

CERTIFICATE OF THE REGISTRATION OF A FOREIGN COMPANY.

Companies Act, Part IV, and Amending Acts. The Raven Copper and Gold Company (Foreign). Registered the 22nd day of March, 1897.

CERTIFICATE OF REGISTRATION OF A FOREIGN COMPANY.

Companies Act, Part IV, and Amending Acts. The Sidney Gold Mining and Development Company (Foreign). Registered the 2nd day of April, 1897.

NOTICE.

It is hereby given that sixty days after the date of registration of the said company...

NOTICE.

The undersigned, sixty days after date, did make application to the Chief Commissioner of Lands and Works...

WANT YOUR BUGGY FOR \$1.00

J. W. MELLOE. 141 Yates Street, Victoria.

STEARNS WORKS. 141 Yates Street, Victoria.

PROVINCIAL LEGISLATURE.

Third Session of the Seventh Parliament. FIFTY-FIFTH DAY.

THURSDAY, APRIL 29, 1897.

The Speaker took the chair at 2 o'clock.

Prayers were read by the Rev. D. Macrae.

The house immediately went into committee on the Mineral Amendment Act.

Mr. Huff in the chair.

Mr. Williams moved that an amendment recommended by the mining committee had not been placed in the bill.

Mr. Smith said he did not bring in the bill as chairman of the mining committee, but as member for the mining district of Lillooet.

Mr. Semlin said that the Mining Mines ought to have introduced a bill embodying all the suggestions of the mining committee.

Hon. Col. Baker said because he had done that on previous occasions he was not bound to do it now.

The hon. leader of the opposition could not show him, he thought, any rule obliging him to bring in the bill.

When the suggestions of the mining committee were embodied in their report, and laid on the table, it was open to any member to place any of them in the form of a bill and bring it before the house.

It was not necessarily the duty of the Minister of Mines to do that.

Mr. Walker moved that the chairman leave the chair.

Mr. Smith said this bill was brought in in the interests of miners, and the committee should pause before they killed the bill.

Mr. Rogers thought there had been too much trifling and tampering with the mineral act already.

Mr. Smith said there were several amendments which he had to be revised, and if this bill was killed another would have to be brought in including those revisions.

Hon. Col. Baker said he would be very sorry to see the motion carried. What Mr. Smith had said was quite correct. There were a number of amendments in the bill which were very necessary in the interests of the mining industry, and that industry would suffer if the bill was killed.

Mr. Kennedy, as secretary of the committee, said there were amendments to the bill which the mining committee did not recommend and that committee should not be made for those amendments. He would support the motion.

Mr. Williams said it seemed to him that Mr. Smith, by his action, had thrown discredit on the mining committee by introducing its bill.

Mr. Semlin said that the bill would be better for the bill to be withdrawn and another brought in by the Minister of Mines including all the amendments suggested by the mining committee.

Hon. Col. Baker said any member of the mining committee was perfectly able to bring in any amendments which were reasonable rates by the E. & N. railway company, in some cases they had been given away. He did not think the house had any right to force the hands of the companies and fix the price at which the lands should be sold.

The legislature should not set the example of repudiating contracts by "side wind." This was not a matter of public interest, but it was a clause in favor of the industry of the country. He felt that the house should throw out the clause.

Mr. Williams agreed with the hon. President of the Council that he would not like to see any repudiation of contracts but he did not see that this was a question of repudiation. They wanted to see the companies sell the surface rights at a reasonable price and not charge any such royalties as 20 cents per ton. They ought to compel the companies to give the miners the benefits of the reservations in the act granting them lands.

Hon. Col. Baker pointed out to the hon. member that the railway companies had not allowed to change anything like that. He did not refer to the E. & N. railway; that was a Dominion matter. The acts of the railway companies provided that if the miners were dissatisfied with the charge for land they could go to arbitration.

Hon. Mr. Eberts' amendment was lost.

Mr. Semlin moved an amendment strengthening section 8 of the original act so as to show more clearly that the \$5 tax should not apply to miners working for wages.

Mr. Braden moved that the section be struck out so that when the bill was passed he could introduce his section enacting that no one could work in the mines until he became or announced his intention of becoming a British subject.

The clause was struck out.

Clauses 3 to 11 were put through with a few amendments, and the committee then discussed clause 12, which reads as follows:

"When a lode is supposed to cross a valley or under alluvial deposits, and where such lode is indicated by its appearance on the side of the mountain leading into such valley, any free miner should make a sworn statement before the mining recorder or gold commissioner of the district that there is a lode which has indications of running through and under such alluvial deposits, shall be entitled to a permit for three months to search for such lode over the area of a mineral claim, with the privilege of leasing such lode and has expended before the satisfaction of the gold commissioner that he has bona fide searched for such lode and has expended in cash or labor, or both, not less than one hundred dollars in such search.

During the existence of such permit the parties to the agreement standing open to record by any other miner. The fee for such permit, and each renewal of the same, shall be the same as the fee for a lode.

Hon. Col. Baker was not certain that the clause should pass as it stood, as it would result in the locking up of land.

Mr. Kellie said it seemed to him the ground would be locked up anyway. If the miners could not find minerals they could not record claims, so that the land would be locked up anyway. He thought it was a good section.

Hon. Col. Baker—"The ground is not locked up now."

Mr. Smith said the amendment was introduced at the earnest request of the hon. members for Cariboo.

Mr. Rogers said the object of the clause was to give miners time to find rock in place.

Mr. Adams said the clause gave protection to a miner who was hunting for rock in place in order to get a record.

Hon. Col. Baker did not see that they could give miners a monopoly over an extensive piece of land for three months and perhaps longer.

Mr. Oton felt that the clause was going entirely against the spirit of the mineral act. They wanted to stand by the general act and not abandon it. The clause would certainly allow land to be locked up.

The clause was carried by 16 votes to 4.

A discussion arose on clause 13, which provides that no free miner shall be entitled to any interest in any mineral claim which has been located and recorded by any other free miner unless he has a written agreement signed by the parties to the agreement standing in particular interest he is entitled to in such mineral claim.

Mr. Adams moved to strike out the clause.

Hon. Mr. Pooley remarked that it of-

ten occurred that miners in the mountains had not pen and paper, and therefore could not draw up an agreement. He thought the principle of the clause a wrong one.

Mr. Kellie defended the clause.

Mr. Williams was in favor of some writing in these matters, and many legal disputes had arisen for want of agreements. He thought that there ought to be some writing signed by the parties specifying the interests of each.

The motion was defeated.

Mr. Williams moved to strike out all the words after "unless" and add "such interest is specified and set forth in some writing, signed by the parties so locating such claims."

The amendment was agreed to and the clause amended was passed.

Much discussion arose on clause 15, which reads as follows: "In all cases where a mineral claim is located upon land granted to a railway company by the government subsidy the lawful owner of the mineral claim, after the same shall have been crown granted, shall be entitled to appropriate the entire surface rights and interest in fee simple to the company in and to the same in the manner prescribed for the expropriation of land in the 'Lands Clauses Consolidation Act, 1857.' Provided, however, that the amount awarded for such surface rights shall not be more than five dollars per acre. The provisions of this section shall not apply to the subsidy of any railway company where provision is made in the contract for the purchase of the surface rights to mineral claims."

Hon. Col. Baker did not think the clause would hold water. He did not think the legislature had the power to compel railways to whom land had been granted to sell that land at a certain price, but he thought it would be a great boon if the legislature could compel such companies as the Island Railway to sell their lands at a certain figure, but he feared that this clause was contrary to the common law of property.

Hon. Premier Turner agreed that the clause would not hold water. They might, however, make the clause apply to railway lands "hereafter granted."

Mr. Rogers moved to strike out the clause, but the motion was defeated.

Hon. D. M. Eberts moved an amendment making the clause apply to lands hereafter granted. He submitted that though the proposition in the clause might be a good one the legislature having made contracts with certain railways, and having given them certain lands, it would be a breach of good faith to amend the law.

Mr. Williams said the lands were not yet granted, and he thought it would be better to amend the law so that the clause would apply to lands to be granted hereafter.

Mr. Braden moved an amendment, the object of which was to extend the \$5 tax to coal miners.

The amendment was ruled out of order.

Mr. Smith moved as a new section that nothing in the bill should affect pending litigation.

The amendment was agreed to.

Mr. Graham moved to strike out the following words in clause 4: "A description of the land bounding the claim should be given in the certificate of the vacant crownland or land occupied by mineral claims, with the name of the claimant. A sketch plan shall be drawn by the mining recorder, and a declaration, showing as near as may be the position of No. 1 and No. 2 posts, and the adjoining mineral claims."

Mr. Braden moved his new section making it compulsory upon free miners to become British subjects. The clause in slightly amended form was passed yesterday, and reads: "2. Section 3 of the 'Mineral Act, 1896,' is hereby repealed, and the following is enacted in lieu thereof: "3. Every person over eighteen years of age, and being a British subject, or being a British subject by declaration of his intention to become a British subject before any person authorized to take affidavits or affirmations, who is desirous of becoming a free miner, shall, before he is granted the gold commissioner or mining recorder, his declaration shall be in the form 'I, the undersigned, do hereby declare that I am a British subject, and upon his filing the same with the mining recorder, and every joint stock company, shall be entitled to all the rights and privileges of a free miner, upon taking out a free miner's certificate. A minor who shall become a free miner, as regards his mining property and liabilities, shall be treated in connection therewith, as if he were of full age. A free miner's certificate shall be issued in his corporate name. A free miner's certificate shall not be transferable."

The amendment was passed.

Section 18 regarding the removal of posts was struck out.

The committee rose and reported progress.

Hon. Col. Baker presented a return relative to the grievances of the sealers. It being 6 o'clock recess was taken.

At 8:30 p.m. the house again went into committee on the Mineral Act Amendment bill.

Mr. Adams moved that section 19 be struck out. It reads as follows: "Any free miner may act as an agent to locate and record a mineral claim for another free miner, provided he is previously in that behalf authorized in writing by the party for whom he acts, and such authority is filed in the office of the mining recorder in the mining division in which the claim is situated previous to the date of the record of such claim."

The clause was struck out.

Mr. Oton moved a new section providing that persons working for wages only or about mines should not pay the \$5 tax.

Mr. Adams claimed that the amendment was one of those which interfered with the rights of the country. A large number of Chinamen as well as whites would be relieved of the tax.

Hon. Premier Turner said he would admit the bill he had introduced in a different shape, and the house adjourned at 11:10 p.m.

of Mr. Oton out of order as it interfered with the revenue.

Dr. Walkem appealed from the decision of the court, and the matter was referred to the Speaker.

The motion was carried and the house resumed.

A discussion of points of order were taken, and then,

Mr. Speaker said the amendment was perfect consonance with the bill, and he thought it was well to have it out of order as not being introduced as an instruction to the committee.

Hon. D. M. Eberts said the proposed amendment was to take the place of section 2, which was voted down this afternoon.

Mr. Speaker understood the crown objected to the amendment, and he ruled it out of order unless the assent of the government was obtained to it.

Mr. Huff asked the government to express their view.

Hon. Mr. Turner said the government did assent to its introduction. The thing that surprised him was that hon. gentlemen opposite did not take that course at first. From the way those gentlemen were treating the matter it seemed to him that they did not want the amendment brought in.

He had simply to ask the government to sell that land at a certain price, but he thought it would be a great boon if they did not want to bring it in at all.

Mr. Williams said that statement, and ultimately leave was granted to introduce the amendment, and it was formally put.

Hon. Premier Turner said he had assented to this coming in, but now he would speak against it. He repeated that he had had many representations from the miners, and he thought the ability of keeping on the tax, and they thought the government that they thought the tax should go on another year.

Mr. Oton, on the other hand, had letters from Kootenay in which he had expressed the view that the tax would be an unwarranted burden on the Chinese, and he thought the objection held good.

Mr. Speaker said he thought that the resolution was in the right view and the resolution he thought was in order.

Mr. Semlin proceeded to discuss the main resolution. He could not see how the province was called upon to give the admiral a residence. The pecuniary advantages to be derived from giving the admiral a residence at the expense of the province were nil. The admiral was an Imperial officer, and if the Imperial authorities felt that their officers should have a residence in any part of the province, they should themselves see that it was erected. Again, if the Dominion authorities felt that the residence should be erected for the admiral, they should see that it was erected. He understood they had built the admiral at Halifax a residence, but that was not the case in Victoria. He understood they had built the admiral a residence, but that was not the case in Victoria. He understood they had built the admiral a residence, but that was not the case in Victoria.

Mr. Booth's amendment was adopted by 17 votes to 11.

Mr. Speaker said he had received two telegrams from Roseland regarding Mr. Braden's alien clause in the Mineral Act Amendment bill. Two other honorable members had received telegrams for the information of the whole house. He would ask the clerk to read them.

The clerk read the telegrams as follows: "The Hon. Mr. Braden has received a telegram from Roseland regarding Mr. Braden's alien clause in the Mineral Act Amendment bill. Two other honorable members had received telegrams for the information of the whole house. He would ask the clerk to read them."

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