

## 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 to amend the cattle protection act, 1891. Read a first time.

Major Mutter introduced an act intended 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. Davie 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, or 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. Davie's amendment was adopted 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, and 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.

Dr. Walker 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. Davie 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 dealt with in 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. Davie 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. Davie 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 undertaking, 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' amendment, 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. Davie 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. Davie 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. Davie 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 8 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 Gulf of Georgia, thereby endangering the lives of 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 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 \$1,500,000; therefore he presented that a 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 said city shall vote on money by-laws.

The amendment was adopted.

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

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 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 applications?

Who owns said quartz mill?

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

On consideration of the report on the coal mines regulation act Mr. Euffler 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 in favor of it, and the speaker voted in favor of it.

The vote was as follows:

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

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

Hon. Mr. Davie 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. Davie 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 reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.

The preamble was amended and the bill reported complete.

Hon. Mr. Davie 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 municipal committee reported enclosing a bill to amend the municipal act.

Clause three, prohibiting Sunday excursions, was struck out.