

# PROCEEDINGS OF THE LEGISLATURE

## GOVERNMENT MEETS TEMPORARY DEFEAT

Position Saved Only by Loyalty of Opposition Member to the Chair—The Speaker's Dinner.

Press Gallery, April 24th.

The desperate struggle in which the minority government, which is still clinging to the treasury, has been driven was well exemplified this afternoon when they were defeated on a motion which is usually one of the most difficult to carry, namely an appeal from the decision of the chair. It all arose out of a discovery made by the opposition last night almost as soon as the speaker had left the chair that the government's motion to adjourn had really been defeated and that had the names been called the vote instead of standing 17 to 17 would have been 16 to 17 against the government. The leader of the opposition naturally wanted the records corrected, but the speaker held that the stage when this could be done had passed. Mr. McBride appealed and his appeal was upheld by the House by a majority of one.

The discomfiture of the government was apparent, and two of its members made a vigorous protest because the division bells had not been rung. After an hour's debate the government managed to get the vote retaken and saved their position by a majority of one. Mr. Hayward, of Esquimalt, voted to sustain the chair and the government would again have been defeated by a majority of one. The loyalty of an opposition member to the chair therefore is all that saved the situation so far as the ministry was concerned.

There was no night session, the speaker again entertaining a number of the members to dinner. There are persistent rumors that a Coast-Kootenay railway contract will be brought down in a few days, but the report is not authentic.

Prayers were read by Rev. J. H. Sweeney.

The Government Defeated.

Mr. McBride drew attention to the fact that the speaker on the motion to adjourn the previous evening had declared the vote a tie, whereas the vote was really 17 to 16, the government being in a minority of one. A mistake had been made in the count, and he wished the vote re-recorded in order to emphasize the defeat of the government as strongly as possible.

Mr. Neill—The vote of last night was also null and void because no vote was then rung.

The Speaker—No objection taken at the time.

Mr. Neill—Neither was any objection taken in this instance until the vote was recorded. (Applause.)

The vote was then retaken and the chair was sustained on the following division: Yeas—McInnes, Gilmour, Stables, Hayward, Martin, Dunsinuir, Elvins, W. Smith, Ellison, Clifford, Houston, Wells, Prior, Hall, Rogers, Hunter, Dick, Atkinson, and Rogers, 17.

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The member for North Nanaimo should have taken his point when the speaker failed to ring the bell.

Mr. McInnes said if this point was sustained he would appeal from the speaker's ruling.

Mr. Martin quoted the practice at Ottawa where bells rang all over the building and until all the members were in, and the whips had bowed to the speaker the vote was not taken.

Mr. Green asked what the House was discussing.

Mr. Oliver said the opposition had objected to the speaker's ruling that their objection should have been taken last night. Their present attitude, therefore, was not consistent.

Mr. Curtis said they had merely asked for a correct record. He also held that it was unfair not to record the votes on a motion to adjourn. Supposing a member moved the adjournment of the House in order to move a vote of censure on the government, would he not have the right to have the division on a motion to adjourn. The ministers had refused a revote on the Kettle River division when the bells were rung. How then could they insist on a different rule now?

The Attorney-General said the English rule was specifically the last should be rung. The government could not be expected to look about the House to see that every vote was present when a vote was about to be taken.

Mr. McBride pointed out that in consequence of the vote the speaker had given him authority to bring in a resolution, and even if a revote was taken it would not affect this.

The speaker said if he made an error he was willing to rectify it.

Mr. Rogers then moved that the division being taken without the bell being rung, it be taken.

The speaker indicated that he would have the vote retaken.

Mr. McPhillips said if the British practice was to be invoked it should be invoked in its entirety, a sand glass purchased and all the other forms used. If so the motion was out of order coming from a private member, and being a charge on the revenue. (Laughter.)

Mr. McBride said if the vote was to be retaken members who were not in their places when the vote was taken before should not now be allowed to vote.

Mr. Ellison thought the failure of the speaker to ring the bell was perhaps due to delicacy as his own ruling was in question. There was no doubt the bells should be rung.

Mr. Neill—Do I understand, Mr. Speaker, you hold the vote null and void because the bell was not rung.

The Speaker—Yes.

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with historical facts, and the resolution as amended passed as follows:

That this House desires to place on record its deep sense of the great loss it has sustained in the death of the late Hon. John Paton Booth, and to express its high appreciation of the eminent services rendered by him to this province, both as Speaker of this House and representative of the riding of North Victoria, who for upwards of 20 years occupied a seat in this legislature, and who gained the respect and esteem of this House by the real ability and impartiality with which he discharged the duties of his high office, and the judgment and firmness with which he maintained its privileges and dignity, and that a copy of this resolution be forwarded to the widow and family of the deceased.

On motion of Messrs. Neill and Hawthornthwaite, it was decided to forward a copy of the resolution to the widow of the late Speaker.

Pernie Property.

A bill to confirm an agreement between the Crown's Nest Coal Company, respecting certain lots in the town of Pernie, was transmitted by message and committed to the House forthwith. It was reported and read a first time.

Mr. Greenfield's Appointment.

The debate was resumed on Mr. McBride's motion asking for all the returns in reference to the appointment and work of J. K. Greenfield, and all telegrams in reference to that matter.

Defending the government's action, the Chief Commissioner said Hon. Alex. Mackenzie had sent J. D. Edgar to the province some years ago as the representative of the Dominion government in negotiations with the province. The local government he held had acted in similar lines. Notwithstanding the work of the delegation to Ottawa, there was still a consummation to be arrived at, and it was considered advisable to employ a man of large capacity. He could think of no one more suitable than Mr. Greenfield, whom he had known for years, and whose career he had watched with interest. He had the additional qualification of standing well at Ottawa.

He charged Mr. McBride with unfairness in claiming that the \$2,000 fee to Mr. Greenfield was practically a contribution to the election fund of the government candidate. It was unfair not only to the government, but to Mr. Greenfield, and he ventured to say would not be made if Mr. Greenfield were in the House.

Mr. McBride said that sort of talk was getting very tiresome.

Regarding the request for dates on which Mr. Greenfield was in Ottawa, the government, the local government was not keeping track of these dates. He would doubtless embrace his own opportunity—perhaps by taking the date of a minister's—most opportune time to deal with the matter.

Mr. McBride, in replying, said he was disappointed with the minister's reply. Where was any indication of his success in getting "better terms" in securing a grant for the New Westminster bridge? The reason was that there was no such information. The whole thing was a mere dodge. The appointment was made in the minister's pocket, and then the rest of the ministry, including the Minister of Mines, had to share the dose. He ventured the opinion that the appointment of Mr. Greenfield was a public man, and a prominent man in the Liberal party.

The Chief Commissioner—What is Mr. Greenfield's position?

For reply, Mr. McBride referred Hon. Mr. Wells to his honorable colleague, the Minister of Mines, who had published his opinion in no uncertain terms.

The Chief Commissioner—He can speak for himself.

Proceeding, Mr. McBride charged the government with gross malfeasance of office, and referred to the unique specimen of Mr. Greenfield's as the province's agent in British Columbia. He was such an agent he should be charged with doing his duty there, instead of being here.

His appointment was entirely due to the government's railway policy. The date a drought out before the commission and in the House had shown his appointment was but a ruse. He insisted on the full return being brought down. The House also wanted all the telegrams.

Hon. Mr. Wells—What you got didn't do you much good.

Hon. Mr. McBride—Did it do you much good? He said any one who saw how the government winced when those telegrams were read knew how much good it did them. Fancy a minister's secretary sending a telegram that the government was in Mr. Greenfield's hands.

The Chief Commissioner—I never sent such a telegram. It is an untruth.

Mr. Curtis—Why did the government put it in the House? It was a lie.

The Chief Commissioner—I don't know anything about that.

Mr. McBride—Well you should, you know.

Continuing, Mr. McBride said that he believed the Attorney-General would be very much annoyed when informed of Mr. Greenfield's appointment, although he knew he had changed much lately.

Mr. Curtis said the Chief Commissioner was saying something which his oath before the commission disproved. (Cries of order.)

Capt. Tatlow—The Chief Commissioner says one thing and swears another thing. (Order order.)

Mr. McBride said he would like the series of telegrams, including the one stating "it's up to you, or the government is in your hands." He thought the Chief Commissioner should instruct his accredited agent to start for Ottawa to-night.

The debate on the forebore rights was resumed by Mr. Murphy, who said that Mr. Hunter had not strengthened his arguments by the introduction of

inueno, in which he questioned the good faith of certain members.

He had also held that the opposition had no case. This he proceeded to analyze.

It had been proved that a reserve had been put on, for a wise purpose as government speakers had admitted. Now the reserve had been removed and the land reverted under the Land Act.

What defence was there for that act? The Gazette notice specifically instructed the application to proceed under the Land Act. That then became a part of government policy.

The reserve had been taken off at a very inopportune time, steps being at that time taken to put the canning industry on a firm basis. The government's action had dissipated that. This was the second point proved by the opposition.

It was also proved that applications had been made for these reserves under the Land Act.

Mr. Hunter—I said the opposition had proved nothing wrong.

There was strong evidence, continued Mr. Murphy, to prove that these applications would be considered in the order in which they were received. The government had indicated that they would proceed on the basis of first come first served, which would be perfectly right, if the government's reserves were correct. More, the opposition had proved to their own satisfaction that they were going to look after their friends.

The Premier—I said their claims would be recognized. Wait till the act comes down.

Mr. Murphy asked how they were to be recognized, if not under the Land Act.

Hon. gentlemen had held that some of these applications had been filed before the Victoria election was held. They were not filed before the Victoria election should have been held, of being when the seat was vacant. (Hear, hear.) Hence the deduction was fair that the application was connected with the Victoria election.

Proceeding, he said the opposition based its main attack on the government, because they proposed to part with the land under the Land Act.

The government would have to come down as they had previously, and accede to the opposition contention.

He held that these forebore rights were among the greatest assets of the province, and should be held for the benefit of the people.

Mr. Hunter—Hear, hear.

Mr. Murphy—That is the opposition principle, and if the member for Cariboo endorses it he must support us.

Mr. Murphy said the opposition was not holding that any canner company should have these rights; they were merely pointing out how unjust the government's position was.

The province should provide for the taxation of these forebore rights, and to limit the applications so that no monopoly could get control of these rights.

Mr. Hunter—Hear, hear.

Mr. Murphy was glad to see the member for Cariboo take this view, because the Premier had promised to grant the applicants their request.

The Premier denied this.

Mr. Murphy asked him how he could deny it when he promised recognition of their claims, and the government had opened the reserve under the Land Act.

The Attorney-General—Wait till you see the bill.

Mr. Murphy retorted that the bill, if it differed from the provisions of the Land Act, must have been drawn up in accordance with the representations of the opposition.

The Attorney-General replied that the bill was drawn up before the opposition gave notice of the present motion.

Mr. Oliver said the arguments seemed to be based on the assumption that friends of the government had received inside information. He congratulated the opposition on the strong case they had made out. The government, however, he found had kept within their statutory rights. Hence he could not support the motion. He believed, with the member for West Yale, that these rights should be parted with without due safeguards. He therefore moved:

That in the opinion of this House no forebore rights should be disposed of except by open competition, under conditions which will ensure the occupation and use of the same, and restrictions that will prevent monopoly and the employment of Chinese and Japanese.

Mr. McBride asked if this resolution was in order. It practically embodied what he would have put in his resolution had he thought that in so doing he would be within the four corners of the law, as it was a strong case on the government. If it was in order he would support it, being as it was a most severe arraignment of the government's course.

The speaker asked the resolution out of order, as being in violation of the government and trying their hands.

Mr. Curtis said the matter was one of the most important to come before the House. The Minister of Mines had made a disclaimer of any knowledge of Mr. Todd's and Mr. Munroe's application during his election. Of course if there was evidence to the contrary, the candidate would not be concerned in it because it might affect the result of his election.

The fact remained that on the day the reserve was lifted the applications were made. Was the inference not fair that this was not a mere coincidence? It presupposed the government had a policy in the matter, and it should be disclosed to the House. The lifting of the reserve and the Premier's statements to Mr. Jarvis were indications of policy, and not creditable ones either. The government should disclose its policy, especially in view of the fact that other people were applying, as shown by the list of names read to Mr. Jarvis by the Premier.

With regard to the policy of lifting that reserve, there was under the Land Act no reasonable way of getting out of these lands what the province was entitled to.

It was important to deal with timber in a special way by bonus from the highest tender, rental per acre and royalty, how much more importance with on fish and coal?

If the province had continued to give away its coal lands, as they did 15 years ago, without any royalty, what an enormous sum of money would have been lost.

Mr. Cotton, when Finance Minister, deserved credit for inserting a provision

for a royalty in the grants to the Crow's Nest Coal Co.

The Attorney-General—That was the law.

Mr. Curtis—Perhaps it was in regard to that company, and perhaps not.

That royalty, he said, would bring the province \$25,000, with increasing amounts in the future.

These forebore lands should be leased, followed by a royalty, thus making the trap tributary according to what nature sent to that trap. A tax of 5c a fish would bring the government \$500,000 in one year. If these traps cut off the American supply, as Mr. Babcock predicted, the catch would reach 15,000,000 fish, and the return would be \$750,000.

The Attorney-General—Then you think a salmon equal to a ton of coal.

The Minister of Mines asked how the Canadian cannermen was to compete with the American if his fish had a 5c royalty, while the Americans cost from 1 to 2 cents.

Mr. Curtis said the Fraser river cannermen had been in business when their fish cost 12 to 20 cents. With traps they would cost from 2 to 3 cents. With 5 cents added they still got their fish at the least 4 or 5 cents cheaper than formerly.

Mr. Martin said the cannermen would be ruined this year if the Americans entered the British markets. There was nothing to prevent them doing so.

Mr. Curtis reported that the establishment of traps here would materially affect the American catch, and they would have much ado to supply their own markets.

Continuing, he said that the government by their conduct in meeting the canners and from the Premier's expressions were trying to strangle the canner industry.

Something had been said about Vancouver Island getting these traps, and a suggestion of jealousy had been made. There was no ground for such a suggestion. The proper location for the majority of these traps should be along the west and southwest coast of Vancouver Island, and Victoria should benefit from the physical position in that connection.

The senior member for Vancouver had repudiated the suggestion that the government could do any wrong in this matter. He had made the same statement as Mr. Martin should have made. The courts had proved a vastly different matter. Yet this was the gentleman who said his "votes talked."

Even when the speaker had brought in a resolution re forebore rights, Mr. Martin had attacked it as a silly resolution. Now he said the most should be got out of these rights for the people, and he took no steps to see that the people got the most out of them. He was utterly silent on that matter. The government proposed to deal with them under the Land Act, and dispose of them as they saw fit. Mr. Martin should have indicated that if the government didn't indicate that they would withdraw the people's interests, he would withdraw his support. He and his supporters would be equally responsible with the government if these rights were bartered away. That the power lay with them seemed indicated by the statement of Mr. Gilchrist, because of his railway policy, the government, put through the Redistribution Bill. They could not claim the credit for that and escape the liability for this.

He utterly condemned the course of the government in attempting to win over opposition members by sops in the form of railway and by the estimates. The suggestion of such things in Ontario recently had elicited a storm of protest from the press. Any action which kept the government in power became responsible for the government's action, and even if they voted against the government on the railway question, they would be responsible for it if the government secured enough outside votes to pass that