

NOV

1894

PROVINCIAL LEGISLATURE

First Session of the Seventh Parliament.

FIFTH DAY.

TUESDAY, Nov. 20, 1894.

The Speaker took the chair at 2 p.m. Mr. SEMLIN, with reference to his remarks on the previous day on the subject of the fisheries, explained that he did not intend to refer to the fisheries, as reported in the COLONIST, that the fisheries department had gone the wrong way about carrying out its good intentions. As he knew nothing about the matter in the department was wrong; what he intended to say, while giving it credit for good intentions, was that it might have been wrong.

THE RESTAURANT. Mr. SMITH moved: "That in the opinion of this house it is not desirable to open the restaurant to supply meals to the members of the Legislative Assembly during the present session." He thought as this was to be a short session the restaurant would not be a necessity, and this expense could be avoided.

The member named as seconder, Mr. Kellie, not being present, the Speaker said there must be another seconder, but there was no immediate response.

Hon. Mr. DAVIE said he would second the motion, not that he favored carrying out the resolution in its entirety, but for the purposes of discussion. He agreed that there will probably be no second session for a restaurant on the same scale as in past years. It is desirable, however, that when committees meet in the forenoon, it shall not be necessary to cut short their sittings to give the members time to go to town for lunch, and therefore it is proposed that for the convenience of such members there shall be some light refreshments provided in the restaurant building. These will be very simple—a cup of tea or coffee, and cakes and bread for sandwiches. At the spirit of the resolution will thus be met he suggested that it be withdrawn.

Mr. SEMLIN agreed that a plan such as outlined by the Premier would meet the requirements.

Motion withdrawn.

ADVERTISING VOTERS' LISTS.

Hon. Mr. DAVIE, as a matter of privilege, as he thought it could properly be so classed, said he rose to make a correction by request of a gentleman not here to answer for himself. In passing he wished to remark that he thought it would have been more valuable for the opposition to have carried out their plan of attacking the Finance Minister when he had the right to reply.

On this being done wrong by this house was practically preserving truth by the law in force, as they are the natural enemy of the salmon.

Mr. GRAHAM feared that if the provincial government controlled the fisheries they would be too much under the influence of those engaged in the business. Possibly as to details there is room for improvement in the management by the department at Ottawa, but he doubted if the result would be as injurious as stated. He had heard the same claim of ignorance urged against the action of the British commissioners on the Behring sea matter, yet this year, the first under the new constitution, the department went back with the statement that it has been the most successful season in the history of the seal fishery.

Mr. HUNTER said he could not see what harm could be done through the adoption of the resolution. This might be the beginning of a very important matter, the question of provincial rights. As to that he is prepared to stand up for provincial rights on every occasion. Every step that can be taken to limit the jurisdiction—how might it be taken?—the Dominion government is in a step in the right direction. In Ontario Oliver Mowat has time and again contested for the rights of the province, and on every occasion he has shown that the Dominion government is in the wrong. He thought every member should stand up for the rights of his adopted province. The hon. gentleman who says the Dominion government is more likely to deal fairly with this interest than in the province might as well say that the Dominion government, being beyond the reach of local influence, should regulate the provincial taxation, negotiate our loans, make our roads, build our railways and manage our public works.

Mr. KITCHEN claimed that the public accounts were his authority. Hon. Mr. DAVIE having caused inquiry to be made as to the conflicting statements, announced that by a typographical error the words "Westminster City" appeared in place of "Westminster District"; and that as a matter of fact the Westminster City lists were advertised in the Columbia, a paper bitterly hostile to the government. He had no doubt that it was also a typographical error which put the COLONIST as publishing the Vancouver City lists when Victoria City was evidently intended.]

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Mr. SWORD asked: "When was the guarantee on the bonds of the Nakup and Slocan railway given, and to what amount?"

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Mr. KITCHEN asked for information respecting the Ontario agreement.

Mr. RITHET in response said he had been unable to find any official statement on the subject except the few words which he read from the report of the fisheries department. He had, however, seen references to the matter from time to time in the newspapers. But even if there were no precedents all who had anything to do with the fisheries know that it would be well to have a local board of some kind appointed. So many questions constantly arise that it is difficult for the authorities at Ottawa to understand what regulations are required. In the past season, for instance, the run due about the 10th of July did not commence until the 2nd of August, and the general opinion held that as it had commenced late it would also terminate late, representing a commission of oyer and terminer from the Lieutenant-Governor also as a Federal judge of the Supreme court and as a Justice of the Peace by Governor-General's commission.

After waiting several days in enforced idleness the members, having had no reply, discussed the hope of further fishing on that run. An opinion held by many is that the hatchery salmon are now being introduced, and as these are introduced they are thought to be in put into the streams the longer they are detained there as extra work is done, in some places with the natural spawn, would make them that much later in coming to spawn. Another point is that in some parts of the province—at Alert Bay and other places a mile outside of any river or lake, the waters being so shallow that the fish cannot be caught as in the Fraser and Skeena with gill nets. Yet the department forbids seine nets to be used. When he was at Ottawa recently the Minister said they clear away the difficulty by doing the fishing at night, but it was explained to him that there is so much phosphorus in the water that if a net is put in at night the illumination so bright that the fish that they clear away and will not come back to the spot. He thought it the duty of the house to assist in seeing that this important industry is guarded in every proper way. It is the opinion of every person in the province that the Dominion government, after the experience of a number of years, is not doing what ought to be done to foster as well as to protect the fishery. No doubt a local board would, while protecting the permanent of the industry, also develop it. Some entirely disinterested person ought to be appointed to visit the river each year, to follow the salmon up to their spawning beds, to study their habits and learn what becomes of them, and throw some light upon the now disputed point whether after reaching the spawning grounds they die there or return to the salt water.

Mr. IRVING favored the resolution as of importance to one of the greatest industries in British Columbia, and one of particular importance to the Northern coast which it has opened up. The regulations issued by Mr. Wilnot, whose arbitrary and autocratic manner will know to everyone interested, being uniform for the coast had had the effect of regulating three canneries out of existence. One of the present regulations is that if the people of Victoria want salmon at this time of year they have to go eighteen miles across the straits and buy it in United States territory, and pay duty on it. It seemed simply absurd that the department should send people over to Puget Sound to buy salmon when they could be caught in plenty opposite their own doors.

Mr. KITCHEN did not think the Dominion executive so bull-headed that they would not change the regulations if shown to be wrong. He thought independent authority and cannot get it better than at Ottawa. He did not uphold the department, however, in its refusal to give an extension of time last season, as it did wrong by this house was practically preserving truth by the law in force, as they are the natural enemy of the salmon.

Mr. GRAHAM feared that if the provincial government controlled the fisheries they would be too much under the influence of those engaged in the business. Possibly as to details there is room for improvement in the management by the department at Ottawa, but he doubted if the result would be as injurious as stated. He had heard the same claim of ignorance urged against the action of the British commissioners on the Behring sea matter, yet this year, the first under the new constitution, the department went back with the statement that it has been the most successful season in the history of the seal fishery.

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to prevent devastation of the adjoining lands. He thought nothing but good could come out of bringing the two governments together as proposed.

Hon. Mr. BAKER also pointed out that there is no desire expressed to altogether throw over the Dominion government. It was easily seen why there are no particulars in the resolution as to the terms of management; it is the government's shall be put into communication in order to bring about some arrangement—a very reasonable proposal.

Mr. WILLIAMS, in further objection, asked what question is pending as mentioned in the resolution.

Hon. Mr. DAVIE read from the factum for the Province in the case now stated to the Supreme Court of Canada, and offered the facts as set out to be determined by judicial decision. Copies of the factum were then distributed to the members. The first question, he said, embraced both, regarding the tidial waters of the river. The argument of the Province is that the provincial rights in these rivers and the land over which they flow is in the Province. While this question is pending it would not be appropriate to appoint a committee to look into the matter, as to the suggestion of a commission of inquiry simply, that would be attended with great expense, and would not have the effect now desired.

Mr. FORSTER thought such a commission should be appointed, even though it would be an expense. He therefore moved to amend the resolution so that it would refer to immediate steps to arrange with the Dominion government for the appointment of a joint commission to inquire into the management and regulation of the fisheries of this province and to report to this house.

Hon. Mr. HOGINS expressed himself in favor of the original resolution, which he considered proposed the best and only possible solution of the difficulty existing between the Dominion and the Province. The hon. member for Chilliwack had to-day furnished one of the strongest arguments for the appointment of a commission, and he held the resolution in his hand, still further to the point that the trout do more damage than the fisherman in the Fraser. These trout never can be induced to take a fly or bait of any kind, while the salmon will take the bait and take the spawn. He knew that Mr. Wilnot took the position that the habits of the salmon are here the same as in the East, but while Mr. Wilnot's commission has shown himself to be a gentleman in every sense, but he must say that there could not be a gentleman more prejudiced or more set in his way. He hoped that the resolution would pass.

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PROVINCIAL LEGISLATURE

Continuation of the Debate on Mr. Rithet's Fisheries Resolution.

Question Has Been Referred to the Courts by the Two Governments.

FIFTH DAY.

Tuesday Nov. 20.

The speaker took the chair at 2.10. Mr. Semlin rose to a question of privilege. His remarks regarding the fisheries were misunderstood by the reporter. He did not mean to say that the department of marine was wrong. What he meant to say was that they might have been wrong.

Mr. Smith moved that in the opinion of this house it is not advisable to open the restaurant to supply meals to the members of the legislative assembly during the present session. He did not wish to throw blame on any one or complain of the way in which meals had been served, but he did not think it would be necessary during what would be a short session. Besides, the members would not be called upon to spend so much time at the house this session as usual. The cost was a great deal.

Hon. Mr. DAVIE seconded the resolution, not so much to see it carried out in its entirety as to give him an opportunity to explain. It was the intention to curtail the expenses in the restaurant very much; in fact it would be a restaurant, but just a place where members could obtain a cup of coffee and a sandwich.

Mr. Semlin endorsed what the premier said, and hoped that no liquor would be supplied.

Hon. Mr. DAVIE said no liquors would be supplied.

The house ought to decide in favor of the committee before proceeding to settle the details. One of the duties of a commission would be to deal with the fisheries at Point Roberts, where the fish are taken when on their way to the Fraser. As to Mr. Booth's reference to our members at Ottawa, we ought to strengthen their hands in every way possible. He wished to say against the desire to be constant in the province, and in order that a resolution acceptable to all might be prepared, he would move that the committee be empowered to progress and ask leave to all the powers of a supreme court judge, and more particularly when a supreme court judge is available.

Mr. RITHET said that his authority for the statement. Probably the accounts were cooked, which several matters would lead one to believe.

On motion of Hon. Mr. Turner it was decided that the speech of the Lieutenant-Governor at the present session be taken into consideration on Friday.

Mr. IRVING asked the attorney-general, by what authority does County Judge Bole try criminal cases? Has he the powers of a supreme court judge, and more particularly when a supreme court judge is available?

The attorney-general replied: By virtue of sections 35 and 36 of the supreme court act, and by virtue of a commission of oyer and terminer from the Lieutenant-Governor also as a Federal judge of the Supreme court and as a Justice of the Peace by Governor-General's commission.

Hon. Mr. DAVIE said that various questions had been submitted to the supreme court by the two governments. The first claim of the province was that the rivers were the property of the province. While these questions were pending it was advisable to have a board to assume the management of the fisheries. If the hon. members desired it he would have the contentions of the two governments laid before them.

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PROVINCIAL PARLIAMENT.

The Control of the Fisheries Again Engages the House.—Inaccuracies in the Public Accounts.

From Our Own Correspondent.

Victoria, Nov. 20. — The Speaker took the chair at 2 p. m. Mr. Semlin on a question of privilege referred to the report of his resolution in connection with Mr. Rithet's of the previous day, in the "Colonist" of that morning and explained that what he really said was that he gave the Fisheries Department at Ottawa every credit for good intentions, not that they had done so. He had not intended to cast any reflection upon the Department at Ottawa and would not presume to say what the result of its interference had been.

MOTIONS.

Mr. Smith moved the following resolution: That in the opinion of this House it is not advisable to open the restaurant to supply meals to members of the Legislative Assembly during the present session.

Mr. Smith said he did not intend to reflect upon the previous management of the restaurant, but in view of the fact that the session would be a short one, and of the expense entailed by the restaurant, he considered it unnecessary on this occasion. A considerable saving, he suggested, might be made by doing away with it.

Hon. Mr. Davis seconded the resolution which he considered a step in the right direction. For the convenience of committees and servants he explained, arrangements had already been made under which a simple fare would be provided in the shape of a cup of tea or coffee and a sandwich.

Mr. Semlin pointed out that the resolution was in this case unnecessary and Mr. Smith subsequently withdrew it. Hon. Mr. Davis rose to a question of privilege. It was not his intention to correct all the numerous mistakes made by hon. gentlemen in discussing His Honor's Speech, but there was one matter he desired to bring before the House. This was in reference to the statement said to have been made by the member for Westminster district, Mr. Kitchin. He had been informed that Mr. Kitchin had said that the Vancouver "World" had been paid some \$800 for advertising the voters' lists for Vancouver and New Westminster.

Mr. Booth said that the amendment introduced by Mr. Forster was in the resolution. It was absurd to ask the Dominion government to appoint commissioners to report to this house.

Mr. Forster struck out the word "joint" in his amendment, so that the commission would be a provincial one. Mr. Semlin said it could be more explicitly provided that the fisheries should be under the control of the Dominion government. They were just as much under their control as was the tariff. It was singular that no mention had been made in the speech regarding the negotiations between the two governments.

Hon. Mr. Pooley suggested that the resolution should be withdrawn and another introduced that will meet with the approval of the whole house.

Messrs. Forster and Sword were of the same opinion as the president of the council.

Mr. Irving did not think that the resolution should be withdrawn. It was a very important one and should be passed. Someone had said that captains had broken the law by dumping ballast into the river. This was not so, they had simply discharged it on the banks. He knew of a case where one of the government inspectors told a captain that it would be cheaper for him to discharge the ballast on the banks and be fined than it would be for him to take it out of the river.

The committee rose, reported progress and asked leave to sit again, to give members time to obtain information on the question.

Hon. Mr. Davis said he had looked up the question referred to in Mr. McLagan's letter about the printing of the New Westminster voters' lists. There was a typographical error in the public accounts, as the Columbian had printed the New Westminster lists.

Mr. Kitchin—What about the Colonist printing the Vancouver lists?

Hon. Mr. Davis—That must be a mistake.

The East Lillooet election bill was read a second time.

The house adjourned at 4:50.

INTRODUCTION OF BILLS. Mr. Kelle introduced a Bill intituled "An Act respecting the Incorporation of Tramway, Telephone and Telegraph Companies in West Kootenay District." Read a first time.

QUESTIONS. Mr. Irving asked the Hon. the Attorney-General the following questions: By what authority does County Court Judge Bole try criminal cases? Has he the powers of a Supreme Court Judge, and more particularly when a Supreme Court Judge is available?

Hon. Mr. Davis replied as follows: By virtue of sections 85 and 87 of the Supreme Court Act and by virtue of a commission of oyer and terminer issued by the Lieut.-Governor; also as a local Supreme Court Judge for New Westminster by the Governor-General's commission. Mr. Sword asked the Minister of Finance when was the guarantee on the bonds of the Nakusp and Sticton Railway given and to what amount?

Hon. Mr. Turner replied that the guarantee was given July 1st, 1898, the amount being \$17,500 per mile.

ADJOURNED COMMITTEE ON MR. RITHET'S RESOLUTION.

The debate in Committee on Mr. Rithet's resolution was resumed. Dr. Walker was in the chair.

Mr. Kitchin asked Mr. Rithet to give the House some information in regard to the arrangements between the Province of Ontario and the Dominion Government.

Mr. Rithet said he was afraid he could not do what he asked because he had failed to find any of the exact

condition except that in the report of the Fisheries Department for 1898 where the regulations for the Ontario fisheries were set forth in full. In this the clause appeared stating that the regulations should come into force January 1st, 1898. Immediately following was a clause stating that by subsequent order in Council action was suspended pending the Ontario commission of inquiry. The only further information he had was the report in the newspapers wherein it was shown that an appeal had been taken to place the management out of the hands of the Dominion Government and pending the decision a joint board had been appointed by the two governments which had the management of the regulations in the Province. Even, however, without precedent, it would be in the interests of the industry and the country that a local board would be appointed to govern the fisheries. He again alluded to their uncertain knowledge of the habits of salmon and to the refusal of the Dominion Government to extend the last fishing season. Many people were of opinion that the detention of the young fish in the hatcheries a week or ten days longer than the fish spawned naturally might account for the hatchery salmon being 10 or 15 days later in coming back to the river. In many portions of the Province the fishing could only be carried on with nets on account of the clear character of the water, but the Department had refused to listen to any retraction of the regulations, which provided for the use of gill nets. The authorities claimed that the fishing could be done at night, though the speaker had pointed out that there was so much phosphorescence in the water that the entrance of the nets at once alarmed the fish and prevented their being caught. He agreed that the only way in which they could resolve the present difficulty was to arrange for the appointment of disinterested parties of sufficient ability, to visit these fisheries, follow these salmon to their spawning beds and examine their habits as to whether they then died, or returned.

Capt. Irving supported the resolution. The salmon industry he maintained was one of the most important industries the Province possessed and the north coast had done more to open up the country than anything else. Mr. Wilmot was not seeking for information but came here with a preconceived determination to support his own opinion. One of the effects of the present regulations was that we obtained salmon from the other side and were compelled to pay duty on it. He alluded to the absurdity of some of the reports made to the Department, one of which stated that the oiled caused a bar to form at the mouth of the Fraser River. He urged that the Provincial Government was at least entitled to the licences.

Mr. Kitchin, without denying that it might be well for the Government to receive licences, could not help thinking that the present regulations were designed to protect the industry. What Capt. Irving said about the importation of salmon from Puget Sound might be correct, they all knew the result of the fishing at Point Roberts. He said that the effect of the resolution would be to put too much power in the hands of the canners. As to Capt. Irving's remarks about the absurdity of some of the reports, he pointed out that everybody had the power to report on the original draft regulations, and so doubt the canners had done so and from these reports the Dominion Government made its regulations. He did not believe the Dominion Government was so dull headed as to refuse to change the regulations if shown that they were wrong, but the Government had been lulled from time to time and that was probably one of the reasons of its refusal to the extension of time asked for last season. He did not uphold them for this and they were no doubt wrong. He did not think it was right for the House to go back on the North American Act which distinctly affirmed that the Dominion Government had control of the deep sea and inland fisheries. The position of Ontario was different because their fisheries must be all inland. Mr. Kitchin also alluded to the fact that salmon spawn were destroyed by trout.

Mr. Graham contended at some length that a very small percentage of fish ever reached the ocean. Mr. Rithet advanced as a possible reason for this late run the fact that fish in the hatcheries were allowed to run up the river 10 days later than fish naturally spawned. This showed how careful they should be, because what would become of the fish, which would naturally ascend the river, if they had spawned as usual? The Provincial Government, he thought, would be so close to them engaged in the industry as to be much more liable to be influenced than the Dominion authorities, and that itself would be a reason for treating the matter carefully.

Mr. Hunter viewed the matter from a Provincial standpoint and contended for Provincial rights against Dominion tyranny. He quoted portions of the British North American Act and a decision of the present Speaker to show that it was extremely doubtful whether the Dominion authorities had any right to regulate the rivers or set foot on their banks.

Mr. Booth pointed out that British Columbia was represented at Ottawa by its own members, who, he thought, might bring the matter before the Dominion Government. He considered it insufficient evidence that was before them as to Dominion and Provincial rights. In the dispute between the Dominion and Ontario, the former had contended that the expression "inland waters" governed everything. The Dominion Government could have no interest except to develop the fisheries, while the salmon canners, on the other hand, naturally wished to take all the salmon they could and they knew that where local interest had had control the fisheries had been developed.

Mr. Forster objected to the resolution on the technical ground that it did not

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control nothing as to the extent of the control of the joint management, nor whether they in turn were controlled by this House, or any other body. He did not know of any to suit for these reasons opposed the resolution.

Mr. McGregor favored the holding of a commission as the only way of getting out of the dark.

Mr. Rogers also favored the resolution.

Mr. Kitchin pointed out that the resolution mentioned no commission but a joint management.

After some further discussion Hon. Col. Baker and Mr. Braden speaking in favor of the resolution, Mr. Sword said the proposal went further than a joint commission. It referred not to a commission but to a joint management. The canning industry, although one of the most important branches of fishing in the Province was not the only one and they would not like to see everything else sacrificed in its favor. If instead of asking for a joint management, the resolution asked for a joint commission it would be preferable. It might provide that there should be a local board. The fact that the land was owned by the Provincial Government, as Mr. Hunter pointed out, did not affect the right of the Dominion Government to control the fisheries.

Mr. Williams asked what question was it that was pending between the Dominion Government and the British Columbia Government?

Hon. Mr. Davis said there were not only questions pending but these had been submitted to the Supreme Court of Canada. The arguments in respect of the matter had been drawn up by himself and colleagues. Some 15 questions had been submitted to the Supreme Court by the first alone of which embraced all matters as to the difference between tidal and non-tidal waters. Mr. Davis read the question to the House. All questions in respect of the fisheries whether of sea, rivers, lakes or inland waters were comprehended in this. Then the Province was asked to submit an argument pro and con, on the subject and this he had done claiming that the property over which the rivers flowed belonged to the Province. There being no question pending it was advisable that some steps should be taken for the management of these rivers in the meantime. The resolution, therefore, proposed a joint governmental management of the fisheries. The difficulty with a joint commission was that mutual expense would be incurred. He invited hon. members that they might if desirable obtain a copy of the questions submitted to the Supreme Court of Canada.

Mr. Forster while agreeing that some alteration might very well be made in the management of the fisheries, could not support the resolution because for one thing it prevented an expression of opinion on the part of outsiders altogether. It was all very well for a few members interested in the canning industry in question of this kind, but the large outside public should not be forgotten. The argument that a commission was attended with expense held good of all commissions and he thought a commission of enquiry would be quite appropriate and that it should report to the House. That would give a year for the proper consideration of the question. He submitted an amendment to strike out all the words in the resolution after "the" on the second line so that the latter would then read as follows:

That the Government be requested to take immediate steps to arrange with the Dominion Government for the appointment of a joint commission of enquiry into the management and regulation of the fisheries of the Province, and to report to this House.

The speaker claiming his privilege to speak in Committee declared himself in favor of the resolution. He thought the proposition of a resident advisory board was the best and only solution of the present difficulty. He referred to his former experience as a member of the commission and to the action of Mr. Wilmot in connection therewith. When, having been absent, he requested that certain witnesses should be recalled and he told he might see the short-hand written notes, when as a matter of fact these could not be seen until several months after the commission was dissolved, he had been compelled, therefore, to make a minority report. The member for Chilliwack had furnished to him the strongest argument in favor of such a resolution when he stated that trout simply destroyed the spawn of salmon. These trout would never take the fly when the salmon were spawning, but simply followed the salmon and destroyed the spawn. The regulations in reference to this matter showed that those who knew little of the habits of the fish here, Mr. Wilmot had taken the position that the habits of the fish here were identical with those of the Eastern provinces, which he did not believe. The regulations also prevented the farmer from obtaining an unlimited supply of food by prohibiting salmon fishing at certain seasons and treating anyone who broke the law as a poacher.

Mr. Kitchin said the regulation had been changed.

Mr. Kennedy pointed out that this Province could scarcely expect to be exempted from the general regulations governing all the provinces, nor to control our own fisheries unless the other provinces were permitted to do the same. From the way in which other provinces were situated, however, this would not be possible. He instanced Quebec and Ontario divided by the Ottawa River. How could these respective provinces enforce two sets of regulations upon the same stream? He deprecated any intention to make this a party question, because it was one which affected all. He could not countenance the manner in which the fisheries had been treated last season with respect to the arbitrary decision as to the size of the net meshes and declared himself as inclined to favor the original

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resolution.

Mr. Davis thought a joint commission would do good. The present regulations were very often a dead letter because there was not sufficient power to enforce them. It seemed to him that the fisheries should be policed not only by Dominion guardians but by the Province as well. He had heard that the law which prevented ballast being thrown out of vessels in the Fraser River had been frequently broken. Regarding the offal question he was not prepared to say that the rule should be relaxed. It was also a fact that people on the Columbia River succeeded in employing fishermen on the Fraser. He did not think the latter could be protected from foreign marauders until they possessed armed vessels for the purpose.

Mr. Adams also supported the resolution.

Mr. Semlin said that further discussion was throwing more light on this subject. They now knew there was a question pending between British Columbia and the Dominion; he could not understand why the Speech from the Throne had not made some allusion to the fact. The member for Comox would make them believe that the Province should regulate these fisheries, but he—Mr. Semlin—claimed the Province had no such right and had no more power than that conferred upon it by the British North American Act. These questions were reserved exclusively for the Dominion Government. This Province could not interfere with it. For example they could not regulate the tariff.

Mr. Davis—"There are lots of things the Government has done which it has not told you of."

Mr. Smith considered that united action between the Province and the Dominion would be conducive to the best interests of the former and thought that local conditions could be served by the enactment of further regulations designed for them. He thought the inland fisheries, more particularly, should be under Provincial management and in fact he pointed out the Province had assumed a certain control by legislation, as in the case of the Game Act.

Mr. Williams said he would be ashamed to record his vote in favor of the resolution in its present form. After a great deal of difficulty, they had succeeded in learning from the Attorney-General that there was a question pending between the Province and the Dominion by this resolution. They asked for a joint management until that question was decided. Even if the Dominion Government would consent to it, before a committee could be appointed, this case would be decided and that would be the end of it.

Mr. Davis—"It will not be settled for a year."

Mr. Williams, continuing, said that at any rate the joint management would only exist until such a time as the question was settled and he, for one, would consider it absurd to vote for the resolution in its present form. He submitted they should wait until the question was settled, and if settled against them they could make arrangements for a joint management and if decided in their favor they would then have the controlling management themselves.

Hon. Mr. Pooley referring to Mr. Semlin's remark that the question had never been referred to in the Speech from the Throne reminded him that in the speech of last year it had been distinctly mentioned. Replying to Mr. Williams who had remarked that the resolution would be useless in so far as the question of great constitutional questions of this description did not always rest with the Supreme Court, but having been lifted there were referred to the Privy Council. He suggested, however, that the mover should ask the committee to rise and without reporting so that a resolution might be formed which would meet with universal approval. He did not think the canners would ask the House to assist them to kill the goose that laid the golden egg and he considered the canners were as much interested in the proper development of the fisheries as themselves. Mr. Pooley made references to several matters in the regulations which could appropriately be removed and suggested that if the Dominion Government had had sufficient evidence before them they would not have been so stringent. This evidence might be obtained by a joint commission.

Mr. Kidd heartily endorsed the last speaker's suggestion. By delaying the matter they would, no doubt, obtain more light on the subject. No one desired more than he the fact that the canners were not allowed an extension of time last season. Any steps taken to prevent the recurrence of such things in the future, would be welcomed and should be encouraged. He himself thought that by asking for a joint management they were asking too much until it could be shown that the Dominion Government had manifested a disposition to make regulations that would not serve the interests of the fishing industry and affecting the rights of those interested in that industry.

Mr. Forster said his one objection to the resolution was that it gave no time for the public to consider it. If the mover acted upon the suggestion of the President of the Council he would withdraw his amendment.

Capt. Irving again spoke on the resolution and declared himself opposed to its withdrawal.

Mr. Sword considered that the resolution should be withdrawn temporarily until they had had time to study the document presented to them by the Attorney-General.

Mr. Rithet declared himself quite agreeable to this arrangement and moved that the committee rise without reporting, and ask leave to sit again, which was done accordingly.

THE VOTERS' LISTS.

Mr. Davis again alluded to the printing of the Vancouver and New Westminster lists by the "World" and informed the House that Mr. McLagan was perfectly right when he stated that he had printed the Westminster City list.

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(Continued from Page 2)

lie Accounts. The Westminster City lists were given to the "Columbian," a rabid Opposition newspaper.

Mr. Kitchin—"What about the 'News'?"

Mr. Semlin asked what Mr. Davis was addressing the House on?

Mr. Davis—"Giving you information. (Laughter.)

Mr. Kitchin—"Did the same mistake occur in regard to the 'Colonist' printing the Vancouver City list?"

On this subject the Leader of the Government volunteered no information.

LILLOOET ELECTION BILL.

The Lillooet Election Bill was read a second time.

The House adjourned at 4:55 p. m.

PROVINCIAL LEGISLATURE.

First Session of the Seventh Parliament.

FIFTH DAY.

TUESDAY, Nov. 20, 1894.

The Speaker took the chair at 2 p.m. Mr. SEMLIN, with reference to his remarks on the previous day on the subject of the fisheries, explained that he did not intend to say, as reported in the COLONIST, that the fisheries department had gone wrong about carrying out its good intentions. As he knew nothing about the matter it would be presumption for him to say that the department was wrong; what he intended to say, while giving it credit for good intentions, was that it might have been wrong.

THE RESTAURANT. Mr. SMITH moved: "That in the opinion of this house it is not desirable to open the restaurant to supply meals to the members of the Legislative Assembly during the present session." He thought as this was to be a short session the restaurant would not be a necessity, and this expense could be avoided.

The member named as seconder, Mr. Kellie, not being present, the Speaker said there must be another seconder, but there was no immediate response. Hon. Mr. DAVIS then said he would second the motion, not that he favored carrying out the resolution in its entirety, but for the purposes of discussion. He agreed that there will probably be no necessity this session for a restaurant on the same scale as in past years. It is desirable, however, that when committees meet in the forenoon, it shall not be necessary to cut short their sittings to give the members time to go to town for lunch, and therefore it is proposed that for the convenience of such members there shall be some light refreshments provided in the restaurant building. These will be very simple—a cup of tea or coffee, and cold meat and bread for sandwiches. As the spirit of the resolution will thus be met he suggested that it be withdrawn.

Mr. SEMLIN agreed that a plan such as outlined by the Premier would meet the requirements.

Motion withdrawn.

ADVERTISING VOTERS' LISTS. Hon. Mr. DAVIS, as a matter of privilege, as he thought it could properly be closed, said he rose to make a correction by request of a gentleman not here to answer for himself. In passing he wished to remark that the matter was not a question of privilege, but of the opposition to have carried out their plan of attacking the Finance Minister when he had the right to reply. In a few days, however, an opportunity would not doubt be afforded to answer their misstatements, to the satisfaction of those making them. He wished to refer now, however, merely to a statement said to have been made by Mr. Kitchin that the World had been paid \$800 for advertising the voters' lists of Vancouver and Westminster.

Mr. KITCHEN protested against the Premier being allowed to proceed unless he might speak in reply.

Mr. SEMLIN also objected, holding that the matter was not a question of privilege.

THE SPEAKER reminded the hon. members that they had not yet heard the Premier's statement.

Hon. Mr. DAVIS said the objections simply show how desirably the opposition are the effect of a reply. He proceeded to read the letter he had received from the proprietor of the World stating that he had not advertised the New Westminster list as all, and that the amount received for the service mentioned was \$399, not \$800.

Mr. KITCHEN claimed that the public accounts were his authority.

[Some time afterwards, Hon. Mr. DAVIS having caused inquiry to be made as to the conflicting statements, announced that by a typographical error the words "Westminster City" appeared in place of "Westminster District"; and that as a matter of fact the Westminster City lists were advertised in the Columbian, a paper bitterly hostile to the government. He had no doubt that it was also a typographical error which put the COLONIST as publishing the Vancouver City lists when Victoria City was evidently intended.]

WEST KOOTENAY ENTERPRISES. Mr. KELLIE introduced a bill intituled "An act respecting the incorporation of tramway, telephone and telegraph companies in West Kootenay district."

JUDGE ROLE'S AUTHORITY. Mr. IRVING asked: "By what authority does County Court Judge Role try criminal cases? Has he the powers of a Supreme court judge, and more particularly when a Supreme court judge is available?"

Hon. Mr. DAVIS—"By virtue of sections 35 and 37 of the Supreme act, and by virtue of a commission of oyer and terminer from the Lieutenant-Governor; also as Lord Judge of the Supreme court for New Westminster by Governor-General's commission."

NAKUP AND SLOCAN BONDS. Mr. SWORD asked: "When was the guarantee on the bonds of the Nakup & Slocan railway given, and to what amount?"

Hon. Mr. TURNER—"On the 1st July, 1893; \$17,500 per mile."

MANAGEMENT OF FISHERIES. The house again went into committee, with Dr. Walkem in the chair, on the amended resolution proposed by Mr. Rithet: "That this government be requested to take immediate steps to arrange with the Dominion government for the joint management of the fisheries of this province until the final settlement of the question as to the control of the fisheries and pending between the Province and the Dominion government."

Mr. KITCHEN asked for information respecting the Ontario agreement.

Mr. RITHET in response said he had been

make them that much later in coming back to the river as so maturing that they would have the desire to go to spawn. Another point is that in some parts of the province—at Alert Bay and other places a mile outside of any river—the fishing can be done only by the use of seine nets. The Dominion government, if the fish cannot be caught as in the Fraser and Skeena with gill nets. Yet the department forbids seine nets to be used.

When he was at Ottawa recently the Minister said they might get over the difficulty by doing the fishing at night, but it was explained to him that there is so much phosphorus in the water that if a net is put in at night the illumination so frightens the fish that they clear away and will not come back to the spot. He thought it the duty of the house to assist in seeing that this important industry is guarded in every proper way. It is the opinion of nearly every person in the province that the Dominion government, after the experience of a number of years, is not doing what ought to be done to foster as well as to protect the fishery. No doubt a local board would, while protecting the permanency of the industry, also develop it. Some entirely disinterested person ought to be appointed to visit the river each year, to follow the salmon up to their spawning beds, to study their habits and learn what becomes of them and throw light upon them now disputed points whether after reaching the spawning grounds they die there or return to the salt water.

CAPT. IRVING favored the resolution as of importance to one of the greatest industries in British Columbia, and one of particular importance to the Northern coast which it has opened up. The regulations issued by Mr. Wilmot, whose arbitrary and autocratic manner is well known to everyone in the coast, had been a great hindrance to the industry. He was glad to see that the Dominion government was now taking steps to improve the industry. He was glad to see that the Dominion government was now taking steps to improve the industry. He was glad to see that the Dominion government was now taking steps to improve the industry.

Mr. FORSTER thought such a commission should be appointed, even though it would be an expense. He therefore moved to amend the resolution so that it would read: "That this government be requested to take immediate steps to arrange with the Dominion government for the appointment of a joint commission to inquire into the management and regulation of the fisheries of this province and to report to this house."

Hon. Mr. HIGGINS expressed himself as in favor of the original resolution, which he considered proposed the best and only possible solution of the difficulty experienced for so long, and of the misunderstanding between the Dominion and the Province. The hon. member for Chilliwack had to-day visited and the hearty reception accorded to him, the post office employees who had been suspended might (pending the subsequent settlement of the main questions under consideration) be without delay reinstated, and was glad to observe that this was duly carried out.

We are now, as I have said, leaving not only the province but the Dominion, and I think that we may look forward to another visit at no very distant date.

Very faithfully yours, ABERDEEN.

PROVINCIAL LEGISLATURE.

Continuation of the Debate on Mr. Rithet's Fisheries Resolution.

Question Has Been Referred to the Courts by the Two Governments.

FIFTH DAY.

Tuesday Nov. 20.

The speaker took the chair at 2:10.

Mr. Semlin rose to a question of privilege. His remarks regarding the fisheries were misunderstood by the reporter. The department of marine was wrong. What he meant to say was that they might have been wrong.

Mr. Smith moved that in the opinion of this house it is not advisable to open the restaurant to supply meals to the members of the legislative assembly during the present session. He did not wish to throw blame on any one or complain of the way in which meals had been served, but he did not think it would be necessary during what would be a short session. Besides, the members would not be called upon to spend so much time at the house this session as usual. The cost was a great deal.

Hon. Mr. DAVIS seconded the resolution, not so much to see it carried out in its entirety as to give him an opportunity to explain. It was the intention to curtail the expenses in the restaurant very much; in fact it would not be a restaurant, but just a place where members could obtain a cup of coffee and a sandwich.

Mr. Semlin endorsed what the premier said, and hoped that no liquor would be supplied.

Hon. Mr. DAVIS said no liquors would be supplied.

The motion was withdrawn on the assurance of the premier that the restaurant would not be opened on an elaborate scale.

Hon. Mr. DAVIS rose to a question of privilege to correct something that had been said by the opposition during the debate on the address in reply. This was an example of why the opposition should all speak before the government, so that the latter could have the last say. What he wished to refer to particularly was the remarks of Mr. Kitchin that the Vancouver World had received \$800 for printing the Vancouver and New Westminster voters' lists. He read a letter from J. C. McLagan stating that the World had been paid no such sum.

Mr. KITCHEN read from page 32 of the public accounts, "World, printing voters' lists Vancouver and New Westminster, \$824." That was his authority for the statement, which several matters would lead one to believe.

On motion of Hon. Mr. Turner it was decided that the speech of the lieutenant-governor at the opening of the present session be taken into consideration on Friday.

Mr. IRVING asked the attorney-general, by what authority does County Judge Hole try criminal cases? Has he the powers of a supreme court judge, and more particularly when a supreme court judge is available?

The attorney-general replied: By virtue of sections 35 and 36 of the supreme court act, under commissions from the lieutenant-governor and a supreme court judge commissioned from the governor-general.

Mr. SWORD asked the minister of finance, when was the guarantee on the bonds of the Nakup & Slocan railway given, and to what amount?

Hon. Mr. TURNER—"The bonds are dated July 1, 1893, and for \$17,500 a mile."

The house went into committee on Mr. Rithet's motion regarding the fisheries.

Mr. KITCHEN asked what the nature of the agreement between Ontario and the Dominion was.

Mr. RITHET said there was no official record of the agreement, but he knew from the papers that there was such a commission. As an evidence of why the fisheries should be managed by a local board he mentioned the fact of the Dominion government's refusal to extend the season for fishing as requested by the canners. Then if the hatchery salmon were not allowed to go for some days late they might be late in returning to the river. Another instance was the refusal of the government to allow the only means by which salmon could be caught at certain places. The minister had told him that the fish could be caught at night. This could not be done, as the water is so full of phosphorus that when a net is lowered at night the fish and drives them away. During the twenty years that the Dominion government had managed the fisheries they had not done what the canners consider they should to foster and protect the industry. This a local board would do.

Mr. IRVING supported the resolution, as he thought the arrangement would be an advantage to one of the most important industries of the province. The leader of the opposition had said that blank forms had been sent to the members of the legislature by the Dominion government, asking the members to give what information they could respecting the industry. Why were not these blank forms sent to the men who knew something about the business? The leader of the opposition admitted that he was a farmer, and did not know much about the industry. Mr. Wilmot's investigation was a very unsatisfactory one. Some of the reports had been sent to the department. One stated that a bank had been formed across the mouth of the river by fall. It was a fact, and while our own rivers are teeming with them.

Mr. KITCHEN thought it was better to leave the matter to the Dominion government, who were independent and only wished to preserve the fish. He did not uphold the government for refusing to extend the fishing season when requested, but considered that the canners would obtain what they desired if the proper course were pursued. The British Columbia and Ontario cases were very different.

Mr. GRAHAM was of opinion that the Dominion government was much better able to take charge of the fisheries than the provincial government, as they would take a much broader view of the question. They had no further interest than to preserve the fish. No arguments had been advanced that would induce him to support the resolution.

Mr. HUNTER considered the arguments used against the resolution were in favor of it. He always stood up for provincial rights, and every move to lessen the tyranny exercised over the province by the Dominion was a good one. It might be the commencement of a fight for provincial rights. Look what Sir Oliver Mowat had done for Ontario in obtaining provincial rights from the Dominion? The members might as well argue that the Dominion government should regulate provincial taxation, because they were three thousand miles from the province, and therefore took an unprejudiced view of it. They might take charge of everything in the province if the argument was followed out. He believed himself that the Dominion government had nothing whatever to do with the rivers of the province. The B. N. A. act, referring to the fisheries and the Dominion government's control of them, did not say anything as to whether the control included navigable or unnavigable rivers. He quoted a number of decisions in support of his contention that the Dominion government had no control over the rivers. He was not looking for a fight, but was always prepared to fight against the encroachment of the Dominion or any other government.

Mr. BOOTH wanted to know what the representatives at Ottawa had to do if they did not look after questions of this kind. He contended that there were differences between the cases of Ontario and British Columbia, and did not think the resolution should pass. Mr. Prentice opposed the resolution simply on account of its vague character.

Mr. Mcgregor said everybody seemed to be thoroughly in the dark regarding the fisheries, and the best way to throw light on the question was to appoint a commission.

Mr. ROGERS held the same opinion as the last speaker. He contended that the salmon which ascended the river did not return to the ocean; in fact, at the head of the banks were at some seasons of the year covered with dead salmon. Mr. Bryden supported the resolution. If the Dominion government controlled the fisheries on the rivers they should take charge of the rivers and pay for the damage done by the floods. The resolution would, however, bring the two governments into communication. Mr. Col. Baker contended that the proposition for a joint control was a very reasonable one. He would like to know how any business could be carried on by a management three thousand miles away.

Mr. SWORD thought it would be better to ask for a joint commission to investigate the whole question. All would admit that it would be advisable to have a local board of management, but the board should be appointed by the provincial government.

Mr. WILLIAMS asked what were the contentions between the Dominion and the British Columbia governments. Hon. Mr. DAVIS said that various questions had been submitted to the supreme court by the two governments. The first claim of the province was that the rivers were the property of the province. While these questions were pending it was advisable to have a board to assume the management of the fisheries. If the hon. members desired it the resolution would have the consent of the two governments placed before them.

Mr. FORSTER was in favor of a commission of enquiry, but could not support the resolution as it was. He would be requested to take immediate steps to arrange with the Dominion government for a joint commission to enquire into the management and regulation of the fisheries and report to the house.

Hon. Mr. HIGGINS having been referred to as one of the fisheries commissioners wished to take advantage of the privilege accorded to the committee. He addressed a few words to the Speaker and addressed a few words to the committee. He was in favor of the resolution, and if he had a vote would cast it in favor of it. On account of the actions taken by the other commissioners, he had been forced to make a minority report. The house was sitting at the same time as the two commissions at the same time. The other commissioners promised to give him the stenographer's report of the evidence received during his absence, but he did not after the commission had adjourned. He was always of opinion that the canners were not properly cared for. It was a fact that the trout were enemies of the young salmon, as it was well known that trout would "bite" when salmon were spawning. Mr. Wilmot held that the salmon here were the same as those in the east. He contended that this was not so. No doubt Mr. Wilmot was an authority on salmon, and knew the fish in his way, but he did not understand the fish in this province. Perhaps he should not say if about a brother commissioner, but Mr. Wilmot was very much prejudiced. He was surprised at farmers upholding regulations which prevented them from taking fish from the rivers that ran through their farms without being called poachers. The regulations were obnoxious and tyrannical. The government had acted wisely in referring the question to the supreme court. (Applause.)

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PROVINCIAL PARLIAMENT.

The Control of the Fisheries Again Engages the House.—Inaccuracies in the Public Accounts.

From Our Own Correspondent.

Victoria, Nov. 20. — The Speaker took the chair at 2 p. m. Mr. Semlin on a question of privilege referred to the report of his remarks in connection with Mr. Rithet's resolution of the previous day, in the "Colonist" of that morning and explained that what he really said was that he gave the Fisheries Department at Ottawa every credit for good intentions, but that they might have made mistakes, not that they had done so. He had not intended to cast any reflection upon the Department at Ottawa and would not presume to say what the result of its interference had been.

MOTIONS.

Mr. Smith moved the following resolution: That in the opinion of this House it is not advisable to open the restaurant to supply meals to members of the Legislative Assembly during the present session.

Mr. Smith said he did not intend to reflect upon the previous management of the restaurant, but in view of the fact that the session would be a short one, and of the expense entailed by the restaurant, he considered it unnecessary on this occasion. A considerable saving, he suggested, might be made by doing away with it.

Hon. Mr. Davis seconded the resolution which he considered a step in the right direction. For the convenience of committees and servants, he explained, arrangements had already been made, under which a simple fare would be provided in the shape of a cup of tea or coffee and a sandwich.

Mr. Semlin pointed out that the resolution was in this case unnecessary and Mr. Smith subsequently withdrew it. Hon. Mr. Davis rose to a question of privilege. It was not his intention to correct all the numerous mistakes made by hon. gentlemen in discussing His Honor's speech, but there was one matter he desired to bring before the House. This was in reference to the statement said to have been made by the member for Westminster district, Mr. Kitchin. He had been informed that Mr. Kitchin had said that the Vancouver "World" had been paid some \$800 for advertising the voters' lists for Vancouver and New Westminster.

Mr. Kitchin—"Is it competent for the Premier to discuss this without my having the right to reply?"

Mr. Speaker—"The hon. gentleman can rise to a question of privilege in the same way."

Mr. Semlin stated that what he had referred to was not a question of privilege. A question of privilege was something having relation to what had been done in the House and did not relate to outside persons.

Mr. Speaker suggested that the hon. gentleman should be allowed to proceed with his remarks so that he might decide on their being permissible.

Mr. Davis said the matter was one not merely affecting gentlemen outside the House, but also the Government. He had a letter from Mr. McLagan in reference to the matter, which he read. The writer denied having advertised the Westminster list or receiving such a sum as Mr. Kitchin stated. What he received was about \$399.50. In justice to Mr. McLagan it was fair to explain this.

Mr. Kitchin said he merely took the Finance Minister's own statement on page 34 of the Public Accounts. He was afraid there were other statements which if they were examined more closely would be found to be cooked, because he knew of a case where one party had been paid for doing work subsequent to the 30th June, but which appeared in the Public Accounts up to that date.

Mr. Semlin—"I would like your ruling on this matter."

Mr. Speaker said it was too late now to stop the discussion and he would rule later. (Laughter.)

On motion of the Hon. Mr. Turner, seconded by Mr. Davis it was formally resolved to take the speech of the Lieutenant-Governor into consideration on Friday next.

INTRODUCTION OF BILLS. Mr. Kelle introduced a Bill intitled "An Act respecting the Incorporation of Tramway, Telephone and Telegraph Companies in West Kootenay District." Read a first time.

QUESTIONS. Mr. Irving asked the Hon. the Attorney-General the following questions: By what authority does County Court Judge Boyle try criminal cases? Has he the powers of a Supreme Court Judge, and more particularly when a Supreme Court Judge is available?

Hon. Mr. Davis replied as follows: By virtue of sections 25 and 27 of the Supreme Court Act and by virtue of a commission of oyer and terminer issued by the Lieut.-Governor; also as a local Supreme Court Judge for New Westminster by the Governor-General's commission.

Mr. Sward asked the Minister of Finance what was the guarantee on the bonds of the Nakuap and Slocan Railway given and to what amount?

Hon. Mr. Turner replied that the guarantee was given July 1st, 1893, the amount being \$17,500 per mile.

ADJOURNED COMMITTEE ON MR. RITHET'S RESOLUTION. The debate in Committee on Mr. Rithet's resolution was resumed. Dr. Wallen in the chair.

Mr. Kitchin asked Mr. Rithet to give the House some information in regard to the arrangements between the Province of Ontario and the Dominion Government.

Mr. Rithet said he was afraid he could not do what he had intended to do because he had not had the report of the expert

condition except that in the report of the Fisheries Department for 1893 where the regulations for the Ontario fisheries were set forth in full. In this clause appeared stating that the regulations should come into force January 1st, 1894. Immediately following was a clause stating that by a subsequent order in Council action was suspended pending the Ontario commission of inquiry. The only further information he had was the report in the newspapers wherein it was shown that an appeal had been taken to place the management out of the hands of the Dominion Government and pending the decision a joint board had been appointed by the two governments which had the management of the regulations in the Province. Even, however, without precedent, it would be in the interests of the industry and the country that a local board would be appointed to govern the fisheries. He was certain of their uncertain knowledge of the habits of salmon and to the refusal of the Dominion Government to extend the last fishing season. Many people were of opinion that the detention of the young fish in the hatcheries a week or ten days longer than the fish would naturally account for the hatchery salmon being 10 or 15 days later in coming back to the river. In many portions of the Province the fishing could only be carried on with seine nets on account of the clear character of the water, but the Department refused to listen to any retraction of the regulations, which provided for the use of gill nets. The authorities claimed that the fishing could be done at night, though the speaker had pointed out that there was so much phosphorescence in the water that the entrance of the nets at once alarmed the fish and prevented their being caught. He agreed that the only way in which they could resolve the present difficulty was to arrange for the appointment of disinterested parties of sufficient ability, to visit these fisheries, follow these salmon to their spawning beds and examine the habits as to whether they then died, or returned.

Capt. Irving supported the resolution. The salmon industry he maintained was one of the most important industries the Province possessed and on the north coast had done more to open up the country than anything else. Mr. Wilmot was not seeking for information but came here with a preconceived determination to support his own opinion. One of the effects of the present regulation was that we obtained salmon from the other side and were in the meantime pro and con on the subject and he had done claiming that the property over which the rivers flowed belonged to the Province. There being this question pending it was advisable that some steps should be taken for the management of these rivers in the meantime. The resolution, therefore, proposed a joint governmental management of the fisheries. The difficulty with a joint commission was that mutual expense would be incurred. He informed them where they might if desired obtain a copy of the questions submitted to the Supreme Court of Canada. Mr. Forster while agreeing that some alteration might very well be made in the management of the fisheries, could not support the resolution because for one thing it implied an expression of opinion on the part of outsiders altogether. It was all very well for a few members interested in the matter to bring in a question of this kind but the large outside public should not be forgotten. The argument that a commission was attended with expense held good of all commissions and he thought a commission of enquiry would be quite appropriate and that it should report to the House. This would give a year for the proper consideration of the question. He submitted an amendment to strike out all the words in the resolution after "the" on the second line so that the letter would then read as follows:

That the Government be requested to take immediate steps to arrange with the Dominion Government for the appointment of a joint commission of enquiry into the management and regulation of the fisheries of this Province, and to report to the House.

The Speaker claiming his privilege to speak in Committee declared himself in favor of the resolution. He thought the proposition of a resident advisory board was the best and only solution of the present difficulty. He referred to his former experience as a member of the commission and to the action of Mr. Wilmot in connection therewith. When, having been absent, he requested that certain witnesses should be recalled and was told he might see the short-hand writer's notes, when as a matter of fact these could not be seen until several months after the commission was dissolved, he had been compelled, therefore, to make a minority report. The member for Chilliwack had furnished to him the strongest argument in favor of such a resolution when he stated that trout simply destroyed the spawn of salmon. These trout would never take the fly when the salmon were spawning, but simply followed the salmon and destroyed the spawn. The regulations in reference to this matter showed that those who framed them knew little of the habits of the fish here. Mr. Wilmot had taken the position that the habits of the fish here were identical with those of the Eastern provinces, which he did not believe. The regulations also prevented the farmer from obtaining an unlimited supply of food by prohibiting him from fishing at certain seasons and treating anyone who broke the law as a poacher.

Mr. Kitchin said the regulation had been changed.

Mr. Kennedy pointed out that this Province could scarcely expect to be exempt from the general regulations governing all the provinces, nor to control our own fisheries unless the other provinces were permitted to do the same. From the way in which other provinces were situated, however, this would not be possible. He instanced Quebec and Ontario divided by the Ottawa River. How could these respective provinces enforce two sets of regulations upon the same stream? He deprecated any intention to make this a party question, because if we were which affected all. He could not compare the manner in which the fisheries had been treated last season with respect to the arbitrary decision as to the size of the net meshes and declared himself as inclined to favor the original

PROVINCIAL PARLIAMENT

(Continued from Page 2)

closed nothing as to the extent of the control of the joint management, nor whether they in turn were controlled by this House, or any other body. He did not know of any official account of the dispute alluded to and for these reasons opposed the resolution.

Mr. McGregor favored the holding of a commission as the only way of getting out of the dark.

Mr. Rogers also favored the resolution.

Mr. Kitchin pointed out that the resolution mentioned no commission but a joint management.

After some further discussion Hon. Col. Baker and Mr. Braden speaking in favor of the resolution, Mr. Sward said the proposal went further than a joint commission but to a joint management.

The canning industry, although one of the most important branches of fishing in the Province was not the only one and they would not like to see every thing else sacrificed in its favor.

Instead of asking for a joint management, the resolution asked for a joint commission it would be preferable. It might provide that there should be a local board. The fact that the land was owned by the Provincial Government, as Mr. Hunter pointed out, did not affect the right of the Dominion Government to control the fisheries.

Mr. Williams asked what question was it that was pending between the Dominion Government and the British Columbia Government?

Hon. Mr. Davis said there were not only questions pending but there had been submission to the Supreme Court of Canada. The arguments in respect of the matter had been drawn up by himself and colleagues. Some 15 questions had been submitted to the Supreme Court the first alone of which embraced all matters as to the difference between tidal and non-tidal waters.

Mr. Davis read the question to the House. All questions in respect of the fisheries whether of seas, rivers, lakes or inland waters were comprehended in this. Then the first alone was asked to submit an argument pro and con on the subject and he had done claiming that the property over which the rivers flowed belonged to the Province.

There being this question pending it was advisable that some steps should be taken for the management of these rivers in the meantime. The resolution, therefore, proposed a joint governmental management of the fisheries. The difficulty with a joint commission was that mutual expense would be incurred. He informed them where they might if desired obtain a copy of the questions submitted to the Supreme Court of Canada.

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Mr. Kennedy pointed out that this Province could scarcely expect to be exempt from the general regulations governing all the provinces, nor to control our own fisheries unless the other provinces were permitted to do the same. From the way in which other provinces were situated, however, this would not be possible. He instanced Quebec and Ontario divided by the Ottawa River. How could these respective provinces enforce two sets of regulations upon the same stream? He deprecated any intention to make this a party question, because if we were which affected all. He could not compare the manner in which the fisheries had been treated last season with respect to the arbitrary decision as to the size of the net meshes and declared himself as inclined to favor the original

PROVINCIAL PARLIAMENT

(Continued from Page 2)

resolution. Mr. Davis thought a joint commission would do good. The present regulations were very often a dead letter because there was not sufficient power to enforce them. It seemed to him that the fisheries should be policed not only by Dominion guardians but by the Province as well. He had heard that the law which prevented ballast being thrown out of vessels in the Fraser River had been frequently broken. Regarding the offal question he was not prepared to say that the rule should be relaxed. It was also a fact that people on the Columbia River succeeded in employing fishermen management. He did not think the latter could be protected from foreign marauders until they possessed armed vessels for the purpose.

Mr. Adams also supported the resolution.

Mr. Semlin said that further discussion was throwing more light on this subject. They now knew there was a question pending between British Columbia and the Dominion; he could not understand why the Speech from the Throne had not made some allusion to the fact. The member for Comox would make them believe that the Province should regulate these fisheries, but he—Mr. Semlin—claimed the Province had no such right and had no more power than that conferred upon it by the British North America Act. These questions were reserved exclusively for the Dominion Government. This Province could not interfere with it. For example they could not regulate the tariff.

Mr. Davis—"There are lots of things the Government has done which it has not told you yet."

Mr. Smith considered that united action between the Province and the Dominion would be conducive to the best interests of the former and thought that local conditions could be served by the enactment of further regulations designed for them. He thought the inland fisheries, more particularly, should be under Provincial management and in fact he pointed out the Province had assumed a certain control by legislation, as in the case of the Game Act.

Mr. Williams said he would be ashamed to record his vote in favor of the resolution in its present form. After a great deal of difficulty, they had succeeded in learning from the Attorney-General that there was a question pending between the Province and the Dominion by this resolution. They asked for a joint management until that question was decided. Even if the Dominion Government would consent to it, before a committee could be appointed, this case would be decided and that would be the end of it.

Mr. Davis—"It will not be settled for a year."

Mr. Williams, continuing, said that at any rate the joint management would only exist until such a time as the question was settled and he, for one, would consider it absurd to vote for the resolution in its present form. He submitted they should wait until the question was settled, and if settled against them they could make arrangements for a joint management and if decided in their favor they would then have the controlling management themselves.

Hon. Mr. Pooley referring to Mr. Semlin's remark that the question had never been referred to in the Speech from the Throne reminded him that in his speech of last year it had been distinctly mentioned. Referring to Mr. Williams who had remarked that the resolution would be useless in so far as the question was now before Court, he said that great constitutional questions of this description did not always rest with the Supreme Court, but having been sifted there were referred to the Privy Council. He suggested, however, that the mover should ask the committee to rise and without reporting so that a resolution might be formed which would meet with universal approval. Any steps taken to prevent the recurrence of such things in the future, would be welcomed and should be encouraged. He himself thought that by asking for a joint management they were asking too much until it could be shown that the Dominion Government had manifested a disposition to make regulations that would not serve the interests of the fishing industry and affecting the rights of those interested in that industry.

Mr. Forster said his one objection to the resolution was that it gave no time for the public to consider it. If the mover acted upon the suggestion of the President of the Council he would withdraw his amendment.

Capt. Irving again spoke on the resolution and declared himself opposed to its withdrawal.

Mr. Sward considered that the resolution should be withdrawn temporarily until they had had time to study the document presented to them by the Attorney-General.

Mr. Rithet declared himself quite agreeable to this arrangement and moved that the committee rise without reporting, and ask leave to sit again, which was done accordingly.

THE VOTERS' LISTS. Mr. Davis again alluded to the printing of the Vancouver and New Westminster voters' lists by the "World" and informed the House that Mr. McLagan was perfectly right when he stated that he had printed the Westminster City list.

lie Accounts. The Westminster City lists were given to the "Columbia," a rabid Opposition newspaper.

Mr. Kitchin—"What about the 'News'?" Mr. Semlin asked what Mr. Davis was addressing the House on?

Mr. Davis—"Giving you information. (Laughter.)"

Mr. Kitchin—"Did the same mistake occur in regard to the 'Colonist' printing the Vancouver City list?" On this subject the Leader of the Government volunteered no information.

LILLOOET ELECTION BILL. The Lillooet Election Bill was read a second time.

The House adjourned at 4:55 p. m.

PROVINCIAL LEGISLATURE

Fifth Session of the Seventh Parliament.

FIFTH DAY.

Tuesday, Nov. 20, 1894.

The Speaker took the chair at 2 p.m. Mr. SEMLIN, with reference to his remarks on the previous day on the subject of the fisheries, explained that he did not intend to say, as reported in the Colonist, that the fisheries department had gone the wrong way about carrying out its good intentions. As he knew nothing about the matter it would be presumption for him to say that the department was wrong; what he intended to say, while giving it credit for good intentions, was that it might have been wrong.

THE RESTAURANT.

Mr. SMITH moved: "That in the opinion of this house it is not desirable to open the restaurant to supply meals to the members of the Legislative Assembly during the present session." He thought as this was to be a short session the restaurant would not be a necessity, and this expense could be avoided.

The member named as seconder, Mr. KELLES, not being present, the Speaker said there must be another seconder, but there was no immediate response.

Hon. Mr. DAVIE then said he would second the motion, not that he favored carrying out the resolution in its entirety, but for the purpose of discussion. He agreed that there will probably be no necessity this session for a restaurant on the same scale as in past years. It is desirable, however, that when committees meet in the forenoon, it shall not be necessary to cut short their sittings to give the members time to go to town for lunch, and therefore it is proposed that for the convenience of such members there shall be some light refreshments provided in the restaurant building. These will be very simple—a cup of tea or coffee, and cold meat and bread for sandwiches. As the spirit of the resolution will thus be met he suggested that it be withdrawn.

Mr. SEMLIN agreed that a plan such as outlined by the Premier would meet the requirements.

ADVERTISING VOTERS' LISTS.

Hon. Mr. DAVIE, as a matter of privilege, said he thought it could properly be so classed, said he rose to make a correction by request of a gentleman not here to answer for himself. In passing he wished to remark that he thought it would have been more valiant for the opposition to have carried out their plan of attacking the Finance Minister when he had the right to reply. In a few days, however, an opportunity would no doubt be afforded to answer their misstatements, to the discomfort of those making them. He wished to refer now, however, merely to a statement said to have been made by Mr. KITCHEN that the World had been paid \$200 for advertising the voters' lists of Vancouver and Westminster.

Mr. KITCHEN protested against the Premier being allowed to proceed unless he might speak in reply.

Mr. SEMLIN also objected, holding that the matter was not a question of privilege.

The SPEAKER reminded the hon. members that they had not yet heard the Premier's statement.

Hon. Mr. DAVIE said the objections simply show how deeply afraid the opposition are of the effect of a reply. He proceeded to read the letter he had received from the proprietor of the World stating that he had not advertised the New Westminster list as all, and that the amount received for the service mentioned was \$200, not \$300.

Mr. KITCHEN claimed that the public accounts were his authority.

Some time afterwards, Hon. Mr. DAVIE having caused inquiry to be made as to the conflicting statements, announced that by a typographical error the words "Westminster City" appeared in place of "Westminster District"; and that as a matter of fact the Westminster City list was advertised in the Columbian, a paper bitterly hostile to the government. He had no doubt that it was also a typographical error which put the COLONIST as publishing the Vancouver City lists when Victoria City was evidently intended.

WEST KOOTENAY ENTERPRISES.

Mr. KELLES introduced a bill intituled "An act respecting the incorporation of tramway, telephone and telegraph companies in West Kootenay district."

JUDGE BOLE'S AUTHORITY.

Mr. IRVING asked: "By what authority does County Court Judge Bole try criminal cases? Has he the powers of a Supreme court judge, and more particularly when a Supreme court judge is available?"

Hon. Mr. DAVIE—By virtue of sections 35 and 37 of the Supreme court act, and by virtue of a commission of oyer and terminer from the Lieutenant-Governor; also as a local judge of the Supreme court for New Westminster by Governor-General's commission.

NAKUP AND SLOCAN BONDS.

Mr. SWORD asked: "When was the guarantee on the bonds of the Nakup & Slocan railway given, and to what amount?"

Hon. Mr. TURNER—On the 1st July, 1893; \$17,500 per mile.

MANAGEMENT OF FISHERIES.

The house again went into committee, with Dr. Walker in the chair, on the amended resolution proposed by Mr. Rithet: "That this government be requested to take immediate steps to arrange with the Dominion government for the joint management of the fisheries of this province until the final settlement of the question as to the control of the fisheries now pending between the Province and the Dominion government."

Mr. KITCHEN asked for information respecting the Ontario agreement.

Mr. RITHET in response said he had been

make them that much later in coming back to the river—in so maturing that they would have the desire to go to spawn. Another point is that in some parts of the province—at Alert Bay and other places a mile outside of any river and where there is no fishing at all, the fish cannot be caught as to the Fraser and Skeena with gill nets. Yet the department forbids seine nets to be used. When he was at Ottawa recently the Minister said they might get over the difficulty by doing the fishing at night, but it was explained to him that there is so much phosphorus in the water that if a net is put in at night the illumination so frightens the fish that they clear away and will not come back to the spot. He thought it the duty of the house to assist in seeing that this important industry is guarded in every proper way.

It is the opinion of nearly every person in the business that the Dominion government, after the experience of a number of years, is not doing what ought to be done to foster as well as to protect the fishery. No doubt a local board of eight or ten members, elected by the fishermen, would be a permanent body to look after the industry, also develop it. Some entirely disinterested person ought to be appointed to visit the river each year, to follow the salmon up to their spawning beds, to study their habits and learn what becomes of the straggle, and some light upon the now disputed point whether after reaching the spawning grounds they die there or return to the salt water.

Mr. FORSTER favored the resolution as of importance to one of the greatest industries in British Columbia, and one of particular importance to the Northern coast which it has opened up. The regulations issued by Mr. Wilmut, whose arbitrary and autocratic manner is well known to everyone interested, being uniform for the coast had had the effect of regulating three canneries out of existence. One of the present regulations is that if the people of Victoria want salmon at this time of the year they cannot get it better than at Ottawa, and buy it in United States territory, and pay duty on it. It seemed simply absurd that the department should send people over to Puget Sound to buy salmon when they can be caught in plenty opposite their own doors.

Mr. KITCHEN did not think the Dominion executive so bull-headed that they would not change the regulations if shown to be injurious. We want independent authority to be appointed to look after the industry. He did not uphold the department, however, in its refusal to give an extension of time last season, as it did wrong in that. One thing being done wrong by this house was presiding over the industry in the manner of a gentleman. It is not the business of the Legislature to be a joint committee to inquire into the management and regulation of the fisheries of this province and to report to this house.

Hon. Mr. HIGGINS expressed himself as in favor of the original resolution, which he considered proposed the best and only possible solution of the difficulty experienced for so long, and of the misunderstanding between the Dominion and the Province. The hon. member for Chilliwack had to-day visited and the hearty reception accorded to the post office employees who had been suspended might (pending the subsequent settlement of the main questions under consideration) be without delay reinstated, and he was glad to observe that this was duly carried out.

We are now, as I have said, leaving not only the fisheries, but this magnificent province; but I think that we may look forward to another visit at no very distant date.

Very faithfully yours,

ARNDREX.

RUGBY FOOTBALL.

While the Senators Engage the "Hornets" (Applicable to the "Hornets")

Mr. KENNEDY thought that this province could not well expect to be under a different set of laws than the rest of the Dominion with respect to the same business.

It should not be made a party question, however, and in the face of the information received as to the case now pending in the Supreme court he felt inclined to vote for the resolution. The canners, he might state, were not the only persons interested. One regulation calling for the management of the fishery had created great hardship to many of the fishermen, but did not affect the canners at all.

Hon. Mr. DAVIE said he thought that a joint committee would do good, not by lessening the restrictions but by still further protecting the fisheries. At present there are many regulations which are simply so many dead letters for want of means of enforcing them. The rivers ought to be policed by government officers, and the Province to protect them against marauders, foreign and other. He did not by any means wish to give the Dominion government a slap in the face, or to say that their management was all it should have been, but at the same time all have heard complaints which deserve attention.

Mr. ADAMS thought the request for joint management, temporarily at least, something that might reasonably be voted for. It is to be expected that on the commission there will be men thoroughly acquainted with the industry. He was pleased to hear Mr. Kennen's opinion making good his promise to vote for any good measure no matter by whom brought forward.

Mr. BOOTH pointed out that the amendment was amended in that it asked the Dominion to appoint a committee to report to this house.

Mr. SEMLIN censured the government because in a matter of the importance of the case now motioned to be before the Supreme court no mention was made of it in the Speech.

Mr. WILLIAMS also complained that he had heard of this case only now for the first time. As the matter would be decided soon he saw no reason for the resolution.

Hon. Mr. DAVIE said the matter might not be settled for a year or more.

Hon. Mr. POOLEY pointed out to the hon. gentleman opposite who had complained that now, that the intention to put the case before the court was fully stated in the Speech of last session, and there was therefore no necessity for going into the matter again in the other day.

He reminded Mr. Williams that a Supreme court decision does not always settle a case—in fact that in such matters as this an appeal is nearly always taken to the privy council, and therefore it is not a final decision.

PROVINCIAL LEGISLATURE

Continuation of the Debate on Mr. Rithet's Fisheries Resolution.

Question Has Been Referred to the Courts by the Two Governments.

FIFTH DAY.

Tuesday Nov. 20.

The speaker took the chair at 2.10. Mr. Semlin rose to a question of privilege. His remarks regarding the fisheries were misunderstood by the reporter. He did not mean to say that the department of marine were wrong. What he meant to say was that they might have been wrong.

Mr. Smith moved that in the opinion of this house it is not advisable to open the restaurant to supply meals to the members of the legislative assembly during the present session. He did not wish to throw blame on any one or complain of the way in which meals had been served, but he did not think it would be necessary during what would be a short session. Besides, the members would not be called upon to spend so much time at the house this session as usual. The cost was a great deal.

Hon. Mr. Davie seconded the resolution, not so much to see it carried out in its entirety as to give him an opportunity to explain. It was the intention to curtail the expenses in the restaurant very much; in fact it would not be a restaurant, but just a place where members could obtain a cup of coffee and a sandwich.

Mr. Semlin endorsed what the premier said, and hoped that no liquor would be supplied.

Hon. Mr. Davie said no liquors would be supplied.

The motion was withdrawn on the assurance of the premier that the restaurant would not be opened on an elaborate scale.

Hon. Mr. Davie rose to a question of privilege to correct something that had been said by the opposition during the debate on the address in reply. This was an example of why the opposition should all speak before the government, so that the latter could have the last say. What he wished to refer to particularly was the remarks of Mr. Kitchener that the Vancouver World had received \$200 for printing the Vancouver and New Westminster voters' lists. He read a letter from J. C. McLagan stating that the World had been paid no such sum.

Mr. Kitchener read from page 32 of the public accounts, "World, printing voters' lists Vancouver and New Westminster, \$200." That was his authority for the statement. Probably the accounts were cooked, which several matters would lead one to believe.

On motion of Hon. Mr. Turner it was decided that the speech of the lieutenant-governor at the opening of the present session be taken into consideration on Friday.

Mr. Irving asked the attorney-general, by what authority does County Judge Bole try criminal cases? Has he the powers of a supreme court judge, and more particularly when a supreme court judge is available?

The attorney-general replied: By virtue of sections 35 and 36 of the supreme court act, under commissions from the lieutenant-governor and a supreme court judge for Westminster district, by virtue of a commission from the governor-general.

Mr. Sword asked the minister of finance, when was the guarantee on the bonds of the Nakup & Slocan railway given, and to what amount?

Hon. Mr. Turner—The bonds are dated 1st July, 1893, and for \$17,500 a mile.

The house went into committee on Mr. Rithet's motion regarding the fisheries.

Mr. Kitchener asked what was the agreement between Ontario and the Dominion.

Mr. Rithet said there was no official record of the agreement, but he knew from the papers that there was such a commission. As an evidence of why the fisheries should be managed by a local board he mentioned the fact of the Dominion government's refusal to extend the season for fishing as requested by the canners.

Then if the hatchery salmon were not allowed to go for some days late they might be late in returning to the river. Another instance was the refusal of the government to allow the canners to use seine nets, which was the only means by which salmon could be caught at certain places. The minister had told him that the fish could be caught at night. This could not be done, as the water is so full of phosphorus that when a net is lowered it sets the fish and drives them away. During the twenty years that the Dominion government had managed the fisheries they had not done what the canners wanted they should to foster and protect the industry. This a local board could do.

Mr. Irving supported the resolution, as an advantage to one of the most important industries of the province. The important fact had been said that blank forms had been sent to the members of the legislature by the Dominion government, asking the members to give what information they could respecting the industry. Why were not the blanks sent to the men who knew something about the business? The leader of the opposition admitted that he was a farmer, and did not know much about the fisheries. Mr. Wilmut's investigation was a very unsatisfactory one. Some ignorant reports had been furnished to the department. One stated that the fish had been formed across the mouth of the river by a dam. It was a fact that fish had been imported from the west, while our own rivers are teeming with them.

Mr. Kitchener thought it was better to leave the matter to the Dominion government, who were independent and only wished to preserve the fish. He did not uphold the government for refusing to extend the fishing season when requested, but considered that the canners would obtain what they desired if the proper course were pursued. The British Columbia and Ontario cases were very different.

Mr. Graham was of opinion that the Dominion government was much better able to take charge of the fisheries than the provincial government, as they would take a much broader view of the question. They had no further interest than to preserve the fish. No arguments had been advanced that would induce him to support the resolution.

Mr. Hunter considered the arguments used against the resolution were in favor of it. He always stood up for provincial rights, and every move to lessen the tyranny exercised over the province by the Dominion was a good one. It might be the commencement of a fight for provincial rights. Look what Sir Oliver Mowat had done for Ontario in obtaining provincial rights from the Dominion. The members might as well argue that the Dominion government should regulate provincial taxation, because they were three thousand miles from the province, and therefore took an unprejudiced view of it. They might take charge of everything in the province if the argument was followed out. He believed himself that the Dominion government had nothing whatever to do with the rivers of the province. The B. N. A. act, referring to the fisheries and the Dominion government's control of them, did not say anything as to whether the control included navigable or unnavigable rivers.

Mr. Semlin moved that the Dominion government should regulate provincial taxation, because they were three thousand miles from the province, and therefore took an unprejudiced view of it. They might take charge of everything in the province if the argument was followed out. He believed himself that the Dominion government had nothing whatever to do with the rivers of the province. The B. N. A. act, referring to the fisheries and the Dominion government's control of them, did not say anything as to whether the control included navigable or unnavigable rivers.

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H. S. CORNISH, Acting Secretary.

THANKSGIVING SERVICES.

How Thanksgiving Day Will be Observed in the City Churches.

Services will be held in the various city churches to-morrow (Thanksgiving Day). In many churches a special programme of music has been arranged for the occasion.

At Christ Church Cathedral the services will be: Holy Communion at 7.30; morning service at 11 and evening service at 5. A special service will be preached by the pastor at the morning service.

At Reformed Episcopal Church Bishop Cridge will preach in the morning at 11. A special musical programme has been prepared: Opening voluntary, "Oh Mighty Power"; anthem, "The Grace of God That Brings Salvation"; Te Deum by Sullivan, and the closing voluntary chorus from "The Creation." The thank offerings will be presented to the Maternity Home.

No services will be held in the Roman Catholic Cathedral with the exception of 6 o'clock mass, but there is a church dedication at 8 o'clock with the Little church of the Assumption, with a seating capacity of 200 and which cost \$200, will be consecrated Thursday evening by Bishop Lemmens. Rev. Father Van Nessel and the Rev. Father Vulliamy will assist at the ceremony and a number of Catholics from the city will attend.

At Metropolitan Methodist church Rev. Mr. Cleaver will preach a thanksgiving sermon at 11 o'clock service. The musical programme is as follows: Harvest anthem, "Ye Shall Dwell in the Land," Dr. Stainer; hymn, "Hallelujah, the Lord is God"; solo, "I Know That My Redeemer Liveth," Madame Laird; solo, "There is a Green Hill Far Away," Gounod. Mr. W. Edgar Buck, Director.

At the Victoria West Methodist Church and the Centennial Methodist church special services will be held at 11 in the morning.

At the James Bay Methodist church services will be held this evening, beginning at 7.30.

At St. Andrew's and the First Presbyterian churches services will be held at 11, when appropriate sermons will be preached. At St. Saviour's church the only service is a holy communion at 8 o'clock.

PACIFIC CLUB ENTERTAINS.

Successful "At Home" Given at the Club. Entertainment of the Club members and report to the house of the Hon. Mr. Higgins having been referred to as one of the fisheries commissioners wished to take advantage of the privilege accorded to the Speaker and address a few words to the committee. He was in favor of the resolution, and if he had a vote would cast it in favor of it. On account of the action taken by the other commissioners, he had been forced to make a minority report. The house was sitting at the same time as the commission, and he could not be in two places at the same time. The other stenographer's report of the evidence received during his absence, but he did not after the commission had adjourned. He was not properly cared for. It was a fact that the trout were enemies of the young salmon, as it was well known that trout would not "bite" when salted that the salmon here were the same as those in the east. He contended that this was not so. No doubt Mr. Wilmut had an authority on salmon, and knew a lot in his way, but he did not understand the fish of this province. Perhaps he was a commissioner, but Mr. Wilmut was very much prejudiced. He was surprised at farmers upholding resolutions which prevented them from taking fish from the rivers that ran through their farms, without being called poachers. The regulations were obnoxious and tyrannical. The government had acted wisely in referring the question to the supreme court. (Applauded.)

Mr. Kennedy contended that British Columbia should not expect different treatment, who were independent and only wished to preserve the fish. He did not uphold the government for refusing to extend the fishing season when requested, but considered that the canners would obtain what they desired if the proper course were pursued. The British Columbia and Ontario cases were very different.

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From Our Own C

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INTRODUCTION

Mr. Kelle introduce

"An Act respecting

of Tramway, Teleph

Companies in West K

Read a first time."

PROVINCIAL PARLIAMENT.

The Control of the Fisheries Again Engages the House.—Inaccuracies in the Public Accounts.

From Our Own Correspondent.

Victoria, Nov. 20. — The Speaker took the chair at 2 p. m. Mr. Semlin on a question of privilege referred to the report of his remarks in connection with Mr. Rithet's resolution of the previous day, in the "Colonist" of that morning and explained that what he really said was that he gave the Fisheries Department at Ottawa every credit for good intentions, but that they might have made mistakes, not that they had done so. He had not intended to cast any reflection upon the Department at Ottawa and would not presume to say what the result of its interference had been.

MOTIONS.

Mr. Smith moved the following resolution: That in the opinion of this House it is not advisable to open the restaurant to supply meals to members of the Legislative Assembly during the present session.

Mr. Smith said he did not intend to reflect upon the previous management of the restaurant, but in view of the fact that the session would be a short one, and of the expense entailed by the restaurant, he considered it unnecessary on this occasion. A considerable saving, he suggested, might be made by doing away with it.

Hon. Mr. Davis seconded the resolution which he considered a step in the right direction. For the convenience of committees and servants, he explained, arrangements had already been made, under which a simple fare would be provided in the shape of a cup of tea or coffee and a sandwich.

Mr. Semlin pointed out that the resolution was in this case unnecessary and Mr. Smith subsequently withdrew it.

Hon. Mr. Davis rose to a question of privilege. It was not his intention to correct all the numerous mistakes made by hon. gentlemen in discussing His Honor's speech, but there was one matter he desired to bring before the House. This was in reference to the statement said to have been made by the member for Westminster district, Mr. Kitchen. He had been informed that Mr. Kitchen had said that the Vancouver "World" had been paid some \$800 for advertising the voters' lists for Vancouver and New Westminster.

Mr. Kitchen—"Is it competent for the Premier to discuss this, without my having the right to reply?"

Mr. Speaker—"The hon. gentleman can rise to a question of privilege in the same way."

Mr. Semlin stated that he had no reference to was not a question of privilege. A question of privilege was something having relation to what had been done in the House and did not relate to outside persons.

Mr. Speaker suggested that the hon. gentleman should be allowed to proceed with his remarks so that he might decide as to their being permissible.

Mr. Davis said the matter was one not merely affecting gentlemen outside the House, but also the Government. He had a letter from Mr. McLagan in reference to the matter, which he read. The writer desired having advertised the Westminster list or receiving such a sum as Mr. Kitchen stated. What he received was about \$399.50. In justice to Mr. McLagan it was fair to explain this.

Mr. Kitchen said he merely took the Finance Minister's own statement on page 34 of the Public Accounts. He was afraid there were other statements which if they were examined more closely would be found to be cooked, because he knew of a case where one party had been paid for doing work subsequent to the 30th June, but which appeared in the Public Accounts up to that date.

Mr. Semlin—"I would like your ruling on this matter."

Mr. Speaker said it was too late now to stop the discussion and he would rule later. (Laughter.)

On motion of the Hon. Mr. Turner, seconded by Mr. Davis it was formally resolved to take the speech of the Lieutenant-Governor into consideration on Friday next.

INTRODUCTION OF BILLS.

Mr. Kelle introduced a Bill intituled "An Act respecting the Incorporation of Tramway, Telephone and Telegraph Companies in West Kootenay District." Read a first time.

QUESTIONS.

Mr. Irving asked the Hon. the Attorney-General the following questions: By what authority does County Court Judge Bole try criminal cases? Has he the powers of a Supreme Court Judge, and more particularly when a Supreme Court Judge is available?

Hon. Mr. Davis replied as follows: By virtue of sections 35 and 37 of the Supreme Court Act and by virtue of a commission of oyer and terminer issued by the Lieut.-Governor; also as a local Supreme Court Judge for New Westminster by the Governor-General's commission.

Mr. Sward asked the Minister of Finance when was the guarantee on the bonds of the Nakusp and Bloccan Railway given and to what amount?

Hon. Mr. Turner replied that the guarantee was given July 1st, 1893, the amount being \$17,500 per mile.

ADJOURNED COMMITTEE ON MR. RITHET'S RESOLUTION.

The debate in Committee on Mr. Rithet's resolution was resumed. Dr. Waltham in the chair.

Mr. Kitchen asked Mr. Rithet to give the House some information in regard to the arrangements between the Province of Ontario and the Dominion Government.

Mr. Rithet said he was afraid he could not do what he asked because he had failed to find any record of the exact

condition except that in the report of the Fisheries Department for 1893 where the regulations for the Ontario fisheries were set forth in full. In this the clause appeared stating that the regulations should come into force January 1st, 1893. Immediately following was a clause stating that a subsequent order in Council action was suspended pending the Ontario commission of inquiry. The only further information he had was the report in the newspapers wherein it was shown that an appeal had been taken to place the management out of the hands of the Dominion Government and placing the decision a joint board had been appointed by the two governments which had the management of the regulations in the Province. Even, however, without precedent, it would be in the interests of the industry and the country that a local board would be appointed to govern the fisheries. He again alluded to their uncertain knowledge of the habits of salmon and to the refusal of the Dominion Government to extend the fishing season. Many people were of opinion that the detention of the young fish in the hatcheries a week or ten days longer than the fish spawned naturally might account for the hatchery salmon being 10 or 15 days later in coming back to the river. In many portions of the Province the fishing could only be carried on with seine nets on account of the clear character of the water, but the Department had refused to listen to any retraction of the regulations, which provided for the use of sill nets. The authorities claimed that the fishing could be done at night, though the speaker had pointed out that there was so much phosphorus in the water that the entrance of the nets at once alarmed the fish and prevented their being caught. He argued that the only way in which they could resolve the present difficulty was to arrange for the appointment of disinterested parties of sufficient ability, to visit these fisheries, follow these salmon to their spawning beds and examine their habits as to whether they then died, or returned.

Capt. Irving supported the resolution. The salmon industry he maintained was one of the most important industries the Province possessed and on the whole coast had done more to open up the country than anything else. Mr. Wilmot was not seeking for information but came here with a preconceived determination to support his own opinion. One of the effects of the present regulation was that we obtained salmon from the other side and were compelled to pay duty on it. He alluded to the absurdity of some of the reports made to the Department, one of which stated that the offal caused a bar to form at the mouth of the Fraser river. He urged that the Provincial Government was at least entitled to the license.

Mr. Kitchen, without denying that it might be well for the Government to give licenses, could not help thinking that the present regulations were designed to protect the industry. What Capt. Irving said about the importation of salmon from Puget Sound might be correct, they all knew the result of the fishing at Point Roberts. He said that the effect of the regulation would be to put too much power in the hands of the canners. As to Capt. Irving's remarks about the absurdity of some of the reports, he pointed out that everybody had the power to report on the original draft regulations, and so doubt the canners had done so and from these reports the Dominion Government made its regulations. He did not believe the Dominion Government was so bull headed as to refuse to change the regulations if shown that they were wrong, but the Government had been bulldozed from time to time and that was probably one of the reasons of its refusal to the extension of time asked for last season. He did not uphold them for this and they were no doubt wrong. He did not think it was right for the House to go back on the North American Act which distinctly affirmed that the Dominion Government had control of the deep sea and inland fisheries. The position of Ontario was different because their fisheries must be all inland. Mr. Kitchen also alluded to the fact that salmon spawn were destroyed by trout.

Mr. Graham contended at some length that a very small percentage of fish ever reached the ocean. Mr. Rithet advanced as a possible reason for the late run the fact that fish in the hatcheries were allowed to run up the river 10 days later than fish naturally spawned. This showed how careful they should be, because what would become of the fish, which would naturally ascend the river, if they had spawned as usual? The Provincial Government, he thought, would be so close to the ground in the industry as to be much more liable to be influenced than the Dominion authorities, and that itself would be a reason for treating the matter carefully.

Mr. Hunter viewed the matter from a Provincial standpoint and contended for Provincial rights against Dominion tyranny. He quoted portions of the British North American Act and a decision of the present Speaker to show that it was extremely doubtful whether the Dominion authorities had any right to regulate the rivers or set foot on their banks.

Mr. Booth pointed out that British Columbia was represented at Ottawa by its own members, who, he thought, might bring the matter before the Dominion Government. He considered it unwise to push the resolution with the insufficient evidence that was before them as to Dominion and Provincial rights. In the dispute between the Dominion and Ontario, the former had contended that the expression "inland waters" had been intended to include the fisheries. The Dominion Government could have no interest except to develop the fisheries, while the salmon canners, on the other hand, naturally wished to take all the salmon they could and they knew that where local interest had had control the fisheries had been developed.

Mr. Prentice objected to the resolution on the technical ground that it did not

PROVINCIAL PARLIAMENT.

(Continued from Page 2)

closed nothing as to the extent of the control of the joint management, nor whether they in turn were controlled by this House, or any other body. He did not know of any official accounts of the dispute alluded to and for these reasons opposed the resolution.

Mr. McGregor favored the holding of a commission as the only way of getting out of the dark.

Mr. Rogers also favored the resolution. Mr. Kitchen pointed out that the resolution mentioned no commission but a joint management.

After some further discussion Hon. Col. Baker and Mr. Braden speaking in favor of the resolution, Mr. Sward said the proposal went further than a joint commission. It referred to a commission but to a joint management. The canning industry, although one of the most important branches of fishing in the Province was not the only one and they would not like to see everything sacrificed in its favor. If instead of asking for a joint management, the resolution asked for a joint commission it would be preferable. It might provide that there should be a local board. The fact that the land was owned by the Provincial Government, as Mr. Hunter pointed out, did not affect the right of the Dominion Government to control the fisheries.

Mr. Williams asked what question was it that was pending between the Dominion Government and the British Columbia Government?

Hon. Mr. Davis said there were not only questions pending but three had been submitted to the Supreme Court of Canada. The arguments in respect of the matter had been drawn up by himself and colleagues. Some 15 questions had been submitted to the Supreme Court the first alone of which embraced all matters as to the difference between tidal and non-tidal waters. Mr. Davis read the question to the House. All questions in respect of the fisheries whether of seas, rivers, lakes or inland waters were comprehended in this. Then the Province was asked to submit an argument pro and con, on the subject and this he had done claiming that the property over which the rivers flowed belonged to the Province. There being this question pending it was advisable that some steps should be taken for the management of these rivers in the meantime. The resolution, therefore, proposed a joint governmental management of the fisheries. The difficulty with a joint commission was that mutual expense would be incurred. He informed hon. members that they might if desired obtain a copy of the questions submitted to the Supreme Court of Canada.

Mr. Forster while agreeing that some alteration might very well be made in the management of the fisheries, could not support the resolution because what one thing it prevented an expression of opinion on the part of outsiders altogether. It was all very well for a few members interested in the canning industry to bring a question of this kind but the large outside public should not be forgotten. The argument that a commission was attended with expense held good of all commissions and he thought a commission of enquiry would be quite appropriate and that it should report to the House. That would give a year for the proper consideration of the question. He submitted an amendment to strike out all the words in the resolution after "the" on the second line so that the latter would then read as follows:

That the Government be requested to take immediate steps to arrange with the Dominion Government for the appointment of a joint commission of enquiry into the management and regulation of the fisheries of this Province, and to report to this House.

The speaker claiming his privilege to speak in Committee declared himself in favor of the resolution. He thought the proposition of a resident advisory board was the best and only solution of the present difficulty. He referred to his former experience as a member of the commission and to the action of Mr. Wilmot in connection therewith. When, having been absent, he requested that certain witnesses should be recalled and was told he might see the short-hand writer's notes, when as a matter of fact these could not be seen until several months after the commission was dissolved, he had been compelled, therefore, to make a minority report. The member for Chilliwack had furnished to him the strongest argument in favor of such a resolution when he stated that trout simply destroyed the spawn of salmon. These trout would never take the fly when the salmon were spawning, but simply followed the salmon and destroyed the spawn. The regulations in reference to this matter showed that those who framed them knew little of the habits of the fish here. Mr. Wilmot had taken the position that the habits of the fish here were identical with those of the Eastern provinces, which he did not believe. The regulations also prevented the farmer from obtaining an unlimited supply of food by prohibiting salmon fishing at certain seasons and treating anyone who broke the law as a poacher.

Mr. Kitchen said the regulation had been changed. Mr. Kennedy pointed out that this Province could scarcely expect to be exempted from the general regulations governing all the provinces, nor to control our own fisheries unless the other provinces were permitted to do the same. From the way in which other provinces were situated, however, this would not be possible. He instanced Quebec and Ontario divided by the Ottawa River. How could these respective provinces enforce two sets of regulations upon the same stream? He deprecated any intention to make this a party question because it was one which affected all. He could not countenance the manner in which the fisheries had been treated last season with respect to the arbitrary decision as to the size of the net meshes and declared himself as inclined to favor the original

PROVINCIAL PARLIAMENT.

(Continued from Page 2)

resolution. Mr. Davis thought a joint commission would do good. The present regulations were very often a dead letter because there was not sufficient power to enforce them. It seemed to him that the fisheries should be policed not only by Dominion guardians but by the Province as well. He had heard that the law which prevented ballast being thrown out of vessels in the Fraser River had been frequently broken. Regarding the offal question he was not prepared to say that the rule should be relaxed. It was also a fact that people in the Columbia River would make them employ fishermen on the Fraser. He did not think the latter could be protected from foreign marauders until they possessed armed vessels for the purpose.

Mr. Adams also supported the resolution. Mr. Semlin said that further discussion was throwing more light on this subject. They now knew there was a question pending between British Columbia and the Dominion; he could not understand why the Speech from the Throne had not made some allusion to the fact. The member for Comox would make them believe that the Province should regulate these fisheries, but he—Mr. Semlin—claimed the Province had no such right and had no more power than that conferred upon it by the British North American Act. These questions were reserved exclusively for the Dominion Government. This Province could not interfere with it. For example they could not regulate the tariff.

Mr. Davis—"There are lots of things the Government has done which it has not told you yet."

Mr. Smith considered that united action between the Province and the Dominion would be conducive to the best interests of the former and thought that local conditions could be served by the enactment of further regulations designed for them. He thought the inland fisheries, more particularly those under Provincial management and in fact he pointed out the Province had assumed a certain control by legislation, as in the case of the Gamt Act.

Mr. Williams said he would be ashamed to record his vote in favor of the resolution in its present form. After a great deal of difficulty, they had succeeded in learning from the Attorney-General that there was a question pending between the Province and the Dominion by this resolution. They asked for a joint management until that question was decided. Even if the Dominion Government would consent to it, before a committee could be appointed, this case would be decided and that would be the end of it.

Mr. Davis—"It will not be settled for a year."

Mr. Williams, continuing, said that at any rate the joint management would only exist until such a time as the question was settled and he, for one, would consider it absurd to vote for the resolution in its present form. He submitted they should wait until the question was decided. Even if the Dominion Government would consent to it, before a committee could be appointed, this case would be decided and that would be the end of it.

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PROVINCIAL PARLIAMENT.

(Continued from Page 2)

lie Accounts. The Westminster City lists were given to the "Columbian," a rabid Opposition newspaper. Mr. Kitchen—"What about the News?" Mr. Semlin asked what Mr. Davis was addressing the House on? Mr. Davis—"Giving you information. (Laughter.) Mr. Kitchen—"Did the same mistake occur in regard to the "Colonist" printing the Vancouver City list?" On this subject the Leader of the Government volunteered no information.

LILLOOET ELECTION BILL.

The Lillooet Election Bill was read a second time.

The House adjourned at 4:55 p. m.

VOTES AND PROCEEDINGS OF THE Legislative Assembly of British Columbia.

Wednesday, 21st November, 1894.

Two o'clock, P. M.

Mr. Cotton presented a Petition from the City of Vancouver for a Private Bill to amend their Corporate Act.
Laid on the table.

Mr. Williams presented a Petition from the Official Board of the Methodist Church, Vancouver (re Sabbath observance).
Laid on the table.

Upon the motion of the Honourable Mr. Davie, seconded by the Honourable Colonel Baker, it was Resolved,—
That this House do resolve itself into a Committee of the Whole for the purpose of considering the introduction of a Bill intituled "An Act to authorize the Revision of the Statutes."

The House accordingly went into Committee of the Whole, with Mr. Booth in the Chair.
(IN THE COMMITTEE.)

On the motion of the Honourable Mr. Davie, seconded by the Honourable Colonel Baker, it was Resolved,—

That the Committee rise and report to the House, recommending the introduction of "An Act to authorize the Revision of the Statutes," a draft of which is annexed to this Resolution.

Upon Mr. Speaker resuming the Chair, the Resolution was reported.
Report Ordered to be considered at the next sitting of the House.

Mr. Williams asked the Honourable the Attorney-General the following question:—
What action, if any, has been taken by the Government towards securing the appointment of a Supreme Court or County Court Judge resident at Vancouver?

The Honourable Mr. Davie replied as follows:—
"The Government have forwarded the Resolution of the House recommending the appointment of a County Court Judge to the Dominion Government, and have by departmental correspondence urged such appointment. The Government have not asked the appointment of a Supreme Court Judge for Vancouver, as it is not deemed that the judicial requirements of the Province demand the appointment of a sixth Supreme Court Judge."

Mr. Semlin asked the Honourable the Provincial Secretary the following question:—
Has the Government called for tenders for the Government book-binding since the close of the last House—April, 1894?

The Honourable Colonel Baker replied as follows:—
"Yes; tenders were invited."

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Clerk.

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OF

VANCOUVER.

PROVINCIAL LEGISLATION

First Session of the Seventh

SIXTH DAY.

WEDNESDAY, November

The Speaker took the chair

Mr. Cotton presented a pe-

Mayor and Corporation of

ing for amendments to the

Mr. Williams presented a

the quarterly board of the

of Mount Pleasant.

REVISION OF THE STATUTES

Hon. Mr. DAVIE moved:

House do resolve itself into a

the whole, for the purpose

the introduction of a bill

to authorize the revision of

The mover explained that it

is that the proposed revision

shall effect at once, or that the

presented to the house next

in the session after that. The

provisional bodies has been

instituted once in every ten

years, and the last revision

made here was in 1886.

Without wishing to detract

from the merits of previous

revisions, he marked that

those in this province

present times have been of a

very and perfunctory charac-

ter, as those which have been

made in Ontario or for Ont-

ario have been largely of the

nature of mere revision, the

several acts on the same

subject having been gathered

together and classified. What

is needed is something very

different in vision which

shall be the result of

comparing one act with another

up each section separately, and

its bearings in relation to the

and in relation to other

provisions. Those engaged in

the law with a view to

meaning and purpose. This

will work of a week or a

month, or, but from its

commencement a constant

application and he cited

several examples of

revision which may be

found in the statutes as at

present or mentioning the

elections regulate the

Supreme court act, and

others, a large number of

amending acts of late

revision. The cost of the

revision, shall be paid from

the moneys voted for that

purpose, which from year to

year furnished the particulars

of the up to that time, and

for which asked.

Mr. SEMLIN did not

oppose the motion, but

suggested that there be

guard against any dispute

as to the cost of the

revision. The house then

went into committee with

Mr. Booth in the chair, and

the report was reported.

ADVERTISING VOTERS' LIST

Mr. KITCHEN, rising to a

quest, complained of having

been mentioned in an

editorial in the Vancouver

connection with his

statements in the

advertising of the voters' list

the mis-statements of which

he really occurred in the

public account.

Hon. Mr. DAVIE said it

seems that the hon. member

had only a blame, having

taken advantage of a clerical

error apparently in order

to make an uncalculated

attack.

Hon. Mr. TURKEL suggested

that the member should, before

such wild charges as that the

accused, make inquiry as to

any its appeal to him to be

subject of inquiry. The

vouchers are always

disposed in the treasury

department.

JUDGE FOR VANCOUVER.

Mr. WILLIAMS asked: "Will

if any, has been taken by the

Government towards securing

the appointment of a

Supreme court or County

court judge at Vancouver?"

Hon. Mr. DAVIE—"The

Government have forwarded

the resolution of the House

recommending the

appointment of a County

court judge to the Dominion

Government, and have by

departmental correspondence

urged such appointment. The

Government have not asked

the appointment of a

Supreme court judge as it is

not deemed that the

judicial requirements of the

Province demand the

appointment of a

Sixth Supreme court judge."

TENDERS FOR BOOKBINDING

Mr. SEMLIN asked: "Has the

Government called for

tenders for the bookbinding

since the close of the last

House—April, 1894?"

Hon. COL BAKER—"Yes; tenders

were invited."

WORKMEN'S WAGES.

Hon. Mr. DAVIE moved the

second reading of the

workmen's wages bill. He

objected to it to secure the

of their wages to workmen at

fixed either weekly as provided

in the bill, or bi-weekly, monthly,

or as the house might decide. He

would agree that it is in the

interest of business men and

the whole community that

there should be no long

periods between workmen and

employers, and that the

time should be so fixed that

the giving of a workman credit

might not be a heavy

burden on the employer. He

could reasonably expect to

get his money. This bill has

nothing whatever to do with

the mechanics' lien bill also

on the table, which is intended

to give a lien for material

amounts than the weekly

wages.

Mr. SEMLIN asked that, as

he had time to confer with

these principles, it would be

advised in this bill, its

consideration be further

postponed, if this would

not be a hardship on the

Government.

Hon. Mr. DAVIE said there

was some other business

which could be dealt with

at the desire of the hon.

member, and he would not

press his motion for a

second reading.

REPRESENTATION OF EAST LILLOOET

On motion of Hon. Mr. Davie

the House went into

committee on the East

Lillooet election bill, Mr. Kelle

in the chair. The bill was

adopted with amendments

including the provision that

the election shall be held

between the 1st and the 15th

of the month of June.

LICENSE ACT REPEAL.

Hon. Mr. DAVIE moved the

second reading of the license

act repeal bill (No. 10). He

explained that by an

oversight, and in consequence

of two members having

introduced bills on the same

subject, the bill was

prevented from coming

into the House until almost

the close of the session.

He explained that it was

his intention to have

the bill introduced at an

earlier date, but that

it was prevented from

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PROVINCIAL LEGISLATURE.

First Session of the Seventh Parliament.

SIXTH DAY.

WEDNESDAY, November 21, 1894.

The Speaker took the chair at 2 p.m. Mr. Cotton presented a petition from the Mayor and Corporation of Vancouver praying for amendments to the city charter. Mr. Williams presented a petition from the quarterly board of the Methodist church of Mount Pleasant.

REVISION OF THE STATUTES.

HON. MR. DAVIS moved: "That this house do resolve itself into a committee of the whole for the purpose of considering the introduction of a bill intituled 'An act to authorize the revision of the statutes.' The mover explained that it is not intended that the proposed revision shall have its full effect at once, or that the result shall be presented to the house next session or even the session after that. The practice in other legislative bodies has been to revise the statutes once in every ten years, and as the last revision here was in 1885 the next would, applying that principle, be due in 1895. Without wishing to detract from the merits of previous revisions, he might remark that those in this province up to the present time have been of a rather preliminary and perfunctory character, and not such as those which have been made for the Dominion of Canada or for Ontario. They have been largely of the nature of a consolidation merely, the several acts bearing upon the same subject having been brought together and classified. What is now proposed is something very different, being a revision which shall be the result of carefully comparing one act with another, of taking up each section separately, and considering its bearings in relation to the common law and in relation to other provisions of the statutes. Those engaged in the work will in fact make a comprehensive summary of the law with a view to meeting its entire meaning and purpose. This will not be the work of a week or a month, or even a year, but from its commencement will require constant application and thought. He cited several examples of the confusion which may arise from consulting the statutes as at present consolidated, mentioning the elections regulation act, the Supreme court act, and others, besides the large number of amending acts passed since last revision. The cost of the revision, it is provided, shall be paid from time to time from moneys voted for that purpose by the legislature, which from year to year will be furnished the particulars of the work done up to that time, and for which payment is asked.

MR. SEMLIN did not oppose the proposition, but suggested that there be some safeguard against any dispute as on last occasion, about the compensation to be paid. The house then went into committee, Mr. Booth in the chair, and the resolution was reported.

ADVERTISING VOTERS' LISTS.

MR. KITCHEN, rising to a question of privilege, complained of having been abused in an editorial in the Vancouver World, in connection with his statements relating to the advertising of the voters' lists, when the mis-statements of which he was accused really occurred in the public accounts.

HON. MR. DAVIS said it seemed to him that the hon. member had only himself to blame, having taken advantage of a quibble, a clerical error apparently in the book, to make an uncalculated attack.

HON. MR. TURNER suggested that in future the member should, before making such wild charges as that the accounts are cooked, make inquiry as to any items which appear to him to be fit subjects for such inquiry. The vouchers are always at his disposal in the treasury department.

JUDGE FOR VANCOUVER.

MR. WILLIAMS asked: "What action, if any, has been taken by the government towards securing the appointment of a Supreme court or County court judge resident at Vancouver?"

HON. MR. DAVIS—"The government have forwarded the resolution of the house recommending the appointment of a County court judge to the Dominion government, and have by departmental correspondence urged such appointment. The government have not asked the appointment of a Supreme court judge as it is not deemed that the judicial requirements of the province demand the appointment of a sixth Supreme court judge."

TENDERS FOR BOOKBINDING.

MR. SEMLIN asked: "Has the government called for tenders for the government bookbinding since the close of the last house—April, 1894?"

HON. COL. BAKER—"Yes; tenders were invited."

WORKMEN'S WAGES.

HON. MR. DAVIS moved the second reading of the workmen's wages bill (No. 1). His object he said is to secure the payment of their wages to workmen at fixed periods, either weekly as provided in the bill as submitted, or bi-weekly, monthly or otherwise as the house might decide. He thought all would agree that it is in the interest of business men and the whole community that there should be no long periods between the settlements between workmen and their employers, and that the times of settlement should be so fixed that the storekeeper giving a workman credit might know when he could reasonably expect to get his money. This bill has nothing whatever to do with the mechanics' lien bill also on the order paper, which is intended to make provision for giving a lien for material and larger amounts than the weekly wage.

MR. SEMLIN asked that, as he had not had time to confer with those principally interested in this bill, its consideration should be further postponed, if this would not inconvenience the government.

HON. MR. DAVIS said there was no doubt some other business which could be gone on with, and at the desire of the hon. leader of the opposition he would not press his motion for second reading.

REPRESENTATION OF EAST LILLOOET.

On motion of Hon. Mr. Davis the house went into committee on the East Lillooet election bill, Mr. Kellie in the chair. The bill was adopted with amendments, including the provision that the Speaker's warrant for the new election shall be issued between the 1st and the 15th of May next.

LICENSE ACT REPEAL.

HON. MR. DAVIS moved the second reading of the license act repeal bill (No. 4). He explained that by an oversight, and in consequence of two members having introduced bills relating to the same subject, two bills were introduced on the statute book. This bill is in repeal of one of them.

UNEMPLOYED DAY.

HON. MR. DAVIS moved that the house do resolve itself into a committee of the whole for the purpose of considering the introduction of a bill intituled 'An act to provide for the relief of unemployed day-laborers.' The mover explained that it is not intended that the proposed revision shall have its full effect at once, or that the result shall be presented to the house next session or even the session after that. The practice in other legislative bodies has been to revise the statutes once in every ten years, and as the last revision here was in 1885 the next would, applying that principle, be due in 1895. Without wishing to detract from the merits of previous revisions, he might remark that those in this province up to the present time have been of a rather preliminary and perfunctory character, and not such as those which have been made for the Dominion of Canada or for Ontario. They have been largely of the nature of a consolidation merely, the several acts bearing upon the same subject having been brought together and classified. What is now proposed is something very different, being a revision which shall be the result of carefully comparing one act with another, of taking up each section separately, and considering its bearings in relation to the common law and in relation to other provisions of the statutes. Those engaged in the work will in fact make a comprehensive summary of the law with a view to meeting its entire meaning and purpose. This will not be the work of a week or a month, or even a year, but from its commencement will require constant application and thought. He cited several examples of the confusion which may arise from consulting the statutes as at present consolidated, mentioning the elections regulation act, the Supreme court act, and others, besides the large number of amending acts passed since last revision. The cost of the revision, it is provided, shall be paid from time to time from moneys voted for that purpose by the legislature, which from year to year will be furnished the particulars of the work done up to that time, and for which payment is asked.

so that the government might be prepared to go on with the business. Hon. Mr. DAVIS said the hon. gentleman showed remarkable assurance in making his objection, as the suggestion of the long adjournment came from his own side, while as to the business the government is perfectly prepared to go on, and had only to-day put off an important bill at the request of the opposition. There was enough business on the order paper to keep the house going for a week, and there will be some more before that is done. If the opposition will only not obstruct the proceedings the house may be prorogued before Christmas.

MR. WILLIAMS—"The government don't anticipate that, when they head all their bills 1894-95."

HON. MR. DAVIS—"If the printer has put that on the government is not responsible; and that is easily changeable."

Motion agreed to.

STIPENDIARY MAGISTRATES BILL.

On motion of Hon. Mr. Davis the house went into committee on the bill (No. 3) extending the jurisdiction of stipendiary and police magistrates to proceedings for the collection of small debts and otherwise; Mr. Smith in the chair.

The committee rose, after making considerable progress.

HON. MR. DAVIS presented a message from the Lieutenant-Governor transmitting a bill authorizing the revision of the statutes. The house adjourned at 5:55 p.m.

PROVINCIAL LEGISLATURE.

First Session of the Seventh Parliament.

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WEDNESDAY, November 21, 1894.

The Speaker took the chair at 2 p.m. Mr. Cotton presented a petition from the Mayor and Corporation of Vancouver praying for amendments to the city charter.

REVISION OF THE STATUTES.

Hon. Mr. DAVIE moved: "That this house do resolve itself into a committee of the whole for the purpose of considering the introduction of a bill intended to authorize the revision of the statutes." The mover explained that it is not intended that the proposed revision shall have its full effect at once, or that the results shall be presented to the house next session or even the session after that.

Mr. SEMLIN did not oppose the proposition, but suggested that there be some safeguard against any dispute as on last occasion, about the compensation to be paid.

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Hon. Mr. TRAXER suggested that in future the member should, before making such wild charges as that the accounts are cooked, make inquiry as to any items which appear to him to be fit subjects for such inquiry.

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Mr. SEMLIN asked that, as he had not had time to confer with those principally interested in this bill, its consideration should be further postponed, if this would not inconvenience the government.

Hon. Mr. DAVIE said there was no doubt some other business which could be gone on with, and at the desire of the hon. leader of the opposition he would not press his motion for second reading.

REPRESENTATION OF EAST LILLOOET.

On motion of Hon. Mr. Davie the house went into committee on the East Lillooet election bill, Mr. Kettle in the chair. The bill was adopted with amendments, including the provision that the Speaker's warrant for the new election shall be issued between the 1st and the 15th of May next.

LICENSING ACT REPEAL.

Hon. Mr. DAVIE moved the second reading of the House act repeal bill (No. 4). He explained that by an oversight, and in consequence of two members having introduced bills relating to the same subject, two bills with the same object and in almost identical terms appear on the statute book. This is to repeal one of them.

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Hon. Mr. DAVIE moved that the house do resolve itself into a committee of the whole for the purpose of considering the introduction of a bill intended to authorize the revision of the statutes.

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