

PLANKS.

ant - Sir Charles... great ability. Nova... system that they owe... as at him, and... present... to forget that the... of Confederation, in... might it bravely. The... was fought in 1801... due to Upper deck... that question I have... ever given in 1870... to Kingston in 1877... though previously in... the Reform point... considered their new... reciprocity with a... like the United... even dangerous... rded it as a mean... ntry from the bond... ut it is now univer... ve been a matter in... The right direc... H. Davies indica... he submitted in th... his vote on the... platform subse... their convention ar... ils put themselves... question, and I hope... a position to go for... rection. If we are... and friendly to our... into line as soon... only free trade... the one, port... erland, whose traf... fice, too, is our best... all which would be a... if we reciprocated... could do, and which... gain and again with... last government.

PROVINCIAL LEGISLATURE

SECOND DAY.  
Monday, Jan. 26, 1896.

Speaker took the chair at two... and after prayers by the Rev... a prayer, Mr. Turner... Mr. Semlin presented a... of the Southern railway... Dr. Walker, before the house... with the orders of the day, called... to the promise of the speaker... session to publish... last session a notice in the private... of the province, and he was unable to... Dr. Walker, and he wished to have... explanation.

well as the reclamation of other valuable lands. Mr. Sword claimed that there was no work projected to benefit the lands of those who suffered from the floods of 1894. It was, he must say, a shock to many farmers, and he felt that the government in order to enable the finance minister to make a better showing had got out of this expenditure. Mr. Sword also condemned the government for the high premiums paid on the conversion of the debt, and moved the adjournment of the debate till the next sitting of the house in order to give the finance minister an opportunity to look up the figures. The motion was agreed to, and the premier presented the formal resolution of condolence with Her Majesty and Princess Beatrice on the death of Prince Henry of Battenberg. The following bills were introduced and read a first time: For the benefit of mechanics and laborers.—Mr. Helmecken. To prevent certain animals running at large, and respecting injuries by animals of a domestic nature.—Mr. Eberts. To preserve the forests from destruction by fire.—Mr. Eberts. For the consolidation and amendment of the law relating to dower.—Mr. Eberts. To consolidate and amend the law relating to the custody and care of infants.—Mr. Eberts. For the better regulation of traffic on highways.—Mr. Eberts. To consolidate and amend the law relating to the contracts and privileges of infants.—Mr. Eberts. Mr. Helmecken asked: "In view of the recent conflicting judgments as to the constitutionality of the small debts act, is the intention of the government to introduce at the present session such legislation as will secure the proper working of the said act?" Hon. Mr. Eberts: "It is the intention of the government to bring the conflicting judgments before the full court at the first opportunity and until the decision of that court is known it is inexpedient to amend the act, except in a few details, which will be submitted to the house at an early date. The following standing committees were named by the leaders of the government and opposition respectively and agreed to: Private Bills.—Messrs. Hunter, Smith, Helmecken, Stoddart, Williams, Kitchen and Cotton. Printing.—Messrs. Walkem, Irving, Muttter, McPherson and Kennedy. Railways.—Messrs. Rithet, Huff, Rogers, Hunter, Adams, Kellie, Walkem, Bryden, Braden, Booth, Williams, Hume, McPherson, Kennedy, Swort, Forster, Gramme and Kidd. Mining.—Messrs. Smith, Adams, Rogers, Kellie, Bryden, McGregor, Braden, Gramme, Hume, McPherson, Kennedy, Forster and Semlin. Accounts.—Messrs. Rithet, Muttter, McGregor, Swort and Kidd. The house adjourned at 5:15 p.m.

NOTICES OF MOTION. Mr. Kellie.—To introduce a bill to suppress claim jumping and for the relief of free miners in their rights and privileges. Mr. Kellie.—To introduce a bill respecting wages. Hon. Col. Baker.—To introduce a bill to amend the public schools act. Mr. Eberts.—To introduce the following bills: Respecting the care and commitment of the persons and estates of lunatics; To consolidate and amend the law relating to leases and sales of settled estates; Respecting the powers and duties of trustees and executors, and the appointment of new trustees; for better securing the trust funds; for the relief of trustees; to consolidate and amend the laws relating to the conveyance and transfer of real and personal property vested in mortgages and trustees. For the consolidation and amendment of the laws with respect to wills; Respecting arrest and imprisonment for debt. BILLS INTRODUCED. The following are among the provisions of a bill introduced by the right honorable gentleman: Fire districts are to be created under the bill for the preservation of forests, and in the territory so prescribed it will not be lawful, under heavy penalties, to set out fire in or near the woods from the 1st of October to the 1st of October, except under certain specified conditions. And locomotives or engines running through such districts are to have safety appliances on them. This act will repeal the bush fire act of 1890. The bill respecting the sheriff, to search premises upon four, instead of twenty-four hours' notice. The bill was read a second time and ordered to be committed to-morrow. The house then adjourned. Mr. Walker.—To introduce a bill to amend the county courts act. Mr. Kellie.—For a return showing the several matters of the settlement of the railway land question between the Dominion and the province was completed. Mr. Helmecken.—To introduce a bill to amend the "Dairy associations act, 1885." Mr. Williams.—What action, if any, has been taken by the government to secure the appointment of a supreme court judge resident at Vancouver? Also, does the government intend to take any action whereby the supreme court judge to be appointed to fill the vacancy caused by the resignation of Sir H. P. Pellow Crease shall be required to reside in the city of Vancouver? FOURTH DAY. Wednesday, Jan. 29, 1896. Mr. Speaker being unwell, Mr. Booth presided. Rev. Mr. Tait read prayers. Mr. Rogers presented a petition of A. D. Whittier for the incorporation of a railway at Cassio. Mr. Kellie introduced an act respecting wages. Hon. Mr. Turner moved that the speech of His Honor the Lieutenant-Governor at the opening of the present session be read into consideration on Friday next. Hon. Col. Baker introduced an act to amend the public school act. The house then went into committee on the resolution of the Hon. Mr. Hume in the chair. The bill was reported complete without amendments as introduced, and ordered placed on the orders for third reading to-morrow.

reality only 93%, and Mr. Sword asked for an explanation as to whether, in view of the glut of capital in the money market at the time, this was the best price that could be obtained. Hon. Col. Baker promised that the information asked for would be given to the house on Monday, the estimates were brought down. The address was then put and carried without a vote being taken. Mr. Helmecken moved that whereas resolutions have at various times been passed by the legislature of the province of British Columbia in parliament assembled, urging upon the Dominion government the desirability of obtaining the removal of the Songhees tribe of Indians from the reserve to some suitable locality; and whereas it is highly desirable that a respectful address be presented to His Honor the Lieutenant-Governor to request the Dominion government's consent to refer the question of removal and settlement to a special commission, consisting of three commissioners, one to be appointed by the Dominion government, one to be appointed by His Honor the Lieutenant-Governor, and the two so appointed to agree upon a third, and in the event of the two so appointed being unable to agree upon a third, some member of the supreme court of British Columbia shall be the third commissioner. Mr. Semlin moved that before the house several occasions. He thought it inexpedient to do anything at the present time, because the Dominion government were the guardians of the Indians and would be likely to take action themselves independently of a commission. Mr. Eberts said the matter had received the attention of the government, who in March last had represented to the Dominion government the desirability of removing the Indians on this reserve to some remote place from the city. It had been found, however, that the Dominion government had granted a certain mineral license to a reserve in Nanaimo, which the provincial government considered an invasion of provincial rights. It was now stood in this position: The question of the right of the Dominion government to grant the mineral lease referred to will be argued before the supreme court at Ottawa at its next session, and until this point is decided the Dominion government have decided to allow the question of the removal of the reserve at Victoria to remain in abeyance. Mr. Hunter would be glad to have the matter settled, but he did not think the explanation afforded by the attorney-general was the point. Whatever the proposed commissioners intended to do the only way of getting rid of these Indians would be by consent of the Indians themselves; by paying them. Mr. Walker considered the resolution signed in order to be carrying out would not only benefit the city of Victoria but also lead to the settlement of the question of provincial rights as to the Nanaimo reserve. Hon. Col. Baker considered that Mr. Hunter was correct, but until the courts had determined in whom the fee simple of the reserve rested, he could not see how the government could make any move in the matter. Mr. Helmecken was very glad that this matter had come up. Everyone would admit that before the Indians can be removed they must give their consent. However, there is no difficulty in getting their consent, because they are perfectly willing to move if placed in an equally favorable position, and it appeared that there was a place to which the Indians were willing to go. What Mr. Helmecken's constituents wished was that this question should be tackled boldly and fearlessly. The subterfuge of referring the question to the supreme court was only to delay it, because the Dominion government sees that the province is weak in its contention the Dominion will appeal the question further to the privy council. The delay of the settlement of this question was productive of great injury to the city of Victoria. Now that Victoria had representative at Ottawa it would be well to hand this resolution to him and have it pressed to a conclusion. Col. Baker pointed out that the subject matter of this resolution had been dealt with by the government before, and that this was only a repetition. After some discussion by Hon. Mr. Turner, Hon. Mr. Pooley, Mr. Rithet and Mr. Booth, Mr. Helmecken declined to withdraw the resolution and it was duly passed, practically unanimously. Hon. Mr. Eberts introduced for second reading the bill amending the Replevin Act, which gives the sheriff the right, upon reasonable suspicion, to search premises upon four, instead of twenty-four hours' notice. The bill was read a second time and ordered to be committed to-morrow. The house then adjourned. Dr. Walker.—To introduce a bill to amend the county courts act. Mr. Kellie.—For a return showing the several matters of the settlement of the railway land question between the Dominion and the province was completed. Mr. Helmecken.—To introduce a bill to amend the "Dairy associations act, 1885." Mr. Williams.—What action, if any, has been taken by the government to secure the appointment of a supreme court judge resident at Vancouver? 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Hon. Mr. Eberts remarked that it would be noticed that a number of the bills which he is introducing are those revised by the Chief Justice, and to deal with these acts separately it would take three or four months. It would be seen that the amendments of the bills were printed in Italics, and if it was found that these suggested amendments did not meet with the approval of any member of the house, he could bring in a resolution, which, if carried in the affirmative, would be a direction to the revisor to incorporate that particular amendment. Of course there were such acts as the municipality act on which it would be desirable to have the full discussion of the house, but the method suggested would save a great deal of time. Mr. Kitchin thought it would have been better if the Attorney-General had given notice of a motion to discuss this so as to give members an opportunity to deal with the proposed amendments. Mr. Kitchin had found certain of these amendments which he was not prepared to accept. Mr. Williams agreed with this. He thought that it would be scarcely desirable to give the commissioner the power to make laws to be accepted by the house without discussion. The mode was new to him and he was not prepared to adopt it without discussion. Hon. Col. Baker thought that if the house is going into each act and revise it they would simply be doing the work of the commission over again. Mr. Cotton agreed with the procedure suggested by the Attorney-General as the most expedient. Mr. Eberts explained that the idea of bringing in the English laws applicable here was to have it set down in our statutes here so that anyone can read, when desired or necessary, what laws of England are in force. Mr. Helmecken agreed with the course suggested by the Attorney-General, but he thought that members of the house should have time to look into these amendments and to see whether they were agreed with the spirit of the act. A case had come up yesterday before the Chief Justice, who is the commissioner, in a case in divorce and matrimonial causes, when the Chief Justice said he was not prepared to recognize the jurisdiction of the court in this province as to divorce. Nor could it not be suggested for a moment, because the present Chief Justice held doubts as to the jurisdiction of the courts here in divorce and matrimonial causes, that all those who had availed themselves of that court were to be declared to have done so illegally and their subsequent children declared illegitimate. It was therefore of the utmost importance that the members of the house have time to consider these suggested amendments, and Mr. Helmecken would accordingly support the Attorney-General's request for further time. The matter was allowed to rest in that state. Mr. Kellie presented a petition on behalf of the Nelson Electric Light Co. The Attorney-General's bills, the miscellaneous animals act and the act respecting benevolent societies, were read a second time, to be committed to-morrow. NOTICES OF MOTION. Dr. Walker.—To introduce a bill to amend the homestead act. Mr. Macpherson.—For a return respecting leases granted for 21 years, their size and location, conditions and terms of the leases, the rent derived and the number of leases held by each individual or company. Mr. Helmecken.—To introduce a bill to amend the "Wages Act" which relates to other labor. Hon. Mr. Turner.—To introduce a bill intitled "An Act to Encourage Dairying." Dr. Walker.—For a copy of the order in council and all other papers in connection with the appointment of the commissioner to revise the statutes. QUESTIONS TO BE PUT. Mr. Kennedy.—1. Have all logs cut on provincial lands since the appointment of the official log scalers been measured by said scalers? If not why not? 2. Has the government collected all timber dues according to such measurement? Mr. Williams.—What sums have been paid and to whom in connection with the commission for the revision and consolidation of the statute law in force in this province? Has any sum been agreed upon for the entire work, and if so, what sum and to whom payable? Mr. Williams.—As to the total amount of the defalcations of Registrars Falding and Prevost, and the auditors' reports on their accounts, have defalcations been made by other employees of the government during 1895 and up to date, and if so, the particulars of each case? What security has the government for faithful discharge of these defalcators' duties? EDUCATIONAL MATTERS. Mr. Williams.—What contracts other than those presented to the house on the 23rd January, 1895, have been made relative to the new parliament buildings; what the value of the work done and materials supplied and remaining to be done and supplied, respectively, on each contract? What has been expended to date in connection with the new buildings and grounds, including discounts, commission and other incidental expenses? What will be the cost of completion, including everything? What loss, if any, will be sustained by the government by the failure of the late Frederick Adams to carry out his contract, or in connection with said contract? Hon. Col. Baker's bill to amend the school act enables the establishment of a school in a district where there are twenty instead of fifteen children of school age, and the government may grant aid to schools where there are between ten and nineteen children instead of seven to fourteen as now, while schools may be closed where the average attendance falls below twelve instead of ten as at present. The Council of Public Instruction may fill any vacancy that remains in the school board for forty days, and in case of neglect or refusal of any member to act the council may call a special meeting of the voters for the election of a successor to such trustee. There are two or three other changes of a minor character. Emerson is reported to have often spent long months as at present, the composition of one or two short essays.

THE INDIAN RESERVE

Proposition by the Government for Removal of the Present Occupants.

It Must Wait, However, Till the Fee to the Land is Decided.

Following is the minute of council which Hon. Col. Baker read in the legislature yesterday showing the steps proposed by the government for the removal of the Indians from the Songhees reserve. This basis of settlement, however, is dependent upon the decision whether the fee simple to the lands is vested in the province. Victoria, 26th March, 1895. On a memorandum dated 14th day of February, 1895, from the Hon. the Attorney-General, reporting on the advisability of coming to some understanding with the tribe of Songhees Indians who are settled on a reserve in a view to removing them from the premises and demoralizing influences of the reserve, and to place the land upon which they now reside at the disposal of the provincial government, in order that it may be more suitably occupied, states as follows: The said tribe of Indians were settled upon the land in question at the time of the occupation of the land by the Hudson's Bay Company. The only agreement they have to show, which entitles them to the use of the land, is one made between the Kossampin tribe and the Hudson's Bay Co., as follows: (The agreement, given in full, is dated 20th April, 1850, and surrenders to the H. B. Co. the land then reserved, upon this condition: "The condition of our understanding of this sale is, that our village sites and enclosures, which are kept for our own use, for the use of our children and those who may follow after us, and the land shall be properly surveyed hereafter.") It will be observed that this agreement surrenders "entirely and forever" the "whole of the lands," etc., etc., and it forwards a recite of the present Songhees reserve in the city of Victoria, shall be kept for our use, for the use of our children and those who may follow after us. No fee simple of the land is given; it is merely reserved for the use of the said Indians. The 13th article of the terms of the union between the provinces of British Columbia and the Dominion of Canada, it states "the trusteeship and management of the lands reserved for their (the Indians) use, and the same shall be assumed by the Dominion government, subject to the section 29 of the British North America Act gives to the Dominion of British Columbia the management and sale of public lands belonging to the province. Therefore, as the fee simple of the Songhees reserve is vested in the province of British Columbia through the crown, and the said reserve of land, which is reserved to the Dominion of Canada in trust for the use of the said Indians, is a part of the province can come to an agreement with the said Indians, that they shall remove to another tract of land situated in the province, and that the Songhees reserve to the province of British Columbia, and the said reserve of land, which is reserved to the Dominion of Canada in trust for the use of the said Indians, is a part of the province can come to an agreement with the said Indians, that they shall remove to another tract of land situated in the province, and that the Songhees reserve to the province of British Columbia, and the said reserve of land, which is reserved to the Dominion of Canada in trust for the use of the said Indians, is a part of the province can come to an agreement with the said Indians, that they shall remove to 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