Weekly Colonist

FRIDAY, MARCH 2ND, 1888.

THE PROVINCIAL LEGISLATURE.

Proceedings of the Second Session of the Fifth Parliament.

FIFTEENTH DAY.

FRIDAY, Feb. 24.

Mr. Speaker took the chair at 2:15 o'clock.

Prayers were said by the Right Rev. Bishop Cridge.

PRIVILEGE.

Mr. Orr referred to an incorrect statement of the manner in which the motion to adjourn the debate was made, appearing in THE COLONIST.

Mr. Grant questioned the editorial note in THE COLONIST with regard to the general knowledge of the letter signed by Mr. Turner. He (Mr. G.) knew of it before election day.

REPORTS.

Col. Baker presented the report of the select committee appointed to enquire into the charges preferred against Hon. Mr. Dunsmuir by Hon. T. B. Humphreys. The report stated that Mr. Humphreys failed to appear, and Mr. Dunsmuir appeared and stated that the charges were altogether untrue and he was in a position to prove it. The committee, therefore, recommended that the resolution preferred be expunged from the notes and proceedings of the house.

Col. Baker moved that the report be received and printed.

Hon. Mr. Humphreys thought the censure implied in the report was entirely actuated by animus against him. It was stated that he had failed to appear before them, and that the honorable president of the council had done so and stated he [illegible]ared to prove that the charges [illegible]e. It forgot to state, however, [illegible] had received a courteous letter [illegible]

[illegible]aker stated that the letter appeared with the other evidence attached to the report.

Hon. Mr. Humphreys thought the action of the committee was a premature one. He did not think that they had properly considered the case. He would move that the report be referred back to the committee for further consideration.

Mr. Fry said as one of the committee he begged to take exception to the remark of the hon. gentleman that his letter was a courteous one. He considered it otherwise. The hon. gentleman referred the committee to his speech in the house, and in that speech he had stated he would not appear before the committee. Mr. Humphreys entered the charges against the hon. president of the council, but had failed to appear before the committee. The defendant, however, had appeared, and, as any other court of inquiry would have done, they had decided as they had, and it was the only way in which they could.

Mr. Beaven considered that the report was out of order, and that no minutes could be expunged from the proceedings.

After some discussion the point raised was deferred for decision.

Hon. Mr. Robson said as there seemed to be a desire on the part of the member for Comox to appear before the committee the chance should be given him.

Hon. Mr. Humphreys thought such a suggestion was not in order.

ADJOURNED DEBATE ON THE CHARGE AGAINST HON. MR. TURNER.

Mr. Mason regretted that so much time had been taken up with this charge, which was one he thought that should never have been brought. If there was any ground it should have been considered before the last time Mr. Turner went before the people for re-election. He had listened with a great deal of attention to the remarks on both sides, and though the opposition had painted the case in the blackest colors possible, they had failed to convince him that they were correct. He had listened to the explanation of the hon. finance minister, and it had impressed him with its ring of truth. There was no doubt in his mind that the hon. gentleman was free from any taint of disloyalty or treason, and he therefore would support the amendment. (Applause.)

Mr. Beaven referred to the fact that THE COLONIST had not printed the letter in question until he had incorporated it with his resolution. Before the election of Hon. Mr. Turner it had not been published in any provincial newspaper. The first paper to publish it was the *Standard*. He considered the action of the finance minister in signing the letter as a greater political scandal than the Pacific scandal which turned the conservative government out of office (laughter.) He claimed that rather than being simply a letter of introduction, it was an acknowledgment that civil and religious liberty was not to be secured in British Columbia. The hon. finance minister had made a personal attack upon him, but he was content generally to let such attacks pass. Hon. Mr. Turner had slightingly referred to governments which he (Mr. Beaven) had been connected with, but that honorable gentleman had supported him when in government and opposition until 1886.

Hon. Mr. Turner—Well, I acknowledge my error (laughter).

Mr. Beaven, continuing, said that the hon. gentleman had supported him until 1886.

Hon. Mr. Turner—I supported you until I found you were damaging the country (applause).

Mr. Beaven said that the hon. finance minister had stated that the agent-general received but $500 but what about the incidentals?

Hon. Mr. Turner—State them. Why do you not stick to the truth?

Mr. Beaven said many men would be glad to have the agency for the honor and position of the office. This position as agent-general might give him influence to float Nicola quartz mines, and thus bring in incidentals of a valuable character. He said the leadership of the opposition had been questioned, but he thought the generalship of the government was not of a particularly bright character. Referring to the remarks of the member for Cowichan about wasting the time of the house, he said if they sat for three months it was at their own expense, and not at the expense of the country. Mr. Fry had, like Mr. Turner, admired governments to which he (Mr. Beaven) belonged, and it was hard to reconcile his present attitude when he had been opposed at his election by a government candidate. He had stated that he (Mr. B.) was the first man to send a gunboat to the northern Indians, an American gunboat. The hon. gentleman explained the causes which had led his government to utilize an American gunboat, which was simply for the purpose of transporting the necessary officials and not for coercing Indians. After further remarks, Mr. Beaven said that he would leave the question to the good sense of the house.

Mr. Fry, in explanation, said in reply to the surprise of the hon. leader of the opposition at his (Mr. Fry's) being on this side of the house, that he could quite understand that the grapes were sour.

A point was here raised, and Mr. Speaker ruled Mr. Fry out of order.

The original resolution was put and lost on the following division:

Noes—Robson, Dunsmuir, Davie, Vernon, Martin, Allen, Croft, Fry, Thompson, Duck, Anderson, Higgins, Baker, Cowan, Mason—15.

Ayes—Beaven, Bole, McLeese, Semlin, Grant, Humphreys, Orr, Ladner—8.

The amendment was carried on the same division—15 to 8.

Mr. Beaven took what he claimed to be a technical mistake, stating that the amendment left a large portion of the original resolution in—

Mr. Speaker ruled that the objection was not well taken. The hon. gentleman two sittings previous had made a mistake in an important amendment, and had not his attention been called to it by the chair in time to correct, it would have been ruled out of order. If the hon. gentleman desired to take objection it should have been done before the amendment was put; anyhow it was not well taken.

ADJOURNED DEBATE—FOREIGN MINING COMPANIES.

Hon. Mr. Davie said it was complained that there was not sufficient protection in the bill—in fact it would foster fraudulent companies. There was the joint stock companies act, which he thought might be ordered to be read with this act, and the act which referred to all incorporated companies. There were several companies incorporated in this province against which there was no such provisions as those mentioned by the several speakers. There was a necessity to provide provisions which would be applicable to all companies. This bill was in the same position as all others, and it would be injudicious to place it in a different position than any other. It would defeat the object sought. He would ask the house to pass the bill in its present shape, and further provisions providing for all companies could be incorporated in a general act.

Hon. Mr. Humphreys thought there should be incorporated in this act special provisions, otherwise it would allow of fraudulent companies to step in.

Mr. Bole was of opinion that the act did not seriously affect any existing acts, and perhaps if the clause suggested by the hon. member for Comox was adopted, it would give greater protection.

Mr. Grant thought the bill was in the right direction, for it was of the utmost necessity that they should be aided by foreign capital. At the same time they should safeguard the public.

Mr. McLeese would give his hearty support, and he would favor any legitimate steps towards attaining the development of the mines.

House went into committee, Mr. Higgins in the chair.

After considerable discussion, the committee reported progress and asked leave to sit again Monday.

Report received.

RETURN.

Hon. Mr. Davie presented a return of all papers in connection with the dismissal of P. Woollacott from the office of gaoler.

PRIVILEGE.

Hon. Mr. Robson said his attention had been directed to what appeared in the *Times* newspaper on Tuesday last, purporting to be a report of what he said on Monday, wherein he was made to refer to "an obscure newspaper, published in an obscure city"—*i. e.*, Portland. Now, the words he had used were "an obscure newspaper published in a foreign country." He should have noticed this matter, were it not that the newspaper in question had made its own error the basis for several editorial articles.

House adjourned until Monday.

QUESTIONS.

Hon. Mr. Humphreys, on Monday next—To ask the hon. the chief commissioner of lands and works: What is the extent in acres or miles of the lease of the portion of Perry Creek granted to Lieut.-Col. Baker, M.P.P., and Hon. Frederick W. Alymer, and under what act or authority was the lease granted?

Hon. Mr. Humphreys, on Monday next—To ask the hon. the chief commissioner of lands and works; What is the character of the land—640 acres—purchased by J. H. Turner in Kamloops district. Is it timber, mineral, or both?

SIXTEENTH DAY.

MONDAY, Feb. 27th.

Mr. Speaker took the chair at 2:15 o'clock.

Prayers were said by the Rev. Mr. Beanlands

PETITIONS.

Mr. Semlin presented a petition from residents of Mission Valley, Okanagan.

Mr. Orr presented a petition from settlers on Mataqui lands.

REPORTS.

Col. Baker presented a report from the private bills committee, reporting favorably to the Kootenay Railway and Transportation Co., the Nicola Mining Co., and the Harrison Hot Springs Tramway Co.

THE SPEAKER'S DECISION.

Mr. Speaker stated in respect to the deferred point in reference to the select committee's report on the charge against the Hon. Mr. Dunsmuir that he considered the opposition leader's point well taken, for the committee had no power to make suggestions to the house. Therefore the report was out of order, and would have to be amended.

RETURNS.

Hon Mr. Robson presented copies of orders-in-council and other papers referring to the position occupied by him, and hon Hon. Mr. Davie represented the attorney general's department.

On a question of privilege Mr. Beaven called attention to the fact that nothing was said in the return as to how the Hon. Mr. Robson acted as premier.

CLAIM OF D. MCKENZIE.

Mr. Higgins moved, seconded by Mr. John—That a select committee be appointed, with power to call for persons and papers, to enquire into the application of Donald McKenzie to pre-empt section 98, Esquimalt district, or (in the event of the refusal of such pre-emption record) to inquire into the value of the improvements effected by him upon such land and to report to the house. Said committee to consist of Messrs. Semlin, John, Baker, Cowan and the mover.

The hon. mover said that Mr. McKenzie had squatted on the land in the expectation that the trans-continental railway would arrive at Esquimalt by way of Bute Inlet. He was given to understand that the land would be procurable at $1 per acre when open to actual settlers. In 1886 the then chief commissioner had requested him not to make any further improvements, and he had not since made any. He thought if Mr. McKenzie's title was shown not to be valid, he should at least be given value for his improvements.

Mr. Beaven said that, speaking from memory, it was his belief that Mr. McKenzie had settled upon what was a government reserve before confederation, which was not a railway reserve at any time.

Resolution carried.

LICENSES AT ROCK CREEK.

Hon. Mr. Davie presented all papers in reference to applications for and granting of licenses at Rock Creek.

NOXIOUS WEEDS.

Mr. Ladner asked leave to introduce a bill to prevent the importation of noxious weeds.

Leave granted; bill read a first time; second reading on Thursday.

MR. CHAMPION'S APPOINTMENT.

Hon. Mr. Humphreys moved, seconded by Mr. Orr, that an order of the house be granted for a return of all letters and telegrams between the government or other the members of the executive, from Mr. James Champion or other persons relating to the appointment of Mr. James Champion as government mining engineer.

Carried.

THE ELECTION PETITION.

Mr. Beaven moved, seconded by Mr. Grant, Whereas a petition has been presented in accordance with section 51 of the "Trial of Controverted elections act, 1871," for certain electors of the electoral district of Victoria city, alleging that there is reason to believe that corrupt practices extensively prevailed at the last election for the said district, which was held on the 23rd, 24th and 25th days of January, 1888. Be it therefore resolved, that a respectful address be presented to his honor the lieut.-governor praying that commissioners may be appointed to inquire into the allegation contained in the above petition in accordance with the section of the statute above mentioned.

The hon. mover said that he had followed out the course which had been suggested, and if he had correctly understood the hon. provincial secretary, the latter would support him.

Hon. Mr. Robson said when the motion was up before, he had ventured the opinion that there was not enough before the house to entitle the government to assent to a commission. He had not changed his mind since, and there was not yet sufficient ground for such a commission, which would prove like others before it, an expensive one. He thought some more definite information in regard to the alleged corrupt practices at such election should first be made before the house should assent to a commission of enquiry. The courts were open to those gentlemen who had made a general insinuation of corrupt practices, and if they had any faith in their belief he thought that the courts should have been appealed to. It was an easy matter for those gentlemen to make such a general statement to the house, and ask that an enquiry be had. It was no expense to them. He thought that the house should carefully consider the matter before acceding to the request.

Mr. Duck said he did not intend to oppose the resolution, though it was evidently an underhand attack on himself, and would not have been made had the Opposition candidate been sent to the house. However, he intended to offer the following amendment:—

Insert the following after the date "1888" on the 5th line: And whereas it is alleged that the Hon. Robert Beaven, commonly known as leader of Her Majesty's Loyal Opposition, and who now occupies a seat in the legislative assembly of this province, was as a candidate at the last general election for the Victoria City district, which was held on the 7th day of July, 1886, nominated by foreigners contrary to the provisions of the "Election Regulation Act." And whereas, it is further alleged that there is reason to believe that corrupt practices extensively prevailed at the last bye-election for the district of Comox. Insert the word "aforesaid" between the words "the" and "allegation" on the 7th line, and add the letter "s" to the word "allegation" on the said line. Strike out the words in the 7th and 8th lines "contained in the above petition." Strike out all the words after the first "the" the 18th line and insert the words "statutes of the province."

Mr. Speaker said that the resolution was out of order.

Mr. Duck—I am sorry for that.

Mr. Martin on the resolution, said it was his opinion that the matter was brought up to satisfy the disappointment of the Opposition. The expenditure proposed would be considerable, and would simply be wasted. He would certainly oppose the resolution.

Mr. Grant thought the integrity of the house demanded that the enquiry should be made. It was not the duty of a private individual to take such a matter into court. There are many things done which might be called by harder names than irregular, and which, in the interests of the province, should be taken up by the house.

Mr. Semlin thought the matter should be inquired into for the benefit of the electorate and candidates, and considered the government would be justified in making the enquiry sought for

Hon. Mr. Humphreys said he had been active in the election referred to, and was sure that corrupt practices had prevailed. He saw many things which were irregular—the leader of the government and the hon. finance minister were present and he thought they were there for the purpose of influencing the election, although against the strict rules of the house. He understood that one of the wealthiest men in the country had contributed a large fund to bribe the electors. He was of opinion that there were between three and four hundred votes in Victoria which were available for purchase at elections. He would venture his credit (laughter)—for discernment—that there was more corruption at the Victoria election than he had ever before witnessed.

Mr. Allen said he was willing to assist any legislation that might be brought before the house, but he must certainly object to further wasting of time. He would ask his hon. friend of twenty years standing to aid in advancing the business of the country.

Hon. Mr. Humphreys said he would always endeavor to aid as his old friend had suggested, and he thought he was was working in the interests of the country in urging the enquiry.

Hon. Mr. Davie said there was no question that if any corruption was shown to have existed it should be enquired into. But in the present case there was none. The statement of the hon. gentleman from Comox that there were between four or five hundred purchasable votes in Victoria was one of those flights of imagination so frequently indulged in by that hon. gentleman. He may have referred to his own experience during the recent election in which he was defeated, but he would like to know how the hon. leader of the opposition would reconcile the statement to his election as a member for Victoria city. The petitioners in the present case were Messrs. Fell, Hawkins and Pettingill, estimable gentlemen no doubt, but it was a noteworthy fact that their petition was not endorsed by any member of the house. No hon. gentleman had the courage to endorse the charge. The hon. member for Comox had drawn a most harrowing picture of the plights in which his constituents were, owing to the lack of roads and other conveniences, and it was now proposed by him to have an expensive commission to waste the funds that might be spent in Comox and other districts. Referring to the resolution in regard to such enquiries, it was his (Hon. Mr. Davie) opinion that until some satisfactory evidence was before them, there was nothing proved in this petition as to corrupt practices by the elected member or the defeated candidate, and until such proof was before the house, he did not think that the resolution should be acceded to.

Mr. McLeese supported the resolution.

Mr. Beaven said he was disappointed in the position now taken by the provincial secretary. He had said that he would support him in this action.

Hon. Mr. Robson said that what he had stated was that if there was sufficient ground before the house he would support the resolution, but they were simply in the same position as before—there was no evidence.

Mr. Beaven considered that the petition complied with the provisions of the statute, and it was sufficient ground for the government to proceed with the enquiry. In regard to the question of expense, he referred to the Texada Island royal commission, and the expense to the province in connection therewith. He considered that there was now ample ground for an investigation, and the house would be quite justified in going to some expense in this matter. The hon. gentleman said his name was not attached to the petition, because when it was presented he was ill and he had entrusted the petition to the hon. member for Yale. He hoped the house would take the matter into consideration and pass the resolution.

On the question being put it was lost on a division of 6 to 10.

Mr. Grant—Bribery in order. The influence of wealth.

Hon. Mr. Robson said that it was becoming quite frequent for hon. gentlemen opposite, when a vote was adverse to them, to use expressions which reflected upon the votes of this house, and imputed sinister motives to hon. gentlemen voting for such resolutions. These were entirely out of order and should not be permitted.

Mr. Speaker said that such remarks were not in order, but as they were not addressed to the chair he had taken no notice of them. Were they addressed to the chair he certainly would take notice of them. They were perhaps not intended to be heard.

QUESTIONS.

Hon. Mr. Humphreys asked the Hon. the Minister of Mines: At whose instance or recommendation was Mr. James Champion appointed government mining engineer for the purposes of the "Act to aid the development of quartz mines."

Ans.—Having had my attention called to the presence in the province of Mr. Champion, and having made enquiry in California and Cariboo respecting his standing, professionally and otherwise, and the reports having been satisfactory, Mr. Champion was appointed.

Mr. Orr asked the Honorable the Chief Commissioner of Lands and Works: Under what authority was Mr. W. M. Ladner allowed to encroach on and dispose of part of the public road from the landing near the mouth of Chilluchan slough and running straight in a southeasterly direction about 30 chains to a point where the line dividing township Nos. 5 and 6 crosses said slough, said public highway having been gazetted 66 feet wide by notice in the British Columbia *Gazette* dated Victoria, Dec. 22nd, 1873?

Ans.—Not by the authority of the government. The regulation and preventing the obstruction of roads in municipalities is vested in the council by the municipalities act.

Mr. Ladner rose to a question of privilege, and made some explanations in connection with the question asked by Mr. Orr.

Mr. Grant asked the hon. the minister of finance: What sum of money in Dominion currency has the loan of 1887 netted to the government at Victoria, after deducting exchange, discount, commission, accrued interest and charges of all description. On what date was the money received here by the government, and is there any outstanding claim in connection with it?

Ans.—$975,577.03; on July 1st, 1887; there are no outstanding claims in connection with it (applause).

Hon. Mr. Humphreys asked the hon. the chief commissioner of lands and works: Has any member of the executive council or other persons made application to acquire crown land, or other public property, at or in the vicinity of Fort Rupert or Beecher Bay, or obtained a crown grant since 1st January, 1887, if so, what is the date and nature of the application and name of the applicant?

Ans.—No application for land in the vicinity alluded to has been made by any member of the executive council. By reference to the *Government Gazette* the hon. member can find the names of all applicants to purchase unsurveyed land (laughter).

Hon. Mr. Humphreys asked the hon. the chief commissioner of lands and works: What is the character of the land—640 acres—purchased by J. H. Turner in Kamloops district? Is it timber, mineral or both?

Ans.—The land was purchased under section 59 of the land act, 1884, and the crown grant issued after compliance with section 2 of the amendment to the laud act of 1887.

Hon. Mr. Humphreys asked the hon. the chief commissioner of lands and works what is the extent, in acres or miles, of the lease of the portion of Perry Creek granted to Lieut.-Colonel Baker, M.P.P., and Hon. Frederick W. Alymer? And under what act or authority was the lease granted?

Ans.—Five miles of Perry Creek; 500 feet on each side of said creek, under mineral act, 1884, part 9.

RETURNS.

Hon. Mr. Robson presented copies of all orders in council and correspondence between the Dominion and provincial governments, not printed in the sessional papers, with reference to the disallowance, or otherwise, of the provincial statutes passed in the sessions of 1884, 1886, 1887.

FOREIGN COMPANIES.

House went into committee on the "Incorporation of Foreign Companies Bill," Mr. Higgins in the chair.

As soon as Mr. Speaker left the chair, all opposition members left their seats and Hon. Mr. Humphreys standing by the chimney fire, called "no quorum."

On a member in his seat calling attention the chairman counted and at that time a quorum was counted

ASSESSMENT AMENDMENT.

Mr. Duck moved the second reading of the Assessment Acts Amendment Bill, but on the statement of the leader of the government that a general amendment act was to be introduced, its consideration was deferred for the present.

CORONER'S OATH ACT.

Hon. Mr. Davie moved the adoption of the Act to amend the "Justices of the Peace and Coroner's Oath Act, 1874," which carried. Bill was read a third time and passed.

CONTAGIOUS DISEASES ACT.

Hon. Mr. Davie said that the consideration of the bill was postponed to allow of further information being acquired by members of Westminster district.

Mr. Ladner said that copies were circulated in the district, but he had not received any suggestions, or heard of any objection.

Hon. Mr. Davie said that he had introduced the act at the request of the hon. member for Westminster district, but since he had not learned of any urgent reason why it was necessary, and as the Dominion act met the case, he did not see any reason why they should go on with this act. The Municipalities Act provided for the passage of by-laws to meet the case.

After further discussion, Hon. Mr. Davie moved that the bill be discharged, which was carried.

BALLOT ACT AMENDMENT.

House went into committee on the Ballot Act Amendment Bill, Mr. Duck in the chair.

After some amendments to the bill, the committee rose, reported progress and asked leave to sit again.

The house then adjourned.

NOTICES OF MOTION.

Hon. Mr. Robson, to move—That this house do immediately resolve itself into a committee of the whole to consider a certain proposed resolution respecting the sale of intoxicating liquors.

Mr. Croft, on Thursday next—To move: Whereas, for some years past a large area of the most valuable agricultural land in the district of Cowichan, Vancouver Island, amounting to about 5,000 acres, the same representing the delta of the Cowichan and Kokisilah Rivers, has been inundated each winter by the flood water of the Kokisilah River, the same being obstructed by trees and other driftwood, and whereas, great loss has been incurred by the residents of the district, and great damage done to the roads and bridges by the above-mentioned flood water; therefore, be it resolved, that an humble address be presented to his honor the lieut.-governor requesting that representations be made to the Dominion government to take steps towards having the above-mentioned obstructions in the Kokisilah River removed.

Hon. Mr. Davie—To ask leave to introduce a bill entitled "An Act to amend the Licenses Ordinance, 1867."

Mr. Orr, on Wednesday next—To move that the select committee appointed to enquire and report to this house whether any *bona fide* or other occupants having occupied or made substantial improvements on lots in the townplot of Granville previous to Mr. Van Horne's visit, have been allowed to purchase their location at the price of $200, as stipulated in the bargain for the cession of 6,000 acres at Coal Harbor and English Bay by the government of British Columbia to the Canadian Pacific Railway company, or to trustees on their behalf, with power to call for persons, books and papers, be instructed to include in their enquiry, "or any *bona fide* applicants to purchase any of said lots," such words to be inserted between the words "Granville" and "previous."

Mr. Mason, seconded by Mr. McLeese, to move—Whereas the post-postmaster-general of Canada has called for tenders for the conveyance of Her Majesty's mails between Clinton and Barkerville, and whereas the notice inviting tenders does not provide for passenger accommodation; only asks as a guarantee for the satisfactory performance of the work, that the contractor should be bound with two sureties in the sum of $5,000, and seeks to divide the service into two or more contracts;

And whereas under former contracts the Dominion government stipulated for the conveyance of these mails in a four-horse passenger coach, and bound the contractors with two sureties in a sum of $20,000 as a guarantee that the service would be faithfully performed; and whereas the present contractors have not been bound to provide a passenger coach, the result of which has been found detrimental to the public interest;

Resolved, that an humble address be presented to His Hon. the Lieut.-Governor praying that His Honor will urge upon the Dominion government the importance of maintaining the service efficiently between Clinton and Barkerville, with a four-horse passenger coach during the summer months, and not less than a two-horse passenger vehicle during the winter months, and that the contractors be held with two sureties under a bond of $10,000 as a satisfactory guarantee that the work will be properly performed.

Mr. Orr, on Wednesday next—That an order of this house be granted for a return of all orders in council, letters and correspondence relating to the gazetting of the public road from Ladner's Landing to the township line dividing townships 5 and 6 New Westminster district.

SEVENTEENTH DAY.

TUESDAY, Feb. 28.

Mr. Speaker took the chair at 2:15 o'clock.

Prayers were said by the Ven. Archdeacon Scriven.

PETITIONS.

Hon. Mr. Robson presented petitions from the residents of Vancouver, Matsqui and North Arm relating to the regulation of the liquor traffic.

Similar petitions were presented by Mr. Bole from the residents of New Westminster city; by Mr. Semlin from the residents of Kamloops and Nicola; by Hon. Mr. Dunsmuir from the residents of Nanaimo.

The petitions were received and ordered printed.

The petition from residents of Mission, Okanagon valley, in regard to the disposition of land in that valley, which allowed of a small number of settlers to appropriate all the government range lands, was read. It was asked that the government take action in order to prevent loss to the province and inconvenience to other settlers.

Mr. Beaven said that the gazetting of highways through the lands would prevent any injury being done.

Petition received and ordered to be printed.

The petition from residents of Matsqui prairie, recited the various matters in reference to the dyking of the lands in question, and as the work was not completed it was urged that an act be passed repealing or amending the act so as to do away with the incumbrances at present upon their lands.

Petition received and ordered to be printed.

Another petition from residents of Matsqui, protested against the repeal of the Sumas dyking act, as there was at present an indication that the dyke would be proceeded with.

Petition received and ordered to be printed.

MR. CHAMPION'S APPOINTMENT.

Hon. Mr. Robson presented a return of papers in reference to the appointment of James Champion as government mining engineer.

REPORT OF THE COMMITTEE ON THE CHARGE PREFERRED AGAINST HON. MR. DUNSMUIR.

Col. Baker presented the report of the select committee appointed to inquire into the charges of Hon. T. B. Humphreys preferred against the Hon. Mr. Dunsmuir, as follows:

Mr. Speaker—Your committee appointed to enquire into the charges brought by the Hon. Thomas Basil Humphreys, member of the provincial assembly, against the Hon. Robert Dunsmuir, president of the council, beg leave to submit the minutes of their meeting and their amended report as follows:

That the Hon. T. B. Humphreys failed to appear before them to substatiate the grave charges preferred against the hon. the president of the council, and that the hon. the president of the council appeared before them and stated that he was prepared to prove on oath that the charges were absolutely untrue.

As the Hon. T. B. Humphreys was not present your committee agreed that they would not investigate the charges, and your committee therefore beg leave to be discharged.

JAMES BAKER,
Chairman.

MINUTES OF PROCEEDINGS.

FEB. 22nd, 1888.

Present:—Messrs. Baker, Allen, Anderson, Fry, Duck and Martin.

Col. Baker was elected chairman.

Col. Baker was requested to notify the complainant and defendant to appear at the next meeting.

Mr. Martin was elected secretary.

FEB. 23rd, 1888.

Present:—Col. Baker, Messrs. Allen, Anderson, Fry, Duck and Martin.

The chairman read the reply of the Hon. T. B. Humphreys to a letter inviting him to attend before the committee to substantiate the charges made by him against the hon. president of the council, and in which reply the Hon. T. B. Humphreys wrote as follows:

"Mr. Humphreys presents his compliments to the chairman of committee, and in reply, has the honor to refer Mr. Chairman to a speech delivered by Mr. Humphreys in the legislative assembly on Monday, 20th instant."

Mr. Dunsmuir appeared at the request of the committee, and being informed by the chairman that Hon. T. B. Humphreys had not appeared to prefer his charge against the President of the Council, replied: "that he was prepared to prove on oath that the charges were absolutely untrue."

The accompanying letter from Mr. McLagan was received in reply to one from the chairman inviting him to attend:—

VICTORIA, B.C., 23rd Feb, 1888.

Col. Baker, M.M.P., Victoria.

DEAR SIR,—Your note asking my attendance at a meeting to be held at 10:30 this a.m. of the committee to investigate the charges preferred against the Hon. Robert Dunsmuir, President of the Council, by the Hon. the member for Comox, minus an hour at which it is impossible for me to leave the office—it being the busiest one I have in the whole day.

However, finding it unable to be present, I can only state through this medium that I have already repeated to many with whom I have conversed on the subject in reference to a conversation the President of the Council and myself had in this office some few days prior to the driving of the last spike of the Oregon and California Railway. During our conversation trade matters generally came up for discussion, and amongst others I asked his opinion on the topic of a commercial union between Canada and the United States, a question I said which was being considerably discussed in the east. The reply the President of the Council made was that whilst it would be of advantage to him pecuniarly to the extent of close upon a quarter of a million a year, he could not advocate it, fearing the ultimate outcome would be annexation. He could not endorse a policy legislating against Britain, which had afforded us so much protection. He respected the flag of that country as well as the land of his birth too much to go back on them. He was in favor of a reciprocity of the natural products of the soil, animals, fish, etc. Such a treaty as existed in the east from 1854 to 1866.

These were substantially the views he expressed to me.

Respectfully, etc.,
(Signed) J. C. MCLAGAN.

At a committee meeting held the 28th February.

Present: Colonel Baker, Messrs. Duck, Allan, and Anderson.

The report as returned by Mr. Speaker was considered and amended.

The report was received and ordered to be printed.

LIENS OF MECHANICS.

Mr. Bole asked leave to introduce a bill entitled "an act to amend the law relating to the liens of mechanics and others."

Leave granted; bill read a first time; second reading placed for Thursday next.

REV. MR. DITCHAAM'S CLAIM.

Mr. Mason moved, seconded by Mr. Bole, that a select committee be appointed to enquire into the claims of the Rev. Geo. Ditcham to certain land in the vicinity of Coal Harbor, said committee to consist of Messrs. Ladner, Bole, Anderson, Croft and the mover, and to have power to send for persons and papers and to report to this house. Carried.

LIQUOR LICENSES ALONG RAILROADS.

Mr. Ladner moved, seconded by Mr. Orr, that in the opinion of this house that portion of the "municipality act, 1887," should be repealed which confers upon two justices of the peace with the consent of the majority of the managing directors of the railroad the power to grant liquor licences, at their discretion, in a municipality through which a railroad passes.

The hon. mover said at the last sitting of the house there was considerable difference of opinion in regard to this power being given. There was great objection to the operation of this act in the district he represented, and he trusted that the house would unanimously decide to repeal the act. The complaint of the municipalities was that gentlemen having no interest in the municipality could come in and grant licenses for the sale of liquor which were to the detriment of the community.

Mr. Fry said the clause referred to had met with great objection in Cowichan district. He quite agreed with the removal of the clause.

The resolution carried.

COUNTY COURTS BILL.

Hon. Theodore Davie, in moving the second reading of the "County Courts" bill explained that, as its title suggested, it was a measure to increase the efficiency of the county courts. In view of the probability of the early appointment of additional county court judges upon the Mainland, it was advisable to give them increased jurisdiction. The first clause conferred the right of garnisheeing debts; the second of granting injunctions, and the third of issuing the writ of capias *ad respondedum* and authorizing county court judges to exercise their powers either in the supreme or county courts. Another clause in the bill gave county court judges concurrent jurisdiction with supreme judges to hear appeals from the decisions of magistrates and defines the precedure. Further provisions would also be introduced to authorize county judges to perform most of the duties of a judge in chambers. The bill would provide means for a county judge advancing supreme court litigation when the superior judges might happen to be away attending the courts of appeal.

Mr. Bole considered the bill a step in the right direction. He quite agreed with the provision of the sixth section. The measure was caluculated to afford speedy redress to litigants in the various districts of the province. Near the 49th parallel there were individuals who took advantage of contracting debts, never intending to pay them, and then crossing the line without intending to return. It was desirable that they should have machinery at hand to meet such cases. While considering the bill, it was also their duty to make the provisions such as would cheapen litigation, and not make them as cumbersome as the process in the supreme court.

Mr. Beaven thought the house was entitled to know what reason the government had for supposing that county court judges would be appointed during the present year.

Hon. Mr. Robson said the hon. gentleman was quite right in asking for information. There was every reason to anticipate that the Dominion would accede the point and appoint an additional number of county court judges. At present he could not lay the information before them as fully as he would like to.

Mr. Beaven asked if the government had stipulated that such judges should be appointed from the bar of the province.

Hon. Mr. Robson said it was an unhappy way to put it to say stipulate. He was of the opinion that there was plenty of material in the province from which to select the county court judges. While he could not say that such was stipulated, yet it was pretty certain that while the present government was in power that they would see that the line suggested was followed.

Hon. Mr. Humphreys did not understand the operation of the proposed act, and was not aware of the necessity for the establishment of new courts. He feared that there was something behind the bill which was not apparent. He had heard that the present judges had not enough to keep them occupied. If the hon. gentlemen on the government side of the house acted on what was suggested from the government, of course they could do so. There was a lack of independence on their part, however, which should not exist. They should be independent like the men of the opposition.

Hon. Mr. Robson said the legislative wisdom of the province at the time of confederation had done away with the county court system, but this had hardly been accomplished when it was regretted, and for the past ten years there was a demand for a return of the old system. The supreme court judges were appointed to act as county court judges to try and relieve the deficiency, but this was found unsatisfactory. In 1883, the Dominion had acceded to the request and appointed one county court judge for Cariboo. It was the general desire of the province that additional judges should be appointed, and in reply to a question of the leader of the opposition he had stated that there was every probability that a number of judges would be appointed. It was astonishing that any hon. gentleman should express disapproval of the innovation. The whole scope of the measure was for the purpose of cheapening litigation and for giving quick and speedy justice to every portion of the province. Instead of being against the interests of the province it was for its best interests. The cost of the system was a charge against the Dominion government, and not against the province, and he was certain that there was not one district but what would hail with pleasure the inauguration of the new system. So far as selecting the judges from outside the province was concerned, he had already stated that such would not be allowed.

House went into committee, Mr. Ladner in the chair.

Mr. Bole said, while he had listened with pleasure and profit to the remarks which had fell from the hon. member for Comox, yet he was of opinion that the hon. gentleman was altogether out in the matter. Mr. Bole went fully into the many benefits that the institution of county courts would confer upon the province. Instead of increasing lawyer's fees it would have a tendency to reduce them, for it would allow of open competition in county courts for all, which was not now the case in the supreme courts. The boards of trade of Westminster and Vancouver and other sources for expressing public opinion, had given voice in favor of the county court system.

The hon. gentleman was further proceeding when Hon. Mr. Humphreys interrupted with some remark.

Mr. Bole—Mr. Chairman, I do not think it is right or proper for any hon. gentleman to interfere in this way. He (Mr. Bole) had endeavored to act as a gentleman in debate, and he defied any hon. gentleman to state otherwise; and while he did so, he expected that he would also be treated with the same consideration, and he would not permit of any such interruption as that which had just been made by the hon. gentleman for Comox (applause.)

Hon. Mr. Humphreys claimed that he was not addressing the remark to the hon. gentleman.

Mr. Bole trusted that he would modulate his voice to a reasonable limit—he had understood the remark to be addressed to him. Continuing, Mr. Bole gave his unqualified approval of the bill.

Hon. Mr. Humphreys said that the last speaker had referred to the fact that he sat in this house as a gentleman. Well, he could inform that hon. gentleman that he (Hon. Mr. H.) had sat in this house when there were *gentlemen* on the floor of the house—and he was one of the number (great laughter). It would seem from the remarks made that at the present time he (Mr. Bole) was of opinion that he was sitting among those who were not gentlemen. He could inform him that he would discuss any bill as he pleased, and would not allow him to dictate as to what tone of voice he should assume in conversation. He was not going to be threatened by any member, and if he was it would probably give rise to some hard sayings. He had no intention to discuss the bill's merits, if it had any.

Mr. Grant referred to the delay at present in rendering judgments.

Hon. Mr. Davie said that as soon as the two systems were working this complaint would not exist. The duties of supreme and county courts at present so interfere with a judge that it was now impossible for him to render judgment within reasonable time.

Hon. Mr. Humphreys was pleased with the explanation. It had proved to him that there was something good about the bill, and if it would remove the present anomalous state of things, he would heartily support it. If the hon. acting attorney general had only given the information before, and he considered him as being possessed of that ability and command of language to allow of doing so, it would greatly aid unprofessional members in understanding the meaning of the acts submitted.

Mr. Bole referred to the fact that the hon. member for Comox had previously put forth the claim that unprofessional members were in a great measure possessed of greater discretion and penetration in these matters than the professional members. (Laughter). Therefore his present contention was somewhat inconsistent. However, as long as he asked for information in the pleasant way in which he had just done, he would only be too happy to accord him it as far as in his power.

Hon. Mr. Dunsmuir said he had understood the act—and he was not supposed to know much (laughter). His constituents were in favor of securing a county court judge among them.

The various clauses of the act were passed without any further jolt in the legislative machine, and the committee rose and asked leave to sit again for the purpose of submitting further clauses.

Report received.

ASSIZE COURT ACT AMENDMENT.

Hon. Mr. Davie said this bill had also for its object the facilitating of justice and would greatly assist in transacting the general business of the courts.

House went into committee, Mr. Allen in the chair.

Committee rose and reported the bill complete without amendments.

INCORPORATION OF FOREIGN COMPANIES.

House went into committee on the incorporation of foreign companies bill, Mr. Higgins in the chair.

Committee rose and reported the bill complete with amendments.

Report received, to be considered on Thursday next.

The house then adjourned.

NOTICES OF MOTION.

Mr. Ladner, on Thursday next—To ask leave to introduce an act to amend the "Land Act of 1884."

Mr. Semlin—To move for an order of this house appointing polling places in the following localities, One at Grand Prairie and one at the mines at Rock Creek.

Mr. Semlin—To move, that in the opinion of this house roads should be gazetted in accordance with the interests of the petitioners of Okanagon and Mission Valley, in order to give cattle access to the summer mountain ranges.

Hon. Mr. Davie, on Thursday next—To ask leave to introduce an act entitled "An act to amend the land registry ordinance, 1870."

WANTS TO KNOW.

TO THE EDITOR:—Can you inform me which one of your public teachers was it that is said to have disgraced himself at the panorama on Saturday evening last, by making himself conspicuous, as I heard, in creating repeated disturbances amongst the audience, thus setting forth an