

PROCEEDINGS OF THE LEGISLATURE

RESERVE BILL WENT THROUGH COMMITTEE

Leader of Opposition Fought for Mr. Cameron's Amendment Being Considered.

Victoria, March 10th. The government to-day succeeded in getting its pet measure, the Songhees Reserve Bill, through committee without amendment. This bill, judging by the extreme sensitiveness shown by the Premier with respect to it, is regarded as meaning very much to his government, and they want an absolutely free hand in disposing of the lands. The placing of such a power within the hands of any government is an extremely dangerous precedent to establish, and only blind partisanship would permit of such a high-handed step being taken.

Mr. Macdonald, the leader of the opposition, in supporting the right of Mr.



PREMIER MCBRIDE.

The Leader of the Conservative Government.

Cameron, of this city, to introduce an amendment, referred to later, was overruled by the chairman. An attempt to cut Mr. Macdonald off before the full argument was heard on the point was well met by the leader of the opposition, who contended that the chairman had no right to refuse him full hearing.

The Game Act Amendment Bill was outlined by Hon. F. J. Fulton on its second reading. The debate was adjourned by Parker Williams.

Prayers were read by Rev. J. P. Hicks.

Supreme Court Act.

Dr. King introduced a bill to amend the Supreme Court Act, which was read a first time.

Questions and Answers.

J. Murphy asked the Chief Commissioner of Lands and Works the following questions:

1. Is it the intention of the government to expend the unexpended balance



HON. R. G. TATLOW,
Minister of Finance.

of the \$10,000 voted for roads and trails for Cariboo district last session, before the 30th June next?

2. Is it the intention of the government to expend the unexpended balance of the \$20,000 voted for the Cariboo main trunk road, before the 30th June next?

3. Has the \$10,000 voted for road machinery last session been all expended? If not, how much of it remains unexpended?

4. What has been the total cost of the Chinook Creek bridge and approaches to date?

5. Were any complaints made to the government against Robert McLaren, former road superintendent in Cariboo district? If so, what were they and by whom made?

6. Why was Robert McLaren dismissed as road superintendent?

7. Who has charge of the protection work now being done on the Quenel river at Quenel?

8. Has anyone other than the person in charge the right to dictate what persons shall obtain employment on said work?

Hon. R. F. Green replied as follows:

1. Yes, if necessary.

2. Yes, if necessary.

3. No; \$3,257.30.
4. \$76,805.
5. No record of any.
6. At end of season his engagement ceased.
7. R. Rutherford.
8. No, except by direction of the Chief Commissioner of Lands and Works.

Bill Reported.

The bill to secure to dependents the wages of deceased workmen was reported.

Replevin Bill.

The amendment to the Replevin Act passed its third reading.

Frauds Upon Creditors.

On the further consideration of the report on the bill to consolidate and amend the law for preventing frauds upon creditors by secret bills of sale of



J. A. MACDONALD,
From Rossland, the Liberal Leader.

personal chattels, the Attorney-General moved an amendment by which a transfer or assignment of a registered bill of sale need not be registered.

J. A. Macdonald thought that this was a mistake. He thought fraud would be prevented by following the old course of having the transfer registered.

The Attorney-General said he would allow this to stand over. He, however, held out no hope that his mind would be changed on the subject.

Land Registry Bill.

The Land Registry Bill was further considered on report. The report was further adjourned.

Songhees Reserve.

The House went into committee on the Songhees Indian Reserve Bill, with Price Ellison in the chair.

Mr. Cameron moved the following amendments:

Section 2, lines 3 and 4—Strike out the word "such," between the words "upon" and "terms," in the third line, and strike out the words "may be deemed advisable" in the fourth line, and insert the word "follows" at the end of the section.

To add the following as sub-sections to section 2:

(1) For a free grant to the city of Victoria of the reserve lying to the north of the Esquimalt road, such land to be used for public park purposes, upon such terms and conditions as the Lieutenant-Governor-in-Council may prescribe.

(2) By giving to the city of Victoria the first right to purchase or acquire the reserve and one-half acres (more or less) of the said reserve lying to the south of the Esquimalt & Nanaimo railway right-of-way, upon such terms and conditions as may be agreed upon between the city and the Lieutenant-Governor-in-Council.

(3) By a free grant to the city of Victoria of sites for purposes of (a) public school or schools, (b) fire hall, (c) three public landing places, including wharves and buildings, upon such terms and conditions as the Lieutenant-Governor-in-Council may prescribe.

(4) The remaining portions of the reserve may be disposed of by public auction, under such terms and conditions as may be provided by the "Land Act."

Hon. Mr. Green said this amendment was out of order, inasmuch as it specified a free grant to Victoria. Such could only emanate from the government.

Mr. Macdonald wanted the authority for this.

Hon. Mr. Green cited a former ruling. Mr. Macdonald contended that the rule

of the House did not apply to an amendment such as this in committee. He said that if the rule was established, then a private member could not move an amendment to any bill which affected the revenues. In this instance a private member did not introduce a measure such as this, which affected the revenue. The measure was introduced, however, by the government, and was not a private member's bill.

Hon. Mr. Green said that even he, as a minister of the crown, was not compe-

tent to introduce an amendment such as this.

Mr. Macdonald, rising to speak, the chairman interrupted, stating that he ruled the amendment out of order.

Mr. Macdonald, continuing to address himself to the question, the chairman reminded him that his ruling had been given.

Mr. Macdonald said that he did not propose to be shut off in any such way. The chairman had not given his ruling after the discussion. He maintained that there was no authority for this, and asked the chairman why he so ruled.

The chairman said that his reason for ruling it out of order was that it dealt with crown lands, and it was not competent for a private member to introduce such a motion.

An appeal was taken to the committee, when the chairman's ruling was sustained by the straight party vote.

The bill passed committee complete without amendment, and was reported.

On the second reading of the bill to amend the unrepealed provisions of the Assessment Act, the Attorney-General said that the object of the bill was to correct a mistake which had been made in the assessment of mineral properties. The bill provided for the amending of the assessment.

The bill passed its second reading.

Game Laws.

Hon. F. J. Fulton introduced the second reading of the amendment to the Game Act. He said that the protection of game was one of great importance to the province. In Maine it was said that \$3,000,000 was spent by those in search of game in the state. In California \$20,000,000 was spent by visitors. In Ontario, on a small stream, the Nepigon, \$40,000 was spent by those who came to fish there. British Columbia was attracting more attention from hunters and fishermen, and the results would be to the benefit of the province.

The main feature of the bill, he said, was contained in the provisions which allowed of the appointment of a game warden. He had personally advocated imposing a gun license. It did not find favor, however. Sportsmen had indicated that they would willingly pay the license. The present act made no provision for a gun license. Last year non-residents paid in licenses \$4,000, which would meet the expense of a game warden.

He outlined the features of the bill. Touching upon the close season for beaver, he said that he had learned that the taking of beaver furnished the main source of sustenance to certain tribes in the north. The Indians, he heard, partitioned off the northern part of the pro-

vince and the tribes did not encroach upon one another in killing beaver. They further protected the animal from extermination. He had made provision by which, if it were found necessary, that the Indians might be freed from the provisions of the act in this respect.

Mr. Macdonald wanted the adjournment of the debate, which motion carried.

Private Bill.

The bill respecting the Brunette saw-mill passed its third reading.

The House then adjourned until tomorrow.

Victoria, March 10th. The government to-day ran up against another difficulty on the Songhees Indian Reserve Bill. W. G. Cameron again moved his amendment on report. The government trusted to the amendment being declared out of order, but they were unable to quote precedents which would satisfy the Speaker in ruling according to their wishes. So impressed was he with the authorities quoted by the opposition that he reserved the point for future decision. This unexpected turn in the situation, coupled with other difficulties which the Premier has to face, left him in anything but an amiable frame of mind. During the day he evinced a peevishness which, in view of the bravado which has formerly characterized him, was pitiable. The members of his government also have during the past week imbibed the same spirit and show a readiness of becoming petulant.

It is evident that something is preying upon the minds of the members of the government.

On the bill introduced by the Attorney-General for the purpose of leaving mining companies' assessments open for all time to be altered, the leader of the opposition put up a determined fight, contending that the government seemed to be inspired with a desire to kill the mining industry. The bill was admittedly introduced for the purpose of enabling the government to get after the Le Roi company. The Premier, the Attorney-General

and the Chief Commissioner of Lands and Works made frantic efforts to get the bill passed in other than an amiable frame of mind, but at the end of the debate stood convicted of introducing the most vicious principle into the legislation of the country.

Prayers were read by Rev. J. P. Hicks.

Railways Reported.

W. R. Ross, for the railway committee, reported that the bill respecting the following bills had been proved, viz:

"An Act to amend the Queen Charlotte Islands Railway Company Act, 1901"; "An Act to Incorporate the Stave River Valley Railway Company"; "An Act respecting the Pacific Northern and Ontario Railway"; "An Act to Incorporate the Fording Valley Railway Company"; "An Act respecting the Kootenay, Cariboo and Pacific Railway Company."

New Bill.

Parker Williams introduced a bill to amend the Provincial Elections Act, which passed its first reading.

Tardy Settlement.

Mr. Oliver moved the following resolution:

"That an order of the House be granted for a return of copies of all correspondence between the government, or any member thereof, and any other person or persons in respect to the claims of Mr. Aulay Morrison, K.C., for compensation for services rendered."

Mr. Oliver said that he had been informed that Mr. Morrison, while acting as solicitor for the government, had made several trips to Ottawa on business in connection with the New Westminster bridge. The bill sent in had been disputed. The Attorney-General had allowed a flat for a petition right. The petition had not been attended to but had been delayed from time to time.

Premier McBride said that he had no objection to furnishing the papers. He did not like the line pursued by Mr. Oliver. He could inform Mr. Oliver, and he hoped that Mr. Oliver would inform the person who had put this in his hands, that the return of these papers would not accelerate the settlement of this matter which was before the government. The Premier said that he did not believe Mr. Justice Morrison had any knowledge of this course which was being pursued with respect to this. The government would go fully into the matter.

Hon. R. G. Tatlow said in explanation that a claim was put in by Mr. Morrison for \$3,000, which was regarded by the Minister of Finance as an outrageous one.

J. A. Macdonald said that he knew nothing about the merits of the claim. He, however, did not believe that it was an unfair claim, as he could not think the gentleman concerned would make an unjust demand. He was surprised at the statement of the Minister of Finance that the claim was an outrageous one.

It had been pending for nearly two years he believed. This claim should either be settled or a flat should be allowed. There was no excuse for such a delay. The Premier had no right to make any disparaging remarks with respect to Mr. Oliver or regarding Mr. Justice Morrison.

W. C. Wells explained the circumstances connected with Mr. Morrison's services. A matter in connection with the New Westminster bridge passing over the C. P. R. had been brought before the railway committee at Ottawa.

Mr. Oliver held that the amendment was in order. The bill was introduced by the government to dispose of these lands. If this amendment was not in order it would be practically unnecessary to bring these bills into the House at all, as they could not be amended.

The Premier cited other rulings, but the Speaker said that there were none of these cited which directly covered the point. It was an important matter to settle and he preferred to delay his decision.

Mr. Macdonald contended that this did not violate section 54 of the B. N. A. Act. This measure had been introduced by message. That being the case the subject was open to amendment. Quoting from May, he held that the bill coming properly before the legislature it was brought into committee so that it might be changed. The House saw fit. The bill proposed to dispose of the lands in a way not specifically mentioned in the bill. The amendment was not at variance with the powers of the bill, but specified in part how the lands should be disposed of. A matter brought into the House and left at large was competent to amendment.

The Premier took exception to the amendment on the ground that this was an attempt to divert a policy to the government, which had been decided as out of order.

The Speaker reserved his decision until Monday.

After Mining Industry.

The House went into committee on the bill to amend the unrepealed provisions of the Assessment Act, with Geo. A. Fraser in the chair.

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which opposed it. Mr. Morrison had undoubtedly given good service.

Mr. Oliver said that he was surprised at the stand taken by the Premier. No one, he thought, could ever say that he (Mr. Oliver) while a member of the House had shirked the duty of bringing anything before the legislature which he thought should come up. No one, not even the Premier, he believed, could say that he had been actuated by any motive of personal gain.

The Premier admitted that he did not pretend to say that Mr. Oliver was actuated by anything dishonorable.

Mr. Oliver, continuing, said that he was just as competent to judge of these matters as the Premier. He said he was not arguing that the bill should be paid, but that the matter should not be delayed. The Premier admitted it had been delayed ever since he came into office. That was altogether too long. The Finance Minister had no business to characterize the claim as outrageous, not knowing the character of it. The complaint was that the Attorney-General had promised a flat. The petition of right had been prepared and yet the issue of the flat was delayed. How could the Finance Minister know it was outrageous until the petition was received? The government should act promptly in the matter and settle this claim one way or another. He could give another instance where \$5,000 was paid in fees when the benefits to the province were so small that they could not be seen with a magnifying glass.

The resolution carried.

A Tie Up.

W. G. Cameron moved on consideration of the report on the bill respecting the Songhees Indian reserve, the following amendments:

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Mr. Oliver held that the amendment was in order. The bill was introduced by the government to dispose of these lands. If this amendment was not in order it would be practically unnecessary to bring these bills into the House at all, as they could not be amended.

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