock noon, on the 15th inst.? If so, will such tender be received and considered?

A. "One tender was received by the registered mail from the post office at 1 p.m., and was at once put unopened into the locked tender box. At 2:30 p.m. the tenders were opened by the Deputy Commissioner in the presence of the architect."

The House adjourned at 5:30 p.m.

##### NOTICE OF QUESTION.

By MR. HORN: Is it the intention of the Government to repeal or modify the tax on mortgages assessed and collected under the provisions of the Assessment Act?

##### LEGISLATIVE NOTES.

Mr. Brown, of New Westminster, was not in his seat yesterday.

Invitations are out for a dinner at the Lieut. Governor's on the 23rd.

Mr. Horn has a notice of question on the order paper re taxes on mortgages.

The Railway committee met and organized yesterday morning. Mr. Booth was re-elected chairman.

HON. MR. BEAVEN's bill to amend the Municipal Act was received with laughter. It has not yet been printed.

The School bill, which was to have come on for its second reading yesterday, was again laid over. It will in all probability be taken up on Wednesday.

The census correspondence presented to the House yesterday shows no new developments. All the important documents in this connection were laid before the House last year by the late Hon. Mr. Robson.

#### PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

##### SIXTEENTH DAY.

WEDNESDAY, Feb. 22, 1893.

The Speaker took the chair at 2 o'clock. Prayers by Rev. Coverdale Watson.

##### PETITIONS.

The following petitions were read and received:

From H. O. Bell-Irving, opposing private bill to amend Vancouver City Corporate Act.

From the Kaslo and Sloon Railway Company, opposing private bill to incorporate the Kootenay Central Railway Company.

##### REPORTS OF COMMITTEES.

MR. MARTIN, from the Private Bills committee, reported that the rules had been complied with in the following petitions: Re Chilliwack Railway Co., to incorporate the Kaslo-Sloam Tramway Co., to incorporate the Mount Tolmie Tramway Co. Also recommending that the time for reporting be extended three weeks.

##### THE REPORT WAS ADOPTED.

##### ANGLO-AMERICAN INCORPORATION.

MR. BROWN introduced a bill to incorporate the Anglo-American Bishop of New Westminster; read a first time and referred to Private Bills committee.

##### PUBLIC LANDS REPORT.

HON. MR. VERNON presented the annual report of the Chief Commissioner of Lands and Works for 1892.

##### WHEATHAM COLLEGE INCORPORATION.

MR. HORN introduced a bill to incorporate Wheatham College; read a first time and referred to Private Bills committee.

##### REVENUE RECEIPTS.

HON. MR. BEAVEN moved, seconded by Mr. Semlin: "That an order of the House be granted for a return showing the revenue collected at Ainsworth, Kootenay, under the different heads of receipt during the fiscal year 1891-92, and from 1st July to 31st December, 1892." Carried.

##### MR. TURNER PRESENTED THE RETURN.

##### PUBLIC ROADS.

MR. KITCHEN introduced a bill for the preservation of the public roads; read a first time, second reading Thursday.

##### CONSTITUTION ACT.

MR. KITCHEN introduced a bill to amend the Constitution Amendment Act, 1890; read a first time, second reading Thursday.

##### COUNTY COURT BUSINESS.

MR. FORSTER moved, seconded by Mr. Keith: "That an address be presented to the Lieutenant-Governor, requesting him to cause to be laid before the House returns showing the business done in the different County Courts of the Province for the years 1889, 1890, 1891 and 1892; showing in each district, for each year respectively, the number of plaintiffs issued, total amount claimed; number of garnishee summonses issued, total amount claimed; number of judgment summonses issued, total amount involved; number of chambers applications; number of Speedy Trials." Carried.

##### MR. MILNE'S QUESTION.

DR. MILNE asked the hon. Provincial Secretary the following questions, to which the answers attached were given:

Q. Why was a teacher's certificate refused to John N. Muir in July, 1892? A. Because he failed to satisfy the requirements of Section 56 of the School Act.

Q. Why was a "renewal" refused to John N. Muir in July, 1892? A. Because he failed to satisfy the requirements of Section 56 of the School Act.

Q. Why was a temporary certificate to teach in the South Comox school refused to the school trustees, when asked for by them in favor of John N. Muir in August, 1892? A. Because the trustees failed to satisfy the requirements of Section 53 of the School Act.

##### PUBLIC SCHOOL ACT.

HON. COL. BAKER moved the second reading of a bill to amend the School Act, the scope of which, he said, had already been foreshadowed in the Speech from the Throne. The bill was to give increased powers to city school boards, and the principle which had actuated the Government in bringing forward this measure was the very grave responsibility which had been placed upon city school trustees, and consequently the necessity which arose for the people to take special pains in selecting those who were to fill such important positions. It must be evident, he thought, that there would be very great difficulty in getting the best citizens to stand for such a position if there were any restrictive regulations as to powers, etc. In view of these considerations it had been decided by the Government to give the trustees as much freedom of action as possible consistent with public service, and he thought that the present bill together with certain amendments, of which notice had been given, would meet all the requirements of the case. Under the Public School Act as it was at present law, the Government paid to the four cities, of Vancouver, Victoria, New Westminster and Nanaimo, the amount of the Provincial revenue tax collected in those cities, and also paid one-half of the salaries of teachers. Under the new bill the Board of School Trustees were to have the fixing and payment of the salaries of the teachers. Now, if this power were to be given to the Board of School Trustees and the Government were still to continue to contribute one-half of the amount for salaries there would, for obvious reasons, very soon be a great deal of friction between the Education Department and the various school boards. It was proposed to meet this difficulty by paying to the city boards the sum of \$10 per capita based on the average actual daily attendance of pupils in the various schools. It might be interesting to hon. members of the House to see what difference this would make in the amount of pecuniary aid given by the Government. The figures for 1891-1892 showed that the amount paid per capita to Nanaimo had been \$9.57, to New Westminster \$9.25, to Vancouver \$9.24, and to Victoria \$8.07, so that it was quite clear the cities would derive a considerable advantage by the proposed grant of \$10 per head. But there was another advantage. Suppose, for instance, there was a school

teacher who had in his room an attendance of 30 pupils. His salary would be increased to 40 if that there was an increase in the revenue of the Board of \$10 without any corresponding expenditure. As a matter of fact, the Government most liberally with the cities, most result in increasing of their schools. In regard to that he thought he had to say that he thought not that he recognized the great that attached to the duty of a young. The position of a teacher looked upon as one of the most and responsible positions a man could aspire to. (Hear, hear.) members would only think of realize this, for to be a teacher was a most extraordinary quality as character was concealed and temper and firmness, and very great adaptability,

were qualities which were not day of in every person. This said, how very careful should of these whom he might architects who would have to future character of British Columbia would be his endeavor, not near future, to establish a for teachers so that the Province an adequate supply of special teachers to meet the demand of British Columbia. Continuing about to discuss the amendments he had given notice when,

HON. MR. BEAVEN called him insisting that he should confine to the bill and to it alone.

HON. COL. BAKER said that leader of the Opposition had an reason for not having the amendments, he would, of course, be them over, but he thought it was the most suitable time to explain them. He would explain why it was that the amendments which he had given notice were in the main bill. That was that the boards of school having been only recently appointed, it would be inadvisable to have them, and he first wished to time to consider and digest the amendments. The annual school which had already been presented House showed that education vince was in a most satisfactory There were 149 schools in operation, number of pupils 50,772, and 2,513. There had been 21 new established during the past year average attendance was 57.8—attendance which was not excessive in the Province. The Dominion. T penditure for the past year had been of which \$49,192 had been for repairs. He was glad to be ing the coming year it was estimated would not be necessary to amount by more than \$6,000, although there was an ever-increasing number of pupils. He had been so grudgingly stated in some quarters too much in proportion to the total of the Province was being expended. He would point out that the money being education was filtering into every trade and every business in vince, and would come back to hundred-fold. (Hear, hear.) money! Why, education was a man's property which operated the of the Province, and he hoped that he no attempt made to reduce the in what he might call a niggard Continuing, he said he would have the indulgence of the House to lead to a certain question which received some attention in the public religious instruction in the public As hon. members were aware, been some correspondence about in the newspapers, and he wished in fact it was due the Government and himself that he should be responsible for what he said, and he had acted as he did consulting his colleagues. He assumed the responsibility, and he said that he did not regret what he had said, but perhaps he knew some members of the House that to religious instruction the schools of Columbia occupied the unenviable position of being the only ones in the of which no one was practiced. This was and could be proved by the difference of the various provinces. Section British Columbia School Act provided the Lord's Prayer may be used at commencement or termination of the school work. May be used? The answer was in the affirmative. Though it were some doubtful question of doubtful morality! He confessed that he for one would like this changed. The question of education in the public schools now being discussed all over civilized world, as hon. members find if they chose to study the of Secularism had been tried and found wanting. Commissions had established to look into the question Zealand, Australia, France and Italy, and even in that stronghold of am, the United States. The people of countries were now awakening to the which was lying at their very doors strong reaction was setting in in some sort of religious instruction public schools. That being the case felt himself fully justified in taking on he had taken solely upon his responsibility. One of the arguments against religious instruction was unfortunate fact that there were certain number of unbelievers were known in the world as men and women whose minds were in such an analytical mould that they constituted a danger to the community and had magnified it at the expense of the resulting fraction, the captive soul, was reduced to an infinitesimal quantity. It was difficult, however, to understand the possibility in conclusion because they naturally



PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

SIXTEENTH DAY.

WEDNESDAY, Feb. 22, 1893.

The Speaker took the chair at 2 o'clock.

Prayers by Rev. Coverdale Watson.

PETITIONS.

The following petitions were read and referred:

From H. O. Bell-Irving, opposing private

to amend Vancouver City Corporation

from the Kaslo and Slocan Railway Com-

pany, opposing private bill to incorporate

Kootenay Central Railway Company.

REPORTS OF COMMITTEES.

Mr. MARTIN, from the Private Bills com-

mittee, reported that the rules had been

passed with in the following petitions:

Chilliwack Railway Co., to incorporate

Kaslo-Slocan Railway Co., to incorpo-

rate the Mount Tolmie Railway Co.

and recommending that the time for re-

porting be extended three weeks.

The report was adopted.

ANGLICAN BISHOP INCORPORATION.

Mr. BROWN introduced a bill to incorpo-

rate the Anglican Bishop of New West-

minster; read a first time and referred to

Private Bills committee.

PUBLIC LANDS REPORT.

Mr. MR. VERNON presented the annual

report of the Chief Commissioner of Lands

for 1892.

WHITHAM COLLEGE INCORPORATION.

Mr. HORN introduced a bill to incorpo-

rate Whitham College; read a first time

and referred to Private Bills committee.

REVENUE REPORT.

Mr. MR. BEAVER moved, seconded by

Mr. Semlin, "That an order of the House

be passed for a return showing the revenue

collected at Ainsworth, Kootenay, under the

present heads of receipt during the fiscal

year 1891-92, and from 1st July to 31st

December, 1892." Carried.

Mr. MR. TURNER presented the return.

PUBLIC ROADS.

Mr. KITCHEN introduced a bill for the

improvement of the public roads; read a

first time, second reading Thursday.

CONSTITUTION ACT.

Mr. KITCHEN introduced a bill to amend

the Constitution Amendment Act, 1890;

read a first time, second reading Thursday.

COUNTY COURT BUSINESS.

Mr. TURNER moved, seconded by Mr.

Smith, "That an address be presented to

His Excellency the Governor, requesting him

to be laid before the House returns

showing the business done in the different

County Courts of the Province for the years

1890, 1891 and 1892; showing in each

district, for each year respectively, the

number of plaintiffs issued, total amount

claimed; number of garnishee summonses

issued, total amount claimed; number of

judgments rendered, total amount

collected; number of chamber applications;

number of Speedy Trials." Carried.

MR. SMITH'S QUESTIONS.

Mr. SMITH asked the hon. Provincial

Secretary the following questions, to which

answers were given:

1. Why was a teacher's certificate re-

voked in the case of John N. Muir in July, 1892?

2. Why was a "renewal" refused to John

N. Muir in July, 1892? A. Because he

failed to satisfy the requirements of Section

56 of the School Act.

3. Why was a temporary certificate de-

nied to John N. Muir in August, 1892?

4. Why was a temporary certificate re-

voked in the case of John N. Muir in August, 1892?

5. Why was a temporary certificate re-

voked in the case of John N. Muir in August, 1892?

6. Why was a temporary certificate re-

voked in the case of John N. Muir in August, 1892?

7. Why was a temporary certificate re-

voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

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voked in the case of John N. Muir in August, 1892?

21. Why was a temporary certificate re-

voked in the case of John N. Muir in August, 1892?

22. Why was a temporary certificate re-

voked in the case of John N. Muir in August, 1892?

23. Why was a temporary certificate re-

voked in the case of John N. Muir in August, 1892?

teacher who had in his room an average daily attendance of 30 pupils. If this attendance were increased to 40 it would be seen that there was at once an increase in the revenue of the Board of \$100 per annum without any corresponding increase in the expenditure. As a matter of fact, it would be found that the Government was dealing most liberally with the cities, and he hoped this would result in increasing the efficiency of their schools. In regard to teachers, he had to say that he thought society in general did not recognize the great responsibility that attached to the duty of instructing the young. The position of a teacher should be looked upon as one of the most honorable and responsible positions a man or a woman could aspire to. He thought, however, that members would only think of it as a job, and realize this, for to be a teacher required most extraordinary qualities so far as character was concerned, tact, temper and firmness, combined with very great adaptability, and these

were qualities which were not found every day or in every person. This showed, he said, how very careful should be the selection of these whom he might call the architects who would have to determine the future character of British Columbia. It would be his endeavor, not now, but in the near future, to establish a normal school for teachers so that the Province might have an adequate supply of specially instructed teachers to meet the demand for the whole of British Columbia. Continuing he was about to discuss the amendments of which he had given notice when,

Hon. Mr. BEAVER called him to order, insisting that he should confine his remarks to the bill and to it alone.

Hon. COL. BAKER said that if the hon. leader of the Opposition had any particular reason for not having the amendments discussed, he would, of course, have to pass them over. But he thought the present was the most suitable time in which to explain them. He would, however, explain why it was that the amendments of which he had given notice were not incorporated in the main bill. The reason for that was that the boards of school trustees having been only recently appointed, he thought it would be advisable to consult them, and he first wished to give them time to consider and digest the proposed amendments. The annual school report which had already been presented to the House showed that education in the Province was in a most satisfactory state. There were 149 schools in operation, total number of pupils 19,773, an increase of 1,513. There had been 21 new schools established during the past year. The average attendance was 57.8—an average attendance which was not excelled in any other province in the Dominion. The total expenditure for the past year had been \$173,378, of which \$49,192 had been for new schools and repairs. He was glad to say that during the coming year it was estimated that it would not be necessary to exceed this amount by more than \$6,000 or \$7,000, although there was an ever-increasing number of pupils. He had been sorry to hear that he was being asked to hear too much in proportion to the total revenue of the Province was being expended on education. He would point out to the House that the money being spent on education was being spent on every home, every trade and every business in this Province, and would come back increased a hundred-fold. (Hear, hear.) Grudge this money? Why, education was the very mainspring which operated the mechanism of the Province, and he hoped there might be no attempt made to reduce the amount, in what he might call a niggardly spirit. Continuing, he said he would have to ask the indulgence of the House while he alluded to a certain question which had received some attention in the public press—religious instruction in the public schools. As hon. members were aware, there had been some correspondence about this matter in the newspapers, and he wished to state in brief what he thought was the position of the House and himself that he should state that he was responsible for what had occurred, and he had acted as he did without consulting his colleagues. He wished to assume the whole responsibility, and would say that he did not regret what he had done. But not perhaps he knew to all members of the House that in regard to religious instruction the schools of British Columbia occupied the unfavorable notoriety of being the only one in the Dominion where no religion was practised. This was a fact, and could be proved by the different reports of the various provinces. Section 52 of the British Columbia School Act provided that the Lord's Prayer may be used at the commencement or termination of the day's school work. May be used? The potential away instead of the imperative shall, as though it were some doubtful question—question of doubtful morality! He had to confess that he for one would like to see this changed. The question of religious education in the public schools was now being discussed all over the civilized world, as hon. members would find if they chose to study the question. Secularism had been tried and had been found wanting. Commissions had been established to look into the question in New Zealand, Australia, France and England—yes, and even in that stronghold of secularism, the United States. The people of those countries were now awakening to the danger which was lying at their very doors, and a strong reaction was setting in in favor of some sort of religious instruction in the public schools. That being the case, he had felt himself fully justified in taking the action he had taken solely upon his own responsibility. One of the arguments raised against religious instruction was the unfortunate fact that there were a certain number of unbelievers, who were known in the world as atheists, men and women whose minds were cast in such an analytical mould that they had constituted themselves as their denominations, and had magnified it at the expense of Faith that the resulting fraction, their perspective, was reduced to an infinitesimal quantity. It was difficult for believers to understand the possibility of such a conclusion because they naturally argued

that so soon as any human being became conscious that he was blessed with the gift of reason he must, by the very force of that reasoning power, become aware that he possessed an inventive faculty which enabled him to direct the forces of nature and to become a factor in creation; he realized that he was potent, and the very fact of his being potent necessitated that there must be some other who was Omnipotent, the Almighty God, the Father of all. The argument that was advanced was this: Because we lived in a free country, because there were a few atheists in the world and that a portion of which was spent in supporting non-religious institutions, therefore they had a right to demand that there should be no religious teaching in the schools because forsooth they did not believe in religion! But it was not that also an argument which would come with tenfold force in the opposite direction? Could not the Christian say that living as he was in a Christian country, surrounded as he was by a great majority of his fellow subjects who were also Christians—had he not the right to demand since he paid his taxes in the same way, had he not a right to demand that his children should be taught some form of reverence for the Almighty? That argument, he thought, came with tenfold force on this side of the question, but unfortunately, strange and preposterous as it might appear, the great objection to religious education did not come from the atheist, but from some of the members of the various religious denominations themselves. They said that unless their dogma could be taught they would consent to nothing at all. These were the men who most strenuously objected to religious instruction in the schools. On the other hand he might say that most of the letters he had received in answer to his inquiry, were in favor of some sort of religious instruction. The others said no. They said there were Sunday Schools to which the children could go and where they could get all the religious instruction they required. That was the case, but it should be borne in mind that there were rural districts where they had no Sunday Schools. However, it was not his intention to press the subject upon the House at the present time by making any substantive motion, which course he believed would only counteract the object he had in view, which was harmony and not discord. All he could say was that he would cast the burden upon the members in the hope that it would return before many days. He considered it his duty respectfully to ask the House, and through the House, the people of the Province to think on these things, because there was a great danger lurking at the doors of every home.

Hon. Mr. BAKER thought the bill was a step in the right direction but that the amount of the proposed per capita grant was not sufficient. He thought it should be considerably increased, his experience having shown that the City of Victoria was "out" about \$25,000 on the carrying out of the old law. The municipalities acting under the General Municipal Act were limited in the amount of revenue as they could collect and if more responsibilities were piled on the result would be that remedial legislation would have to be asked for. Dealing with the question of religion in the public schools, he argued that the letter was not sent out by the Minister of Education as a private individual but rather in his ministerial capacity and without consulting his colleagues. He (Mr. Beaver) would not have brought this matter up but for the contention that he could direct himself of his position as a minister of the Crown. He would not now discuss the question of religion in the schools, his views being so well known, and moreover there was nothing about it in the Act.

Mr. SEMLIN looked with favor upon the bill, which would give extended power to the school trustees. He had to say, however, with regard to the explanation of the hon. Minister of Education that the question of religion in the public schools was not by any means a new one. Twenty years ago, long before this Province had the honor of affording a home to the hon. Minister, the question was already discussed right in this very room, and it was decided in the interests of the public schools and to prevent the public money being frittered away on poor separate schools, that religion should not be taught at all. It was not in deference to atheists or agnosts, or anything else of the kind that religion was allowed to be taught. The proper method of teaching children religion and a reverence for their Creator was to teach them at home.

Hon. Mr. TURNER objected to the diversion of the debate from the bill before the House to a personal matter as to a certain circular; but he still more objected to the theory set up by the hon. leader of the Opposition that a cabinet minister could have no personal opinions. He (Mr. Turner) had not known anything about the inquiry being sent out by the hon. Minister of Education, but even in face of that he would say that he agreed with the importance of the questions and he hoped it would be found that even yet various religious bodies would agree on some form of moral instruction which would be agreeable to all and consistent with their views. He read from various reports showing that there was a fear that the secularization of education was having a deteriorating effect upon the children. In Ontario, he understood that there was a certain amount of moral instruction provided for. Coming back to the bill, he thought it was in the right direction and he hoped it would meet the approval of the House.

Mr. COTTON congratulated the Provincial Secretary on the scope and tenor of the bill and referred to previous efforts of the Independents to get such a bill as the present. While he took some credit to himself and his colleagues for the new bill, he did not wish to detract from the credit due the Government, for the results of the bill would be to place almost the entire control of the schools in the hands of the Boards of School Trustees. He thought the bill should be amended in committee so as to give the School Board absolute control, within certain limits, of course, of the revenue and expenditure of the schools. He wished to discuss the amendments of which

notice had been given, but was called to order by

Hon. COL. BAKER, who said that having been refused an opportunity of discussing them and explaining these amendments himself, he did not think they should be debated at the present time.

Considerable discussion on the point of order followed, Mr. Speaker holding that the discussion must, in accordance with the rules, be confined to the bill before the House.

The second reading of the bill carried.

MASONIC TEMPLE ASSOCIATION.

Hon. Mr. BEAVER introduced a private bill to incorporate the Masonic Temple Association of B. C.; read a first time and referred to Private Bills committee.

VICTORIA OFFICIAL MAP.

Hon. Mr. BEAVER introduced a bill to incorporate the Victoria Official Map; read a first time and referred to Private Bills committee.

MOUNT TOLMIE TRAMWAY.

Mr. EBBERTS introduced a bill to incorporate the Mount Tolmie Tramway Co.; read a first time and referred to Private Bills committee.

RULED OUT OF ORDER.

Mr. SPEAKER announced that Mr. Kitchen's bill to amend the Constitution Act was out of order.

VANCOUVER Y. M. C. A.

Mr. HORN introduced a bill to incorporate the Vancouver Y. M. C. A.; read a first time and referred to Private Bills committee.

PUBLIC HEALTH BILL.

The House went into committee of the whole on the Public Health Act, Mr. Grant in the chair.

The first discussion arose on section 4, which provides for the appointment of a chairman of the Provincial Board of Health. The salary proposed to be paid was \$2,500 a year, and a number of the members of the House thought that the chief health officer of the Province should be the chairman. An amendment by Mr. Booth to this effect was voted down by 14 to 12.

During the discussion much amusement was created by the hon. leader of the Opposition declaring that he believed a great many of the so-called smallpox cases here last summer were nothing more or less than chicken-pox and measles.

Hon. Mr. DAVIE drew attention to the fact that the hon. leader of the Opposition could not agree with anyone. He did not wonder at his not agreeing with the Government, but Mr. Beaver seemed at "odds" with everyone, including not only his own supporters, but the Royal Commission as well. (Laughter.)

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

B. I. AND F. V. RAILWAY.

Mr. COTTON introduced a bill to amend the Burrard Inlet and Fraser Valley Railway incorporation act; read a first time and referred to the Railway committee.

VICTORIA OFFICIAL MAPS ACT.

Mr. COTTON presented a petition of Amos

DeCourse against certain provisions of the Victoria Official Maps act.

The House adjourned at 5:40.

LEGISLATURE NOTES.

Night sessions begin next week. The estimates will probably be down early next week, and the budget speech is expected a few days later.

A deputation from South Vancouver waited upon the Chief Commissioner of Lands and Works yesterday morning. They were introduced by Messrs. Horne and Sward, and made a request that a certain Government reserve in their municipality be removed. The delegation consisted of Messrs. Lawson, Conn. McLachlan, Gibson and Douglas. Hon. Mr. Vernon promised to consider their request.

The following gentlemen were guests of Hon. D. W. Higgins last evening at the first Speaker's dinner of the session, viz: Hon. Mr. Davie, Hon. Mr. Vernon, Hon. Mr. Pooley, Hon. Mr. Turner, Hon. Col. Baker, Messrs. Hall, Hunter, Brown, Booth, Semlin, Milne, M.P.P.'s, Messrs. Wm. Wilson, R. P. Rithet, Robert Ward, A. C. Flumerfelt, W. S. Gore, Dr. Powell and Capt. Power.

A meeting of the Private Bills committee was held yesterday morning to consider the bill to make certain amendments to the Vancouver City charter. Mr. A. St. G. Hamersley, city solicitor, appeared for the city, backed up by Mayor Cope, City Clerk McGuigan, Ald. McCroney, Anderson, C. S. Douglas and others. Mr. E. V. Bodwell appeared in support of the counter petition of H. O. Bell-Irving and others. The argument was continued until 1:30, when the committee adjourned for luncheon. The bill will be further considered at a meeting to be held to-day at the usual hour. Two clauses in the amending bill to which the great opposition arises is that legalizing the bonus to the Northern Pacific railway to build to Vancouver.

A deputation composed of Messrs. Sully, Smith, Wm. Fairall, C. D. Rand and J. Cunningham waited upon the Hon. Minister of Finance yesterday morning to urge that the tax on mortgages be repealed. They were introduced by Mr. Cotton. Hon. Mr. Turner, in reply, said that the Government could not at present see its way clear to comply with the request, but would take the matter into consideration. The revenue last year from this source was about \$48,000.

The schedule of costs of arbitration as attached to the arbitration bill is as follows: To each arbitrator or umpire for every meeting where the case is heard, in addition to all necessary travelling expenses, not less than \$1.50, nor more than \$5; to each arbitrator or umpire for every day's sitting, to consist of not less than six hours, in addition to all necessary travelling expenses, not less than \$3, nor more than \$25; to each arbitrator or umpire for every sitting not extending to six hours (fractional parts of hours being included), where the arbitration is held at a place other than the place of residence of the arbitrator or umpire, in addition to the above, a sum not exceeding \$1.50 for every clerk, secretary or reporter for each hour occupied in con-

nection with the arbitration proceeding, in addition to all necessary travelling expenses, at the rate of not less than 50 cents, nor more than \$1.50.



## PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

### SEVENTEENTH DAY.

THURSDAY, Feb. 23, 1893.

The Speaker took the chair at 2 o'clock. Prayers by Rev. Coverdale Watson.

#### PETITIONS.

The following petition was read and received:

From Amor DeCosmos opposing Private Bill to amend Victoria City Official Maps Act.

On the motion to adopt the report, Hon. Mr. BEAVEN said that as far as his knowledge was concerned he thought Mr. DeCosmos had no cause to complain and would find out when he came before the Private Bills committee that he had no real grievance.

#### REPORTS OF COMMITTEES.

Mr. MARTIN, from the Private Bills committee, reported the preamble of the following bill:

An Act to incorporate the Roman Catholic Bishop of New Westminster.

An Act to amend the Vancouver Incorporation Act.

The report called attention to the fact that section 9 of the bill did not appear to have been contemplated either in the notice or in the preamble of the bill.

Mr. BOOTH, from the Railway committee, reported that having in view the great importance to and necessity of the Kootenay country obtaining coal for the development of the smelting industry, the following resolution be adopted:

"Whereas the British Columbia Southern Railway has applied to the Dominion Government for the usual subsidy of \$3,200 per mile of railway for the first and second sections of line, being 90 miles and 120 miles respectively; and whereas such application has been pressed upon the Dominion Government for the last three years, but has not received any satisfactory reply; and whereas the construction of the British Columbia Southern Railway is of great importance to the Province, in order to develop the coal fields of Crow's Nest Pass and to convey the coal to the smelters already erected and which would be erected if such coal supply were forthcoming; and whereas the obtaining of such coal would give a great stimulus to the mining industry in Kootenay and would be productive of a considerable increase in the trade and wealth of the Province; Therefore, be it resolved that an address be presented to the Lieutenant-Governor, praying him to move the Dominion Government to grant the British Columbia Southern Railway Co. the said subsidies, inasmuch as it would tend materially towards the prosperity of the Province."

#### TAX ON MORTGAGES.

Mr. HORNE asked the Hon. Attorney-General the following question, to which the attached answer was given:

Q. Is it the intention of the Government to repeal or modify the tax on mortgages, assessed and collected under the provisions of the Assessment act. A. The matter is under consideration.

#### SETTLED ESTATES BILL.

The House went into committee on the Settled Estates bill, Mr. Anderson in the chair. The committee reported the bill complete.

#### COAL MINES REGULATION BILL.

Mr. KEITH moved the second reading of the Coal Mines Regulation bill, which he said had now come before the House for the fourth time. He thought hon. members understood the question thoroughly, and he need not, therefore, go fully into the question.

Hon. Mr. POOLEY said that on previous occasions he had opposed this bill, and as nothing had transpired in the meantime to change his views he would still oppose it.

The second reading of the bill was lost on the following division:

AYES—Messrs. Beaven, Milne, Forster, Keith, Watt, Brown, Cotton, Kitchen, Sword, McKenzie, Semlin and Fletcher—12.

NAYS—Messrs. Baker, Davie, Vernon, Eberts, Stoddart, Booth, Nason, Horne, Smith, Pooley, Turner, Martin, Croft, Hunter, Rogers, Anderson—16.

#### ATTACHMENT OF WAGES.

Mr. KEITH moved the second reading of the bill to abolish the attachment of wages. He said that he did not know that he could charge this Government with not being desirous of furthering the interests of the workingman, for he thought the Government was anxious to do all it could in this direction. He had gone into the question somewhat carefully and had found that for six months there were about fifty garnishee summonses per month, and it would be found that on these there had been paid an average of over \$10 per claim in addition to the legal debt. He instanced one case in which a man was sick and the sick benefits had been garnisheed. It was surprising to know to how great an extent the garnishee business was carried on in Nanaimo. The abolishment of the attachment of wages would not prevent orders being made by a County court judge that a man should pay so much a month. As it was, a great hardship was caused to workmen.

Hon. Mr. DAVIE said that some years ago he had introduced a bill somewhat similar in principle to the present one, and in doing so had been impressed with the view that hardships frequently happened by taking away from a laboring man the only means which he had for his actual livelihood and leaving himself and possibly his family, if he had one, in a state of starvation. He had not pressed the bill at that time because he had felt that the general sense of the House was against it. He was afraid, in fact he knew, that the bill now before the House went entirely too far when it proposed to abolish the attachment of all wages or salaries of any clerk, employee, etc. That merely meant that all wages or salaries of any person who worked for a stated sum should not be subject to attachment. While he was perfectly willing to support a reasonable amount of protection to workmen who might, through no fault of their own, get into difficulties, he could not bring himself to vote for such an extensive measure as the present, because he felt it would be simply making a method by which dishonest people could swindle their creditors. It would, moreover, establish the principle that any man who worked for wages or sal-

ary, whether he got \$25 per month or \$500 per month, could not be trusted as there was no means of collecting from him. He thought that the bill was not a good one either from the point of view of the interests of trade generally or of the recognized just rights and position in society of those who earn wages. He had occasion, while in Nanaimo a few days ago to discuss the matter with a deputation of tradesmen, and had explained to them his own views, but had not then been aware of the extensive scope of the measure as now introduced. Up to a limited amount he believed that there should be some protection to the workmen, say for married men \$40 to \$50, and for single men \$30 to \$25. This would leave sufficient to keep the wolf from the door and enable an honest man to get out of his difficulties. The real grievance which had brought the matter up now was that arising from an amendment to the

County Court Act, made last year by a private member of the House, permitting the garnisheeing of wages before judgment was obtained. However, he had already drafted a measure somewhat on the lines he had suggested, but in the meantime, for the reasons he had stated, would have to vote against the present bill.

Messrs. Sword, Kitchen, Brown, Booth, Forster and Semlin continued the debate, all agreeing that the bill went too far. Hon. Mr. POOLEY opposed the second reading, because it would prevent honest men from getting credit, but would help dishonest men to be rascals. With this bill passed the only way to collect small debts would be by an order of the court, and if the order were not obeyed the result would be the imprisonment of the debtor, a step which no creditor liked to force. Honest men would always pay their debts, dishonest men never would if they could help it.

Mr. COTTON moved the adjournment of the debate.

KOOTENAY, LAKE SHORE AND LARDO RAILWAY.

Mr. PUNCH introduced a bill to incorporate the Kootenay, Lake Shore and Lardo Railway; read a first time and referred to Railway committee.

#### B. C. COLLEGE.

Mr. HORNE introduced a bill to incorporate the B. C. College; read a first time and referred to Private Bills committee.

#### PACIFIC TELEPHONE AND CABLE CO.

Mr. CROFT introduced a bill to incorporate the Pacific Telephone and Cable Co.; read a first time and referred to Private Bills committee.

#### KASLO-SLOCAN TRAMWAY CO.

Dr. WATT introduced a bill to incorporate the Kaslo-Slocan Tramway Co.; read a first time and referred to Railway committee.

#### MEDICAL ACT AMENDMENT.

The House went into committee on the bill to amend the Medical Act, Mr. Sword in the chair.

The fee for the registration of English graduates was fixed at \$100, and it was provided that the fines for contravention of the act should go to the Crown. The committee reported the bill complete with amendments.

#### THE GAME BILL.

Mr. HALL moved the second reading of a bill to amend the Game Protection Act, which, he said, merely asked to make it legal to export deer hides from the Province.

After some discussion, Mr. ANDERSON said he hoped the second reading would carry, not because he agreed entirely with the bill, but because he wished to move an amendment to prevent the discharge of firearms within a certain distance of the public roads.

The second reading was lost by a show of hands, 4 to 14.

#### MUNICIPAL BILL.

Hon. Mr. BEAVEN moved the second reading of a bill to amend the Municipal act, the provisions of which he explained.

Hon. Mr. DAVIE said he would support the second reading of the bill, but in committee proposed to move some amendments dealing with the control of the police and the appointment of the Board of Licensing Commissioners.

Mr. COTTON said that the feeling was that in the small cities the police should be less under the immediate control of those who might in some cases prevent them doing their duty, but, at the same time, there was a strong feeling that as the city had to pay for the police they should have as much control as possible. He favored increasing the powers of the Licensing Boards.

Mr. HUNTER thought the control and government of the police should be entirely taken out of the hands of the City Councils and placed in the hands of a Board of Commissioners. He did not believe that the police of Victoria were free agents to carry out the law, nor would they be so if city police forces in the Province be so; they were entirely removed from the control of the Mayor and Aldermen. With regard to liquor licenses, he would say that he believed the system as in force in the Province was a failure, and had made up his mind that high license was the only thing which would afford protection and curtail the liquor traffic.

Mr. GRANT advocated the giving of greater powers to the municipalities. He dealt at some length with the license question.

The bill passed its second reading; to be committee one week.

#### PUBLIC ROADS PRESERVATION.

Mr. KEITH moved the second reading of a bill for the Preservation of Public Roads, which was explained to be to prevent narrow roads being used on country roads.

Hon. Mr. DAVIE wondered that the hon. leader of the Opposition had not expressed an opinion on the bill. He (Mr. Davie) remembered when the subject had been before the House on a previous occasion his hon. friend (Mr. Beaven) had opposed it, saying that the only difference between a wide tire and a narrow tire was that a wide tire would make a bigger hole. (Laughter.)

Mr. BROWN humorously objected to the hon. Attorney-General trailing his coat on the ground for the hon. leader of the Opposition to tread upon it. (Laughter.)

Hon. Mr. BEAVEN opposed that a wide tire made a bigger cut than a narrow

one. (Laughter.) Wide tires made heavier work for the horses, and he claimed that experience had shown they cut the roads up more.

Hon. C. A. BAKER suggested that when the hon. leader of the Opposition went home he should get a round ruler and try to cut a piece of butter, instead of using a knife. (Laughter.)

The second reading carried.

#### MOUNT TOLMIE TRAMWAY.

Mr. COTTON presented a petition from Amor DeCosmos against the Mount Tolmie Tramway Co. incorporation.

The House adjourned at 5.40 p.m.

#### NOTICE OF MOTION.

By Hon. Mr. DAVIE—To introduce an act to further amend the Railway Act.

#### NOTICE OF QUESTION.

By Mr. SEMLIN—To ask the Attorney-General: "Will the Government in any action that may be brought in the Supreme court by J. P. McLeod against the Crown for damages sustained by reason of the cancellation of his certificate, advise the Lieutenant-Governor as follows: That, for the purpose of having the matter tried and settled judicially on its merits, the Crown waive the plea of *fort* and the plea that the said certificate was cancelled in the exercise of discretion vested by statute in the Lieutenant-Governor-in-Council, and the plea that the discretion so exercised is not reviewable by the court, and any other plea or pleas that may tend to frustrate, prejudice or impede the trial of the case on its merits."

"(2) And that the action be tried as if it were an action brought by one subject against another subject, and solely for the purpose of deciding whether injustice has or has not been done to the said J. P. McLeod, and whether he was or was not guilty, of un-

professional conduct and gross insubordination, as alleged in the report of the Council of Public Instruction of date November 27, 1891, and what damages (if any) he is entitled to?"

#### LEGISLATURE NOTES.

The time of the Railway committee was occupied yesterday in hearing argument on the Kootenay Central Railway bill. Mr. Bodwell appeared for the petitioners; Mr. J. S. Yates for the Kaslo-Slocan company. The bill will be further considered to-day.

The Private Bills committee met again yesterday morning and passed the Vancouver Incorporation Amendment Act, including the section re Northern Pacific Railway Company's bonus, to which there was so much opposition.

A deputation has waited upon Hon. Mr. Vernon to solicit aid in building a bridge from Lulu Island to the Mainland. It is understood they received assurances that the Government would be recommended to assist the project to the extent of about one-third the estimated cost, which is \$15,000. The bridge will be about two miles nearer to New Westminster than the present one.

## PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

### EIGHTEENTH DAY.

FRIDAY, Feb. 24, 1893.

The Speaker took the chair at 2 o'clock. Prayers by Rev. Coverdale Watson.

#### PETITIONS.

The following petition was read and received:

From A. DeCosmos, opposing private bill to incorporate "The Mount Tolmie Railway Company."

Mr. MARTIN, from the Private Bills committee, reported that in the case of the petition of Sir Donald A. Smith and R. R. Angus for a private bill, the rules re advertisement in the Gazette had been complied with, but not so as to the advertisement in a local newspaper. The committee recommended, however, that inasmuch as no private interests were affected, the petition be heard.

#### SCHOOL BILL.

The House went into committee on the School Act amendment bill, Mr. Kellie in the chair.

On the discussion of Sec. 3, Hon. Mr. BEAVEN raised the objection that the *per capita* grant of \$10 proposed by the Government was not sufficiently large.

Hon. COL. BAKER showed by figures already quoted that the proposed allowance was a most liberal one. In Ontario the average cost per pupil was, he said, something like \$14.90, and of this the Government only paid about \$5.50.

Quite a discussion was raised on this clause, also as to what should be understood by the words "average actual daily attendance."

Hon. COL. BAKER explained the way in which this average was arrived at. The monthly reports showed the prescribed school days, days school was in session, total daily attendance and total actual attendance. The "average actual daily attendance" is found by dividing the "days school was in session" into the "total actual attendance."

An amendment was made that the Government should pay the grant quarterly.

On the discussion of Sec. 4,

Hon. COL. BAKER moved an amendment to give the School Boards power to appoint officers and servants, etc., as may be deemed necessary to secure the efficient management of the schools.

It was explained that the addition to Clause 6, re voters, only made it necessary that before voting for trustees those qualified under the Municipal Act to vote for Mayor, etc., should show that they had paid their Provincial revenue tax.

Hon. Mr. BEAVEN objected to the clause giving the trustees power to make a demand on the City Council at the beginning of the year for the full amount of the estimated expenditure for the whole year.

The section was then amended so that the money should be paid "from time to time as required."

During the discussion, Mr. COTTON drew attention to the word "incurable" in the bill. He said there was no such word in the English language. It was agreed that the House should "coin" the word, the meaning being very apparent.

Hon. Mr. BEAVEN drew attention to the fact that the money was to be paid over to the secretary of the School Board, who gave no bonds as the City Treasurer did.

Mr. HUNTER did not see why the secretary of the School Board could not give bonds.

Hon. Mr. DAVIE—How much salary does the secretary get?

Hon. Mr. BEAVEN—About \$25 per month.

Hon. Mr. DAVIE—How are you going to get a man to give \$20,000 bonds on a salary of \$25 per month?

Hon. Mr. BEAVEN expressed the opinion that the money should be left in the hands of the Council.

Hon. Mr. DAVIE suggested that the money should be left in the hands of the City Treasurer, to be paid over on the order of the Board of School Trustees. This would practically make the City Council bankers for the School Board.

The hon. Premier's suggestion was adopted, the clause being amended accordingly.

Hon. Mr. BEAVEN strenuously objected to placing the control of any funds raised by the Council, a responsible body, in the hands of the Board of Trustees, an irresponsible body.

Hon. Mr. BEAVEN referred Mr. Cotton to the Municipal Act.

Mr. COTTON said it came down to this: Would the Chairman and Secretary of the Board of School Trustees use fraudulent orders or not? He did not think there was any reason for distrust.

Hon. Mr. DAVIE reviewed the provisions of the School Act, showing that all money for school purposes was to be paid into the hands of the City Treasurer, where it would be perfectly safe. Then the money was paid out to the parties to whom it was due, by the City Treasurer, on the order of the Board of School Trustees. What could be safer than this? He thought the hon. leader of the Opposition was most unreasonable if he wanted any more restrictions than these.

Hon. Mr. BEAVEN argued that the Ontario Act was a much better one.

Dr. MILNE also wanted the Ontario Act. Mr. COTTON inquired what more the hon. gentlemen wanted than the present bill was giving? He looked upon this as a most reasonable and fair proposition.

The committee reported progress and asked leave to sit again.

#### B. AND W. K. RAILWAY.

Mr. CROFT introduced a bill to incorporate the Bedlington and West Kootenay Railway Co.; read a first time and referred to the Railway committee.

#### VICTORIA OFFICIAL MAPS.

Mr. COTTON asked leave to have the standing rules and orders suspended so that

he might refer to a petition from Amor DeCosmos re Victoria Official Maps. Hon. Mr. BEAVEN said the bill was now in the House. It had not yet been referred to the Private Bills committee. He did go before them Mr. DeCosmos appeared.

Hon. Mr. DAVIE recited the bill by which the petitioner might have to oppose a bill before the committee.

Mr. SEMLIN explained that it was in the petition that the stand had not been complied with as to notice of a motion to refer the bill. In the meantime the petition was in the House adjourned at 5:50.

NOTICE OF MOTION.

By Mr. KITCHEN—To introduce an amendment to the Municipal Act, 1892.

By Mr. KITCHEN—To introduce an amendment to amend the Drainage and Irrigation Act and an

NOTICE OF QUESTION.

By Mr. SEMLIN—To ask the minister of Lands and Works the Government still own the Artesian boring? Does the Government intend to sink Artesian wells in the Okanagan Valley in the present year?

By Mr. BROWN—To ask the Education, "Do you intend to publish School acts of 1891, 1892, printed in consolidated form as soon as possible to the school teachers as a departmental paper?"

LEGISLATURE NOTES.

The Private Bills committee again until Tuesday morning.

Mr. KITCHEN has a large amendment to the Municipal Act he will give notice. There are amendments also suggested by members of the House.

A meeting of the select committee into the claims of certain land at the mouth of Carpenters Kootenay, was held yesterday. Another meeting will be held to-day.

The Railway committee had session yesterday morning did to incorporate the Kootenay Railway Company. There is opposition to the granting of two propositions have been members of the House to have graphs taken. One is by J. S. wants to make a panel group of local World's Fair publications. The members want a guarantee to be made from the photographs be hideous caricatures.

Prospects of a "normal" session improve day after day. Matters protracted debates were expeditiously and quietly, and less is taken up than even the most supposed. Unless the private a good deal of discussion, the not be nearly so long as was when the speech from the throne such heavy work to be through Legislature.

The provisions of the Bill re British Columbia Southern Railway the following effect: "The way Act is proposed to be amended in the following respects, viz: of the General Act contemplated surveys and construction being proceeded with as a bill contemplates building sections. (b.) The plates the company taking This act proposes to confer additional powers of funding, mining. The following are proposed to be amended by the British Columbia Southern Railway Act, 1888; the Crow Kootenay Lake Railway Company Act, 1890; the British Southern Railway Act 1891.



# CIAL LEGISLATURE.

on of the Sixth Parliament.

## NINETEENTH DAY.

FRIDAY, Feb. 24, 1893.

Rev. Coverdale Watson.

### PETITIONS.

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# PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

## NINETEENTH DAY.

MONDAY, Feb. 27, 1893.

The Speaker took the chair at 2 o'clock.

Prayers by Rev. Canon Beaulieu.

### PETITIONS.

Mr. COTTON presented a petition from

the corporation of the city of Vancouver in

support of their bill to amend the city

charter.

### REPORTS OF COMMITTEES.

Mr. MARTIN, from the standing committee

on Private Bills, reported that the new

paper and Gazette notices re the application

of the Nelson Electric Light Co. were in-

sufficient by three days, but as no private

interests were prejudiced the committee ad-

vised that the notices be deemed sufficient.

The report was received and adopted.

Mr. BOOTH, from the Railway committee,

reported the preamble proved of a bill to

incorporate the Kootenay Central Railway

Company, and reported the bill with

amendments.

The report was received.

Mr. KELLIE, from the select committee

appointed to inquire into certain claims to

land at the mouth of Carpenter creek, re-

ported that having heard the evidence ad-

duced they were of the opinion that the

claim of Angus McGillivray, who had

staked the land, duly advertised it and

surveyed it, etc., was the prior one, and

recommended that it be recognized.

### NELSON ELECTRIC LIGHT COMPANY.

Mr. CROFT introduced a bill to amend

the Nelson Electric Light Company's In-

corporation Act; bill read a first time,

and referred to Private Bills committee.

### TO VALIDATE CERTAIN CONVEYANCES.

Mr. COTTON introduced a bill to remove

doubts concerning the validity of certain

conveyances of land; read a first time,

and referred to Private Bills committee.

### RAILWAY ACT AMENDMENT.

HON. MR. DAVIE introduced a bill to fur-

ther amend the Railway Act; read a first

time, second reading on Wednesday.

### B. C. SOUTHERN RAILWAY.

Mr. BOOTH moved, seconded by Mr.

Kellie, the following resolution: "Whereas

the British Columbia Southern Railway

Company has applied to the Dominion

Government for the usual subsidy of

\$3,200 per mile of railway for the

first and second sections, their line

being 30 miles and 120 miles respectively;

And whereas such application has been

pressed upon the Dominion Government for

the last three years, but has not received

any satisfactory reply; And whereas the

construction of the British Columbia South-

ern Railway is of great importance to the

Province in order to develop the resources

of the Crow's Nest Pass and to convey the

coal to the smelters already erected, and

which would be erected if such coal supply

were forthcoming; And whereas the ob-

taining of such coal would give a great im-

pulsus to the mining industry in the Koot-

enay District, and would be productive of a

considerable increase in the trade and wealth

of the Province: Therefore be it resolved,

that a humble address be presented to the

Lieutenant-Governor, praying him to move

the Dominion Government to grant the

British Columbia Southern Railway Com-

pany the said subsidies, inasmuch as it

would tend materially towards the prosper-

ity of the Province."

HON. MR. BEAVEN said he thought the

resolution deserved more discussion than

had been given it. The House had never

heard any reason why the Dominion Gov-

ernment had not granted the subsidy which

had been applied for, but there might be

some very material and substantial reason

for such refusal.

HON. COL. BAKER said that, as represent-

ing the district which would be immediately

affected by the construction of the railway,

he was able to give some explanation to the

hon. leader of the Opposition. The resolu-

tion was introduced by way of a report from

the Railway committee with a recommendation

to the House. The British Columbia

Berner's Ferry route. The 120 mile section

would then be built so that the coal might

go into the rich Lardeau country. These

were the two points. The company were

ready to build, and had given the best

guarantees that they were ready to go on, and

they only asked the Dominion Government

to give the usual assistance which this

Province had a right to ask and to expect. This

was a very simple explanation of the position

the company took, and he could not see in

any way how the House would be doing

wrong in placing the subject as forcibly as

possible before the Dominion Government.

Some of the financiers who were in the rail-

way company had made use of the expres-

sion that the Dominion Government would

never do anything so long as they only

"kicked with moccasins."

Mr. SEMLIN said that this was a matter

in which the House should go slowly. If

the Dominion Government were to make

such a suggestion to this House it would be

looked upon as impertinence. He did not

think the passage of the resolution would be

treating the Dominion Government properly.

He agreed that the construction of the road

would be very much in the interests of

the Province, but he would hesitate very

much before voting for the motion.

HON. MR. POOLEY expressed surprise at

the tone of the remarks of the hon. member

for Yale. The resolution was not a dicto-

rial one but simply a request. When

other resolutions of such a kind were

brought up, for instance, re improved mail

service and navigation on the rivers, was it

not proper for the House to pass them and

make a request of the Dominion Govern-

ment?

HON. MR. DAVIE said that judging from

what had been said by hon. members op-

posite, an outsider who happened to drop in

upon the House would at once come to the

conclusion that it was a mere debating so-

ciety and that some hon. members opposite

were always exercising their privilege of

talking simply for the sake of having some-

thing to say. For instance, one hon. gen-

tleman (Mr. Semlin) was perfectly in accord

with the principle of the motion but thought

it was out of place, that this House was

going out of its way to make any represent-

ation to the Dominion Government. This

line of argument was wrong. All that the

House would be doing in passing this

motion would be to draw attention to the

great need of the railway and the benefit

that would result from it. If the House

followed out the principle that hon. mem-

bers (Mr. Semlin) advocated

the Province would simply be

sitting down under all the indignity and

neglect from the Dominion Government of

which so many complaints were now being

made. The hon. leader of the Opposition

wanted to know where the material for the

motion came from. That question could

only be asked in ignorance. The report was

from the Railway committee which reported

certain facts to the House and the House

was bound to assume in the absence of any

proof to the contrary, that there was

material to run on. The committee was, no

doubt, in possession of the facts and could

call witnesses, etc., and get the facts.

Apart from all this, the direction of the

resolution was in the interests of the

Province, and when once he (Mr. Davie) satisfied

himself that a motion before the House was

in the interests of the Province, he did not

propose to waste any time in raising little

points of order and procedure as the hon.

gentlemen opposite were continually doing.

He heartily supported the resolution.

Mr. KELLIE said he would have much

pleasure in supporting the resolution, as if

the House could bring any pressure to bear

upon the Dominion Government to get this



# PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

TWENTY-THIRD DAY.

TUESDAY, Feb. 28, 1893.

Prayers by Rev. Canon Beaulieu.

ELECTION OF SPEAKER PRO TEM.

In the absence of Mr. Speaker, Hon. Mr. DAVIE moved seconded by Hon. Mr. Turner, that Mr. Martin take the chair as speaker pro tem.

The motion carried and Mr. Martin took the chair.

## PETITIONS.

The following petition was read and received:

From the Corporation of the City of Vancouver, for leave to present a petition for a private bill to validate By-law No. 166.

MR. MACKENZIE presented a petition from residents of Nanaimo re School bill.

## REPORTS OF COMMITTEES.

MR. BOOTH from the Railway committee, reported the preamble proved of the following bill and reported the same with amendments: "An Act to incorporate the Lard and Kootenay Railway Company."

The report was received.

## ARTESIAN WELLS.

MR. SEMLIN asked the hon. Chief Commissioner of Lands and Works the following questions:

(a.) Does the Government still own the machinery for artesian boring?

(b.) Does the Government intend sinking artesian wells in the Spallumcheen or Okanagan country during the present year?

HON. MR. VERNON replied: (a.) Yes. (b.) No; the Government has no intention of doing so.

## PRINTING OF SCHOOL ACT.

MR. BROWN asked the hon. Minister of Education the following question:

"Do you intend to have the Public School Acts of 1891, 1892 and 1893 printed in consolidated form and issued, as soon as possible, to school trustees and teachers as a departmental paper?"

HON. COL. BAKER replied: "The usual course will be followed in that matter as to consolidation."

## MUNICIPAL ACT AMENDMENT.

MR. KITCHEN introduced a bill to amend the Municipal Act; read a first time; second reading Thursday.

## SCHOOL ACT AMENDMENT.

The House went into committee of the whole on the School Act Amendment bill, Mr. Kellie in the chair.

An amendment was introduced by Hon. Mr. Beaven, permitting the cities to have a separate polling booth for the election of school trustees.

DR. MILNE moved an amendment to amend sec. 6, sub-sec. 10, so as to prevent the cancellation of teachers' certificates by the Council of Public Instruction except for immorality.

HON. COL. BAKER said he would have to firmly oppose the proposed amendment, as it was necessary beyond all question of a doubt that the power should remain in the hands of the Council of Public Instruction.

He showed what the law was in Ontario and Manitoba, and that in those provinces the matter of cancellation or revoking of certificates was placed in not such high hands as the Council of Public Instruction, but in the hands of subordinates of the Department, such as inspectors.

DR. MILNE referred to what he called "the unjust treatment" of J. P. McLeod.

MR. SEMLIN brought up the Muir case.

HON. COL. BAKER was compelled by what had been said by the hon. member for Yale (Mr. Semlin) to bring up the Muir matter again and to read to the "climax" of the correspondence between himself and the Board of Trustees of Comox.

He did not wish to go through the whole of the voluminous correspondence, but would read the last letter he had written, which was as follows:

"VICTORIA, Nov. 7th, 1892.

"To the Board of School Trustees, South Comox:

"GENTLEMEN:—I have the honor to acknowledge the receipt of your letter of the 3rd inst., informing me that in accordance with the instructions conveyed in my letter of the 26th ult., you have notified Mr. Muir that he can no longer teach in the South Comox school and that he has tendered his resignation, but that you have felt it incumbent upon you to resign your position as trustees, as you find it impossible to carry out the wishes of the parents of the children, who are unanimous in speaking very highly of Mr. Muir.

"With every desire of this Department to meet the wishes of the parents of the children who attend the South Comox school, it is quite impossible that it can do so in the case of Mr. Muir, and I feel sure that if those parents were cognizant of all the circumstances of the case they would be the first to acknowledge the justice of the decision of the Department of Education.

"It is not the ability of Mr. Muir to teach, which is in question, but his conduct to this Department, which is the directing power over the public schools of this Province.

"In 1889, Mr. Muir held a first-class grade A certificate of qualification as a teacher, which was cancelled for persistent neglect to obey the rules and regulations prescribed for the government of public schools, as well as for gross insubordination shown to the Department of Education.

"Mr. Muir persisted in his attacks upon this department both in the public press and in his correspondence, and he had his case brought before a select committee of the Legislative Assembly. Four out of the five members of that select committee, after an exhaustive examination of the case, reported:

"That we can only characterize Mr. Muir's correspondence with the Education Department as showing insubordination and insolence to those in authority. From the evidence adduced and the correspondence presented, we consider that the earlier cancellation of Mr. Muir's certificate would have been in the best interests of education, as we believe that for a considerable time he was not a fit and proper person to have charge of any public school.

"The Board of Examiners have since repeatedly refused to grant Mr. Muir a certificate.

"Section 52 of the Public School Act, 1890, expressly states that 'No person shall be appointed or retained as a teacher in any public school, unless he shall hold a first, second, or third class certificate, or a temporary certificate of qualification.'

"Mr. Muir has been granted a petition of right by which he can have his case against the Government tried in a court of law if he pleases to do so.

"Since I have had the honor of being placed at the head of this Department, I have received letters from Mr. Muir vilifying Dr. Pope and one of the inspectors of schools, and also threatening to myself, and this at the very time when he was seeking for a temporary certificate which would have placed him under the control of the very officers he was vilifying.

"The only charitable construction which can be placed upon such conduct is that Mr. Muir has a craze for notoriety, which would certainly unfit him for the discipline which is necessary in a large department such as that of Public Education.

"I can only reiterate that, with every desire to meet the wishes of the parents of the South Comox school children, it is impossible to do so in this case, for the reasons given, and I must, therefore, request that the Board of School Trustees will at once appoint a duly qualified teacher to the school.

"I have the honor to be, gentlemen, your most obedient servant,

(Signed) "James Baker, Minister of Education."

To show what kind of a man Mr. Muir was he read the following letter written to himself by Mr. Muir:

"Comox, Sept. 1, 1892.

"Hon. Col. Baker, Minister of Education:

"DEAR SIR:—I sent you some time ago about four or five pages of foolscap giving a few sketches of the history of two in your office (Supt. Pope and Inspector Wilson). I feel it to be my duty to warn you of these so that if you ever get caught making any false statements in the House, as was the Hon. Jno. Robson about February 27, 1887, on educational matters on the authority of Superintendent Pope, you will have yourself to blame. I warn you also because I would scorn to adopt the tactics of the late rotten department over which you have now the honor to preside, viz., to stab a man in the back and then cut his head off (metaphorically). I give you fair warning, and if anything should occur in the Education Department deserving censure, be sure you will get it. Are you prepared to have it floor in the papers and in dodgers that the Minister of the Crown put his name to a letter containing false statements? Yet that is what the late Hon. John Robson had to suffer, and as it was true he had to grin and bear it. But that was nothing to what poor teachers suffer from the abominable tactics of the late Education Department"—and so on.

Did any hon. gentleman of the House wish any further proof as to whether or not Mr. Muir was a fit and proper person to teach children? No, he thought not. He did not wish to weary the House further, and there was no need for it.

MR. MACKENZIE charged that when he had been Superintendent of Education a conspiracy had been gotten up against him. He ridiculed the idea of cancelling a teacher's certificate for impertinence.

HON. MR. DAVIE reviewed the circumstances of the Muir and McLeod cases and the investigations by select committees of the Legislature. In the Muir case the report of the committee, one of the members of which was the first lieutenant of the hon. leader of the Opposition, only censured the Government of the day because they had not sooner cancelled the certificate. In the McLeod case the report of the minority found Mr. McLeod guilty of a gross breach of discipline, but thought the punishment too severe. Continuing, he said that the law, as it stood on the statute book, was admitted to be the correct one, and even hon. gentlemen opposite only complained that the law was not properly carried out, yet they knew full well that they dared not go to the country and state as a point against the Government that it was a Government that would under all circumstances enforce the law.

MR. CROFT created much laughter by reading from the Times a letter in which Mr. McLeod freely expressed his opinion of the hon. members for Vancouver City and New Westminster district (Messrs. Cotton and Kitchen).

MR. KITCHEN opposed the amendment.

MR. COTTON said that as one of the members of the McLeod select committee of last year, he was prepared to stand by everything he had done, and he did not propose to pay any attention to what had been written in the newspapers. He opposed the amendment, advising the hon. member for Victoria City (Dr. Milne) to withdraw it.

The amendment was lost on a show of hands—5 for, 21 against.

The committee rose and reported the bill complete with amendments.

## PUBLIC HEALTH BILL.

The House went into committee of the whole on the Public Health Bill, Mr. Grant in the chair.

After some discussion, an amendment made by Mr. Brown to permit the Legislature to frame the general rules was voted down.

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

The House adjourned at 5:55 p. m.

## LEGISLATIVE NOTES.

Mr. Speaker Higgins was engaged at the law courts yesterday until late in the afternoon.

Wednesday (to-day) is private bills day. There are several such measures to be advanced a stage.

The estimates are expected some day this week. The night sessions will begin as usual when the House goes into supply.

The evidence and report of the Carpenter Creek committee will probably be printed and laid before the House to-day.

There is a report of the Private Bills committee which was to have been presented yesterday, but was left over on account of Mr. Martin being in the Speaker's chair.

Mr. Cotton has made a suggestion to the Minister of Education re compulsory attendance at schools of children between the ages of seven and thirteen. He has not moved any amendment, but wished to have the idea considered by the Government.

The act to further amend the Railway Act deals principally with registration. One clause permits a company or individual, corporate body, etc., to be a trustee, and as such to register a bill of sale, etc., in the Province without becoming incorporated under the Companies Act.

Mr. Kitchen, who was one of the members of the select committee appointed last session to inquire into the cancellation of the teacher's certificate held by J. P. McLeod, declared yesterday that he had never used the words, "gross breach of discipline," in the minority report. He afterwards looked the matter up and explained to the House that he was mistaken.

A deputation from Kaalo City waited upon the Government yesterday and urged their claims to consideration. They represent the parties who had the road built from Kaalo to Fish Creek and vicinity, in which enterprise they expended and made themselves responsible for in the neighborhood of \$33,000. They ask the Government for some assistance. The members of the Government who were interviewed promised to give the matter careful consideration.

# PROVINCIAL LEGISLATURE.

Third Session of the Sixth Parliament.

TWENTY-FIRST DAY.

WEDNESDAY, March 1, 1893.

The Speaker took the chair at 2 o'clock. Prayers by Rev. Canon Beaulieu.

## REPORTS OF COMMITTEES.

MR. MARTIN from the Private Bills committee reported the following bills: An Act to incorporate Whetnam college. An Act to incorporate the Masonic Temple Association of Victoria, B. C.

## QUESTION OF PROCEDURE.

MR. EHRKE asked Mr. Speaker's ruling on the following question of procedure: Has the Private Bills committee any power to make any material alteration in a bill before it without giving due notice of the same to all parties interested who may then be present?

MR. SPEAKER after some discussion decided that the committee had not.

The report was withdrawn.

## RAILWAY COMMITTEE REPORT.

MR. BOOTH, from the Railway committee, reported the preamble proved of a bill to incorporate the Nakusp and Sloan railway, and submitted the same with amendments. They also drew attention to section 5, which seemed to ask for privileges not contemplated in the notice, and recommended, in the interests of the public, that these privileges be granted.

## RULED OUT OF ORDER.

The petition of John Riggs was ruled out of order.

## REVELSTOCK TOWNSHIP LANDS.

MR. KELLIE moved, seconded by Mr. Cotton, "That whereas no satisfaction can be obtained relating to the purchase or pre-emption of lands in the Twenty-Mile belt; and whereas the inactive policy of the Dominion Government is retarding the settlement of lands in Kootenay; and whereas purchasers of lots made seven years ago in the Revelstoke township have been unable, through litigation, to perfect titles to said lots; therefore be it resolved, that an humble address be presented to the Lieutenant-Governor, praying him to take such steps as will best promote the settlement of said lands, and allow purchasers to perfect titles to said lots in Revelstoke."

MR. KELLIE said that he brought this resolution up in this way for the purpose of getting some information on the matter. The fact was that parties who had tried to get land in the township, parties who bought from the Dominion, were unable to perfect their titles. They could not acquire property by purchase or pre-emption, or in any other way, and wished to have the difficulties which were in the way removed as soon as possible. He was sure the Government would do all in its power in this matter, and could assure hon. members of the House that anything done in this direction would be received as a great service by people in that section of the Province.

HON. MR. DAVIE in the course of his remarks said that there was not much more to add to what had been said upon this subject in the debate on the address to His Honor the Lieutenant-Governor and subsequently. At that time he took occasion to say that the House would be asked to provide the money necessary to uphold the rights of the Province as against the claims of the Dominion before the proper tribunal, the Privy Council. As was stated at that time, the Dominion Government was assuming the status of a freeholder and had undertaken to give grants of land in the Revelstoke township and elsewhere in Her Majesty's name. So far as the present motion went, he presumed that the purchasers referred to in it, were purchasers from the Dominion Government. The reason why those land titles could not be registered was that a Crown patent had already been issued by the Province to Mr. Farwell. No steps had been taken to have this patent rescinded, and so long as it was in existence no other title could be registered. Last year an action was begun by the Dominion Government to have this title rescinded, but the judgment of the Exchequer court, in which the case was tried, had not yet been given. When it was given there was little doubt it would be taken further, either by the Dominion Government or by Mr. Farwell. In conclusion, he hoped, now that the information had been obtained, the motion would not be pressed.

The motion was withdrawn.

## R. C. SOUTHERN RAILWAY.

MR. SMITH moved the second reading of the bill to amend the R. C. Southern Railway Incorporation act; bill read a second time, to be committed to-morrow.

## RED MOUNTAIN RAILWAY.

MR. CROFT moved the second reading of the bill to incorporate the Red Mountain Railway.

HON. MR. BEAVEN suggested that the method of granting railway charters was wrong, as a map of the Province looked like a gridiron, while the actual railways were few and far between.

HON. COL. BAKER drew attention to the fact that the charter was but the initial step in enlisting capital to build roads, which were very much needed in order to develop the Province.

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

## VANCOUVER INCORPORATION ACT.

MR. COTTON moved the second reading of the Vancouver Incorporation Act amendment bill, which he briefly reviewed.

HON. MR. DAVIE was not opposed to the bill, but said caution would have to be exercised in the retroactive legislation asked for re the railway bonus.

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

## R. C. BISHOP OF NEW WESTMINSTER.

MR. BROWN moved the second reading of the bill to incorporate the R. C. Bishop of New Westminster; read a second time, to be committed Friday.

## PUBLIC HEALTH ACT.

The House went into committee of the whole on the Public Health Act, Mr. Grant in the chair.

The first amendment of importance was by Mr. Brown, to do away with compulsory removal. After some discussion.

HON. MR. DAVIE said that were legislating with feelings regard, etc., for hon. members and their friends with respect in all cases of illness, it induced to vote for the amendment judgment should not be account of personal feelings. He tion to the language of the recent Royal Commission, w compulsory removal in no language. Having regard to the duty and to the best interests health, there must be compul in cases of virulent and contag although he thought that it m able to have a medical certifi removal could take place with the life of the patient; and fu was necessary in order to prev of the disease.

The amendment was lost.

The committee rose, report and asked leave to sit again.

## PRIVATE BILLS REPORT.

MR. MARTIN presented the report of the Private Bills committee. The House adjourned at 5:55.

## NOTICE OF MOTION.

By Mr. McKENZIE: That mites composed of Messrs. F dart, Semlin, Anderson and appointed to investigate the Biggs, of Nanaimo, in the matte of his cattle in 1879 by the naimo.

## LEGISLATIVE NOTE.

The amendment made in Bills committee to the bill the Anglican Bishop of New has in view the principle c clergymen appointed on the wardens, sidesmen, etc., inst Bishop.

Mayor Curtis and others c tion from New Westminster interview with the members ment yesterday, on the subje across the Fraser. The Gov sidering the matter.



PROVINCIAL LEGISLATURE.  
Third Session of the Sixth Parliament.

TWENTY-FIRST DAY.

WEDNESDAY, March 1, 1893.  
The Speaker took the chair at 2 o'clock.  
Prayers by Rev. Canon Beaulieu.

REPORTS OF COMMITTEES.  
MR. MARTIN from the Private Bills committee reported the following bills: An act to incorporate Whitham college. An act to incorporate the Masonic Temple Association of Victoria, B.C.

QUESTION OF PROCEDURE.  
MR. EMMERTS asked Mr. Speaker's ruling on the following question of procedure: As the Private Bills committee any power make any material alteration in a bill before it without giving due notice of the same to all parties interested who may then be present?

MR. SPEAKER after some discussion decided that the committee had not.

The report was withdrawn.

RAILWAY COMMITTEE REPORT.

MR. BOOTH, from the Railway committee, reported the preamble proved of a bill to incorporate the Nakusp and Slocan railway, and submitted the same with amendments. He also drew attention to section 5, which seemed to ask for privileges not contemplated in the notice, and recommended, in the interests of the public, that these privileges be granted.

RULED OUT OF ORDER.

The petition of John Riggs was ruled out of order.

REVELSTOCK TOWNSHIP LANDS.

MR. KELLIE moved, seconded by Mr. Brown, "That whereas no satisfaction can be obtained relating to the purchase or pre-emption of lands in the Twenty-Mile belt; and whereas the inactive policy of the Dominion Government is retarding the settlement of lands in Kootenay; and whereas purchasers of lots made seven years ago in the Revelstock township have been unable, through litigation, to perfect titles to said lots; therefore be it resolved, that an address be presented to the Lieutenant-Governor, praying him to take such steps as will best promote the settlement of said lands, and allow purchasers to perfect titles to said lots in Revelstock."

MR. KELLIE said that he brought this resolution up in this way for the purpose of getting some information on the matter. The fact was that parties who had tried to get land in the township, parties who bought in the Dominion, were unable to perfect their titles. They could not acquire property by purchase or pre-emption, or in any other way, and wished to have the difficulties which were in the way removed as soon as possible. He was sure the Government would do all in its power in this matter, and could assure hon. members of the House that anything done in this direction would be received as a great service by people in that section of the Province.

HON. MR. DAVIE in the course of his remarks said that there was not much more to add to what had been said upon this subject in the debate on the address to His Honor the Lieutenant-Governor and subsequent. At that time he took occasion to say that the House would be asked to give the money necessary to uphold the rights of the Province as against the claims of the Dominion before the proper tribunal, the Privy Council. As was stated at that time, the Dominion Government was assuming the status of a freeholder and had undertaken to give grants of land in the Revelstock township and elsewhere in Her Majesty's name. So far as the present question went, he presumed that the purchasers referred to in it, were purchasers in the Dominion Government. The reason why those land titles could not be perfected was that a Crown patent had already been issued by the Province to Mr. Wells. No steps had been taken to have the patent rescinded, and so long as it was in existence no other title could be registered. Last year an action was begun by the Dominion Government to have this title rescinded, but the judgment of the Exchequer Court, in which the case was tried, had not been given. When it was given there was little doubt it would be taken further by the Dominion Government or by Mr. Wells. In conclusion, he hoped, that the information had been obtained, the motion would not be pressed. The motion was withdrawn.

B. C. SOUTHERN RAILWAY.

MR. SMITH moved the second reading of a bill to amend the B. C. Southern Railway Incorporation act; bill read a second time, to be committed to-morrow.

RED MOUNTAIN RAILWAY.

MR. CROFT moved the second reading of a bill to incorporate the Red Mountain railway.

HON. MR. BEAVER suggested that the act of granting railway charters was, as a map of the Province looked at, a gridiron, while the actual railways were few and far between.

HON. COL. BAKER drew attention to the fact that the charter was but the initial in enlisting capital to build roads, and were very much needed in order to open the Province.

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

VANCOUVER INCORPORATION ACT.

MR. COTTON moved the second reading of Vancouver Incorporation Act amendment bill, which he briefly reviewed.

HON. MR. DAVIE was not opposed to the bill, but said caution would have to be exercised in the retroactive legislation asked for the railway bonus. The bill was read a second time, to be committed on Friday.

C. BISHOP OF NEW WESTMINSTER.

MR. BROWN moved the second reading of a bill to incorporate the R. C. Bishop of Westminster; read a second time, to be committed on Friday.

PUBLIC HEALTH ACT.

The House went into committee of the Public Health Act, Mr. Grant in the chair.

A first amendment of importance was made, to do away with compulsory vaccination. After some discussion.

PROVINCIAL LEGISLATURE.  
Third Session of the Sixth Parliament.

TWENTY-SECOND DAY.

THURSDAY, March 2, 1893.  
The Speaker took the chair at 2 o'clock.  
Prayers by Rev. Canon Beaulieu.

REPORTS OF COMMITTEES.  
MR. MARTIN, from the Private Bills committee, reported the bill to incorporate the Y.M.C.A. at Vancouver, with amendments. Also the bill to incorporate the British Columbia College. With regard to the bill to incorporate the Kasko Electric Light and Tramway Company, the committee reported the preamble proved so far as the notices re water works and electric light are concerned, but that no notice seemed to have been given as to the tramway.

The report was received.

MEDICAL ACT AMENDMENT BILL.

DR. WATT moved to amend the Medical Act Amendment bill by adding a clause which would prevent litigation by declaring all fees which have hitherto been paid to the Medical Council to have been legally imposed.

The clause carried, and the report of the committee was adopted.

MUNICIPAL ACT AMENDMENT.

When the order for committee on the bill to amend the Municipal act was called, HON. COL. BAKER suggested that inasmuch as there was another bill to the same effect (Mr. Kitchen's) it would be well to refer the two bills to committee at the same time, so as to avoid confusion.

HON. MR. BEAVER said that the two bills were quite different.

The House then went into committee of the whole on the bill, Mr. Semlin in the chair.

MR. BROWN moved to amend Sec. 29 of the Municipal act, 1892, in such way as to extend the franchise and prevent anyone voting in more than one ward. In support of his amendment he claimed that the present system was so cumbersome that it could not be worked successfully, and he wished to substitute a simpler and more workable form.

HON. MR. BEAVER opposed the amendment. He believed in manhood suffrage for the Legislature; but did not think it would be right for the city councils. He argued that the corporation was just like a joint stock company, the directors being the aldermen, and it was a principle which might be taken as established that every director should own a certain amount of stock in the concern, in other words, the aldermen should have a certain property qualification. The arguments advanced by the hon. member for New Westminster (Mr. Brown) were indeed plausible, but when examined they were found fallacious.

HON. COL. BAKER drew attention to the fact that the amendment proposed required that a property holder attest to the bona fides of the man who was asking for a vote. This showed that the principle had to be recognized that a property qualification was necessary in some cases at least. If the principle was right it was right at all times and in all places, but it could not be half right and half wrong.

HON. MR. DAVIE said he thought the amendment was introduced as a joke in the first place, and he did not think the mover intended to seriously press it. The amendment struck directly at the root of the principle of municipal government, and was subversive of all those well understood principles laid down for good government in municipalities. Its tendency was to reduce the thrifty and hard working man to the same footing as the drone and the sluggard. There must be a reward to merit, and the man who just lived on the exertions and labor of his fellow men should not be placed on the same footing as men who worked hard and did the country some good. He was glad to hear hon. members of the House, independent of politics, oppose the amendment.

MR. FORSTER supported the amendment. He claimed that the majority of the people of New Westminster wanted it.

MR. BROWN assured the hon. Attorney-General that there was no joke in the amendment, and that the great majority of people in British Columbia wanted it. If anyone wanted to find the enemies of the commonwealth and of good government, look for them amongst the rich or moneyed men in the city. He ridiculed the joint stock company idea, which he said made him sick and weary and did not apply at all. Hon. members who did not agree with the proposed amendments had better study the question. If they wanted voters he could find them dozens of men working with their coats off at the plow-tail and at the bench who could give them lessons for all time to come in political economy and economical science. (Laughter.) He would go further and say that if the House did not agree with the principle of the amendment it was because it did not represent the country.

HON. MR. POOLEY opposed the amendment, which would give those who had no interest in the city an opportunity of dictating to those who had, and of taxing their property and spending their money. People wanted to deal with their own property and spend their own money.

MR. HUNTER drew the attention of the House to the fact that the City Council of New Westminster, which had been asked to endorse the amendment, had refused to do so, and had referred it to a committee, which would evidently report against it.

The amendment was lost.

Various clauses of Hon. Mr. Beaver's bill were discussed up to sec. 20.

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

The House adjourned at 5:20 p.m.

LEGISLATURE NOTES.

The estimates are expected down to-day. Mayor Cope, of Vancouver, and Ald. Anderson occupied seats on the floor of the House yesterday.

The Municipal Act Amendment bill, of which Mr. Kitchen is "father," will be taken up in committee some time next week. The full report of the select committee appointed to inquire into the claims of certain applicants to purchase land near the mouth of Carpenter Creek, was distributed yesterday. It is printed along with the evidence taken.

PROVINCIAL LEGISLATURE.  
Third Session of the Sixth Parliament.

TWENTY-THIRD DAY.

FRIDAY, March 3, 1893.  
Prayers by Rev. Canon Beaulieu.

REPORTS OF COMMITTEES.  
MR. MARTIN, from the Private Bills committee, reported the bill to incorporate the Osoyoos and Okanagan Railway Co.; to amend the Burrard Inlet and Fraser Valley Railway Co. Act, 1891; to incorporate the Kootenay, Lake Shore and Lardo Railway.

The report was received.

ROYAL COMMISSION EVIDENCE.

HON. MR. BEAVER asked the hon. Provincial Secretary when the evidence of the Royal Commission on Epidemic Diseases might be expected to be printed.

HON. COL. BAKER replied that the manuscript was now in the printers' hands. He could not say when it would be printed, but would make inquiries.

JOHN BIGGS' COMPLAINT.

MR. MCKENZIE moved, seconded by Mr. Semlin, "That a select committee, consisting of Messrs. Fletcher, Stoddard, Semlin, Anderson and the mover, be appointed to investigate the case of John Biggs, of Nanaimo, in the matter of the seizure of his cattle in 1879 by the Sheriff of Nanaimo; with power to call for persons and papers, and to report thereon to the House."

HON. MR. VERNON asked that the matter be laid over until the hon. Attorney-General should be present.

MR. SWORD moved the adjournment of the debate.

PUBLIC SCHOOL ACT.

On the motion to adopt the report of committee of the whole on the Public School Act Amendment bill.

MR. SWORD moved an amendment to exclude from the per capita grant the pupils attending the High schools. He argued that the High schools should not be free, and as only a limited number of children were able to take advantage of these schools, they should not be maintained at the cost of the people of the Province generally.

HON. COL. BAKER had to confess considerable astonishment at the views expressed by the hon. member for New Westminster district. The proposition put forward involved two principles—first, the taking away of free education in the high schools, and second, the reducing of the Government grant to the cities. Speaking of the first of these, he said he hoped every hon. member of the House would agree with him that the very highest education in the Province should be open to all children free, that they should all be able to take advantage of the highest education the Province could give. There was a very great variety of capability in all children; some of them were geniuses, others could not rise beyond a certain level. This being the case the means of the highest education should be open to all for it was the case very frequently that those who were poor had within them the germs of genius which only needed to be cared for in order that they might flourish. Such children as these, or their parents, should not be put to the expense of a costly education. He drew attention to the fact that an amendment had been introduced this session permitting the school trustees to charge fees to those that could afford to pay them. The right principle was that the education of the highest public educational institutions in the land should be open to the poor and the rich alike on the same footing. As regards the second proposition, to cut down the per capita grant, as one of the members of the Government he might look with pleasure upon a proposition which would reduce the amount the Government had to pay, but it was opposed to the principle the Government itself had adopted, and he would oppose it.

HON. MR. BEAVER opposed the amendment, which he believed was founded on a misconception of the true relation of High and Common schools. The High schools he might define as simply the upper form or continuation of Common school education. He did not think the grant was large enough now, and should certainly vote against any motion to decrease it.

Messrs. Milne, Forster, Cotton, McKenzie, Booth and Hon. Mr. Turner opposed the amendment, which was lost without a division.

The report was adopted; third reading of bill to be set down for Monday.

B. C. SOUTHERN RAILWAY ACT.

The House went into committee on the B. C. Southern Railway bill, Mr. Rogers in the chair. The bill was reported complete with amendments.

RED MOUNTAIN RAILWAY.

The House went into committee on the bill to incorporate the Red Mountain railway. The bill was reported complete with amendments.

LARDEAU AND KOOTENAY RAILWAY.

MR. KELLIE moved the second reading of a bill to incorporate the Lardeau & Kootenay railway. The second reading carried.

MASONIC TEMPLE ASSOCIATION.

HON. MR. BEAVER moved the second reading of the bill to incorporate the Masonic Temple Association. The second reading carried.

The House adjourned at 5:10 p.m.

NOTICES OF MOTION.

By MR. KELLIE—That the report of the select committee on Carpenter Creek land claims be adopted.

By MR. COTTON—(1) For a return of papers and evidence taken before Mr. Chancellor Boyd and the decision given by him in reference to the claim of the late John Angus to lot 11, block 3, old Granville townsite, and in regard to the claim of Wm. Mashiter, to lot 1, block 17, old Granville townsite.

By MR. KELLIE—That the standing committee on Private Bills and Standing Orders be asked to report whether or not the Standing Orders should be suspended, so as

A deputation of gentlemen representing the Board of Fire Underwriters had a satisfactory interview with Hon. Mr. Davie yesterday re the fire policies bill, to which certain amendments are wanted.

PROVINCIAL LEGISLATURE.  
Third Session of the Sixth Parliament.

TWENTY-THIRD DAY.

FRIDAY, March 3, 1893.  
Prayers by Rev. Canon Beaulieu.

REPORTS OF COMMITTEES.  
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MR. SWORD moved an amendment to exclude from the per capita grant the pupils attending the High schools. He argued that the High schools should not be free, and as only a limited number of children were able to take advantage of these schools, they should not be maintained at the cost of the people of the Province generally.

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By MR. KELLIE—That the standing committee on Private Bills and Standing Orders be asked to report whether or not the Standing Orders should be suspended, so as