

## PROVINCIAL LEGISLATURE.

Very Little Progress Made With Sunday Observance Bill in Committee.

Further Amendments Made to Mining Bills on Consideration of Report.

FIFTY-FIRST DAY.

Monday, Feb. 11.

The speaker took the chair at two o'clock. Prayers by Rev. Dr. Campbell.

Mr. Kitchen presented a petition from the members of the Presbyterian church of Chilliwack asking for the passage of the Sunday observance bill. Received and read.

Mr. Graham introduced a bill intended an act to amend the cattle protection act, 1891. Read a first time.

Major Mutter introduced an act intended an act to amend the line fences and water courses act and amending acts. Read a first time.

Mr. Helmcken moved that an order of the house be granted for a return showing the acreage of all lands assessed against educational, ecclesiastical, religious and charitable corporations (distinguishing the same) in the different districts of the province of British Columbia for the year 1894, showing the value for which said lands are assessed and the amount of taxes collected on the same, and the arrears, if any. Agreed to.

Mr. Kellie introduced a bill to regulate the payment of wages.

On consideration of the mineral bill Hon. Mr. Davies moved the following as a new section:

"The lieutenant-governor in council may make such orders as are deemed necessary from time to time to carry out the provisions of this act according to their true intent, or to meet the cases which may arise and for which no provision is made in this act, or when the provision which is made is ambiguous or doubtful, and further make and declare any regulations which are considered necessary to give the provisions in this clause contained full effect; and from time to time alter or revoke any order or orders or any regulations made in respect of the said provisions, and make others in their stead; and further impose penalties not exceeding \$200, or not exceeding three months imprisonment for violating any regulations under this act; and further provide that any statement or return required to be made by said regulations shall be verified on oath. Every order or regulation made by virtue of the provisions of this section shall have force or effect only after the same has been published for two successive weeks in the British Columbia Gazette; and such orders or regulations shall be laid before the legislative assembly within the first fifteen days of the session next after the date thereof."

Mr. Williams moved an amendment to the amendment providing that the regulations shall just carry out the meaning of the act, and not make new laws.

Hon. Mr. Davies moved an amendment as introduced.

Mr. Kellie moved the following as a new section:

"13. Any mineral claim or claims held in undisputed possession at the time of the passing of this act, notwithstanding any irregularities that might have occurred from the lapse at any time of a miner's certificate, or from any cause, and notwithstanding any provisions in law to the contrary, shall be deemed to be held lawfully within the meaning of this act: provided always that the holder of such claim shall have done the amount of assessment work on such claim which otherwise entitle him to possession of the same."

The amendment was lost.

Mr. Kellie moved the following as a new section:

"14. If any free miner who has at any time abandoned or forfeited a mineral claim, and who has subsequently acquired lawful possession of the said claim, shall be entitled to any work previously done by him on the claim so required, when applying for a crown grant for the same, but in no case shall such work be applied in the case of the amount of assessment work to be done annually thereafter, as required by law."

Amendment defeated.

De Warken moved the following as a new section:

"13. On and after the passing of this act it shall be unlawful for any alien, unless he declares his intention of becoming a British subject, to hold any mineral claim by location, but this shall not refer to any location made by such alien before the passage of this act."

The amendment was adopted.

Further consideration of the report was postponed.

On consideration of the report on the placer mining bill, the house took up Mr. Sward's amendment, which was as follows:

"The provision of this act shall not extend to or alter the position of any lease the question of the validity of which is now in litigation."

Mr. Williams moved to add the following words: "Or take away any rights now acquired by any person."

The words were added.

Hon. Mr. Davies opposed Mr. Sward's amendment. He contended that it would defeat the object for which it was introduced. It would be a mandate to the gold commissioner to do something that the act says he shall not do. The amendment was introduced for a particular case, which was the subject of a petition filed with the house. The courts should be allowed to deal with the case.

The amendment was defeated.

Mr. Eberts moved to add the following words to section 5:

"Provided always that nothing in this section or the said act, as amended, contained, shall be deemed to affect the

right of any holder of a lease to a renewal thereof, if such holder has substantially made and performed upon the ground the labor, work and expenditure required by such lease as a condition of renewal thereof." Agreed to.

Mr. Eberts moved the following as a new section:

"Notwithstanding any law or equity to the contrary, all leases of placer mining ground for hydraulic purposes issued by any gold commissioner in this province prior to the date of the passage of this act, and unexpired by effluxion of time at such date, shall be deemed to be legal, valid and effectual to all intents and purposes, provided that the lieutenant-governor in council shall agree to it."

The amendment was defeated.

Hon. Mr. Davies moved the same amendment for this bill as was placed in the mineral act respecting regulations to be made by the lieutenant-governor in council.

Agreed to.

Further consideration of the report was postponed.

The house went into committee on the bill to prevent the spread of thistles. Reported complete.

The house went into committee on the bill relating to the overholding of tenants.

Hon. Mr. Davies introduced a long amendment providing means for getting rid of an overholding tenant, and the bill was reported complete.

The house went into committee on the petty sessions bill. It was reported complete and passed.

On consideration of the report on the Stave river power company's bill, Mr. Kennedy introduced an amendment which would allow the company to build a tramway between Vancouver and New Westminster and also operate electric lights in those two cities.

The amendment was defeated.

Mr. Eberts moved an amendment providing that the company shall not supply power in the cities of Vancouver or of New Westminster except for public lighting.

Mr. Sward moved an amendment to the amendment to exempt New Westminster.

Mr. Eberts' amendment as amended was passed.

Mr. Eberts moved an amendment providing that nothing in the bill shall curtail the powers of the company to supply power to any one.

Agreed to.

Mr. Sward moved the following as a new section:

"In the event of any municipality in which any of the work authorized by this act have been constructed, desiring to undertake similar works as a municipal property, they shall be at liberty to do so without first offering to buy out the works constructed by the company, notwithstanding any general provision to the contrary in the act incorporating such municipality."

The amendment was adopted and further consideration of the bill was postponed.

The house rose at 5.55.

EVENING SESSION.

In the absence of the speaker Mr. Booth took the chair.

The school act amendment bill was read a third time and passed.

On consideration of the report on the dentistry bill it was decided on motion of Mr. Helmcken to increase the fee for certificates from \$10 to \$30.

The report was adopted and the bill was read a third time and passed.

The house went into committee on Mr. Adams in the chair, on the Sunday observance bill.

Mr. Kennedy, in replying to some of the speeches delivered against the bill on its second reading said there is no such thing as personal liberty. He spoke at some length, being frequently interrupted by laughter and cries of "Oh! Give us a rest!" etc. The debate fell into a general discussion, several members having the floor at the same time.

Mr. Rogers moved that the committee rise.

Captain Irving thought that the committee should rise. The people did not want any such bill and they would not have it forced down their throats. A man going out walking or anywhere else on Sunday did not interfere with those who attended church.

Mr. Booth—We are not trying to force anything down your throat.

Captain Irving—You bet not. It won't go down.

Mr. Booth did not want to interfere with any one as to how they spent Sunday, but he did think that no business should be carried on Sunday.

Hon. Mr. Davies was in favor of a better observance of Sunday, but he did not agree with the provisions of the bill, which were altogether too narrow. The bill might be improved by striking out four-fifths of it.

The motion that the committee rise was defeated.

Mr. Kennedy moved that the committee rise and report progress. This was done, although the only progress to report was the passage of the interpretation clause.

The house went into committee on Mr. Helmcken's pharmacy bill. Hon. Col. Baker introduced an amendment providing that the British Columbia Pharmaceutical Association shall accept a college diploma as sufficient to admit a druggist to practice in the province.

Mr. Helmcken pointed out that the young graduate who was causing all the trouble because the association had declined to receive his college diploma could not practice in the state in which that diploma was issued without first passing the examination of the state board.

The amendment was defeated.

Mr. Sward moved an amendment providing that the by-laws of the association shall not require any previous residential qualification from an applicant to practice.

The amendment was adopted.

Section 12 exempting pharmacists from jury duty was struck out.

Mr. Helmcken moved an amendment

providing that the board of examiners shall be appointed by the lieutenant-governor in council.

Agreed to.

The bill was reported complete, read a third time and passed.

The house went into committee. Mr. Sward in the chair, on the game bill.

Hon. Mr. Davies introduced an amendment to prevent the sale of any kind of game protected by the act until September 1st, 1897, with the exception of wild ducks and geese, which may be sold after the first of September in each year.

The amendment was lost.

Hon. Mr. Davies moved an amendment providing that willow and ruffed grouse shall not be sold until the end of November, 1897.

The amendment was lost.

Having reached clause of the committee rose and reported progress.

The house adjourned at midnight.

FIFTY-SECOND DAY.

Tuesday, Feb. 12.

The speaker took the chair at two o'clock. Prayers by Rev. Dr. Campbell.

Hon. Col. Baker introduced a bill to amend the coal mines regulation act. Read a first time.

Mr. Forster moved that whereas the Delta municipality intends commencing and erecting immediately an extensive system of dyking, and spending a large amount of money in so doing, and as the said dykes will be erected along the banks of the Fraser river and canoe pass to the Gulf of Georgia, and along the said river and the Gulf of Georgia are continually encroaching on the land and undermining and caving the banks of the land on the river and on the Gulf of Georgia, in a number of places the said banks along the line where the proposed dykes are to be erected; and whereas should these protection works not be immediately carried out it would have the effect of preventing the proposed dyking scheme from being carried out, thereby keeping property comparatively valueless, which, if these protection works were constructed, together with the proposed dyking scheme, would be worth over \$1,000,000; therefore be it resolved that an humble address be presented to his honor the lieutenant-governor requesting that representations be made to the Dominion government showing the great necessity for immediately protecting the said banks in that municipality.

The thistles bill was read a third time and passed.

On consideration of the report on the New Westminster city bill, Mr. Helmcken moved an amendment proposing that the city council should have the right to do so without first offering to buy out the works constructed by the company, notwithstanding any general provision to the contrary in the act incorporating such municipality."

The amendment was adopted and further consideration of the bill was postponed.

The amendment was adopted.

Mr. Helmcken moved an amendment providing that a three-fourths majority shall be necessary to carry a money bill.

The amendment was adopted.

Further consideration of the report was postponed.

The county courts act amendment bill was read a third time and passed.

Mr. Semlin asked the attorney-general:

a. Has the amount of \$20,000 advanced by the government in aid of grants to mill owners of Island Mountain mineral claim been repaid to the government?

b. Has any application been made by any one for purchase or use of said mill to any member of the government?

c. What reply was given to such applicants?

d. Who owns said quartz mill?

Hon. Mr. Davies—A. No. b. Yes. c. That the government were disposed to favorably consider the proposition, but in view of the large expenditure by the owners of the property it was thought that they should receive consideration.

The matter stood over on the understanding that the applicants to purchase and the owners would arrive at some agreement which would secure the development of the property and be satisfactory to the government; meanwhile the government has given the owner of the Island Mountain notice of foreclosure of their interests. d. The owners of the Island Mountain property, subject to the claims of the government.

Hon. Mr. Davies asked leave to introduce a bill relating to the Canadian Western Central railway.

Mr. Semlin reminded the premier that he had promised not to bring down any further legislation this session. The Canadian Western railway had been an important issue at the last election, and the bill could have been introduced five or six weeks ago. It was not fair to the legislature to bring in the bill in the dying days of the session.

Hon. Mr. Davies said when the members saw the bill they would, he thought, consider it a very proper one, and he did not think any one would vote against it. The bill was read a first time.

Hon. Mr. Davies introduced a bill respecting the lands in the railway belt.

On consideration of the report on the coal mines regulation act Mr. Huffer introduced an amendment providing that miners shall not set on foot an inquiry as to the fitness of persons to work in mines in which they themselves are not working.

The vote on the amendment was a tie, and the speaker voted in favor of it.

The vote was as follows:

Ayes—Messrs. Baker, Pooley, Turner, Davies, Martin, Bryden, Rogers, Eberts, Hunter, Ritchie, Adams, Kellie, Helmcken, Smith and Prentice—15.

Noes—Messrs. McGregor, Booth, Braden, Mutter, Sward, Kidd, Graham, McPherson, Forster, Hume, Cotton, Semlin, Kennedy, Kitchen and Williams—15.

Hon. Mr. Davies said although the objectionable features of the bill had been eliminated he thought it would be a mistake to pass it. The bill as it stood was made up of conflicting principles. He would vote against the adoption of the report and the third reading.

Mr. Mutter considered that the bill was of some use as it stood. Those who had voted for the bill were just as steadfast as those who had opposed it. He for one had no reason to change his opinion.

Mr. Booth had not changed his opinion and would vote for the bill. Men who worked underground should have some say as to their own safety.

Hon. Col. Baker Mr. Williams and Mr. Helmcken spoke in favor of the adoption of the report on the bill. The report was adopted, Hon. Mr. Davies and Hon. Mr. Martin alone voting against it.

The bill was read a third time and passed.

The house went into committee on the Sunday observance bill.

Hon. Col. Baker's amendment to allow the sale of drugs all day and perishable goods after 1 p.m. was adopted, as was also the following sub-section: "Sunday shall be considered a day of rest, and no labor, business or ordinary work shall be performed except upon occasions of reasonable necessity."

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill was reported complete.

Hon. Mr. Davies said he had given notice of a motion to refer back to the select committee on parliament buildings the report that committee had presented to the house a few days ago. He would like to have the rules suspended so that he could bring up the resolution this afternoon. It would take him about an hour and a half to state the facts as to why it should be referred back, and the members after hearing them this afternoon could discuss it to-morrow. The report was very misleading, being void of many statements that were necessary for a proper understanding of the question. He did not wish to blame the members of the committee, but he could show that the report was only a statement of half facts. Only one side of the question was brought out by the report. The evidence as well as the report was one-sided and in some respects untrue, although he did not believe that it was intentionally so.

Mr. Cotton thought it would be better for the premier to make his statements in the evening.

Hon. Mr. Davies said he would sooner go on on Wednesday.

Mr. Semlin pointed out that the government had a majority on the committee. Mr. Booth, an old politician, and the two members for Nanaimo, Messrs. McGregor and Bryden, all of whom were very keen. And yet the attorney-general said the report was one-sided and untrue. That was a strong arraignment of three good government supporters.

Hon. Mr. Davies contended that he had not arraigned the members of the committee. The government members were not on the committee to act either as defenders or prosecutors; they were there as judges. On the other side of a different position was assumed. One of the members on the other side had used his professional skill to bring out but one side of the question. He admitted that he was in fault for not having known what was going on in the committee, but both he and his deputy had been very busy. He should have been there to get out the facts.

Mr. Williams—There are too many facts now.

Hon. Mr. Davies said he would be able to show that Mr. Williams had acted in a manner that was hardly creditable.

Mr. Booth said he had never sat on a committee that was a government supporter. The house should hear the other side of the question from the attorney-general. Towards the end of the investigation he began to think that there was something wrong and only one side of the question was brought out, but the committee was in a hurry to report.

Mr. Williams contended that he had not acted in a partial manner. The report was based on the evidence taken by the committee. When the attorney-general said he, Mr. Williams, had acted partially, he was travelling from the facts. The report was a very mild one. He had not made an effort to arraign the government. The allegations published in a letter in the morning respecting the present chief commissioner were very uncalculated. It was probably just as well that the committee did not go further than it did.

Mr. Helmcken—One good turn deserves another. Mr. Williams had defended the chief commissioner and he for one did not believe that Mr. Williams had acted in a biased manner.

Mr. Smith considered that the members of the house should have the evidence before them.

Mr. Bryden, as a member of the committee, wished to state that Mr. Williams had acted in an impartial manner. He had done his best to obtain all the facts.

Mr. McGregor was also a member of the committee and he noticed that Mr. Williams had been very careful not to go beyond his powers. He examined the witnesses very carefully, and had acted in an impartial manner. Each witness was allowed to remain in the room after he had given his evidence, and if they did not do so it was their own fault.

Hon. Mr. Davies said he was satisfied after what he had heard that Mr. Williams had acted impartially.

Mr. Williams—It would have been better to find that out before you made the statement that you did.

Hon. Mr. Davies—What I said was that Mr. Williams had acted as prosecutor. I do not say that he did it intentionally but he only brought out one side of the question. He did not say the hon. gentleman was an unfair prosecutor; he just said that he acted as a prosecutor. He did not say that he would not have done the same if he had been in a similar position, but he would have gone further into the evidence. What he wanted to do was to bring out the other side of the question.

Mr. Williams said that the question as to who should be examined was left to the committee. If the government knew of any witnesses who should have been examined they should have notified the

committee. As chairman of the committee it was his duty to examine the witnesses. If the government had neglected their duty he objected to the blame being placed on his shoulders.

Mr. Bryden corroborated what Mr. Williams had said. The question of calling witnesses was left to the committee.

Mr. Booth said he wished to bear evidence to Mr. Williams' impartiality. The report was drawn up on the evidence as it was taken.

Mr. Kitchen objected to the attorney-general discussing the report until the evidence had been printed. He moved that the evidence be printed.

The speaker said that it would take several days to do that.

Mr. Cotton—It would be unfair for the attorney-general to come down to the house with a brief and discuss the evidence. He should simply make a statement of facts and allow the report to go back to the committee. He protested against the attorney-general using the word "untruthful" in connection with the members of the committee.

Hon. Mr. Davies admitted that he had used the word "untruthful" but he did not say that the members of the committee were untruthful. He said the report contained half facts.

Mr. Kitchen—Let the report be referred back to the committee and the attorney-general make his statement there. The speaker ruled that the discussion was out of order and could not proceed further, so Mr. Davies said he would move his resolution on Thursday.

The municipal committee reported enclosing a bill to amend the municipal act. Read a first time.

The house went into committee on the game bill. After passing a number of clauses the committee rose and reported progress.

Mr. Adams introduced a bill to provide for the destruction of wild horses.

Mr. Kitchen moved that the evidence taken by the select committee on the parliament buildings contract be printed.

Hon. Mr. Davies—The committee was misled by the evidence which is untruthful. He was sorry if anything he had said during the afternoon had been understood as imputing partial motives to Mr. Williams. He did not mean to impute such motives to the hon. gentleman.

Mr. Helmcken thought the house should have the evidence before the attorney-general makes his statement.

Hon. Mr. Davies—Well, I will not object to it being printed.

Mr. Williams—Let the report be referred back to the committee and discuss it when the second report is in.

Hon. Mr. Davies—That will never do. The report has gone out making it appear that the contract has been carried out in an unbusinesslike manner. It can be shown that this is not true. Those who are trying to make out that a department of the government is in the wrong are themselves in the wrong. It is not true that the contract is badly mixed and that the contractor was doing big claims for extras against the province.

Mr. Cotton—It looks as though the government wished to debate this question in the house to influence witnesses who may be called before the committee.

Hon. Mr. Davies—It is necessary that the house should know why it is desired to refer the report back to the committee. There was an attack against the architect for the buildings and an attempt to remove from office a man in whom the government had confidence.

Mr. Williams—No!

Hon. Mr. Davies—I do not say that it was an attack by the opposition but by an interested party. It is with a view of showing that the attack is unjustified that he wished to make a statement to the house. It would be unfair to publish the evidence which is ex parte.

Mr. Semlin—The committee arrived at a conclusion after hearing evidence on oath and the premier wishes to defend the government by making statements not substantiated by evidence on oath. He wants to set off sworn evidence by his statements unsupported by sworn evidence.

Mr. Kitchen—Let the committee take evidence and then he can discuss it before the house.

Mr. Forster—The attorney-general wants to answer the report of the committee and as the house rises shortly the committee will not have time to reply.

The motion to print the evidence was carried unanimously and the committee rose at six o'clock.

EVENING SESSION.

The house again went into committee on the game bill, there being a long discussion on a large number of amendments that were introduced. A provision was inserted allowing geese to be shot at any time.

The bill was reported complete and the house adjourned at 11 o'clock.

PROVINCIAL LIBERALS.

Organization of the Executive Committee on Saturday.

Delegations of three from each of the cities, representing Liberal associations, met in the Times office on Saturday evening and completed the organization of the provincial committee. The names of a number of oppositionists in the outlying districts, which are as yet unorganized politically, were submitted and added to the committee.

On motion of Mr. Davies, Vancouver, seconded by Mr. Paterson, Nanaimo, Mr. Hewitt Bostock was named chairman of the committee.

The work of the committee was debated and defined, and subsequently the opinion was elicited from those present and from letters read, that there was likely to be an opposition candidate in the field in every constituency in British Columbia, and with reasonable prospects of success in each.

The meeting adjourned about 10.30, the mainland contingent returning home this morning.

Correspondence may be addressed to Mr. E. Bostock, this city, who as chairman has been authorized to communicate with Liberals in every section of the province.

ALL OVER THE P.

Talk of Erecting a S. Nakusp Revived—See Mining Deals.

Grand Prairies Talk of Action—Work on River at Revelstoke.

REVELSTOKE.

Kootenay Mail.

A masquerade carnival will night on the rink below the bridge.

There are six buyers in the strict buying ore for smelters San Francisco, Helena, Butte, etc.