

Provincial Legislature

Legislative Assembly, 40th Day.
Tuesday, May 7, 1901.

The Speaker took the chair at 2:15 p. m.

Rev. J. H. S. Sweet offered prayer.

Mr. Brown rose to a question of privilege. He read a paragraph from the Vancouver World reflecting on a remark of his in which he was alleged to have spoken sneeringly of that paper, which he denied.

Mr. Martin also rose to explain that the Colonist had misquoted his remarks on the Supreme Court Act. He had not advocated sittings of the appellate court in Kootenay, on the contrary, he had opposed the proposal.

Mr. Curtis objected to certain editorial remarks in the Colonist regarding his stand on the Mineral Act. He had not expressed satisfaction with the bill being brought down, but had stated that it was so late in the session that it would be glad to see the bill withdrawn.

Mr. Hall presented the seventh report of the printing committee.

FIRST READINGS.

Hon. Mr. McBride introduced a bill to amend the Explosives Storage Act, which was read a first time.

Mr. Curtis' bill respecting deception in procuring workmen or employees was read a first time.

Mr. Neill moved the following resolution:

"Whereas the Toronto & B. C. Lumber Co. hold, and have held since 1st August, 1898, timber leases in the Central Electoral District amounting to 39,912 acres:

"Whereas their indebtedness to the government in June, 1898, on account of these leases, amounted to \$17,748, and they compounded such indebtedness by a payment of 50 cents on the dollar:

"Whereas their indebtedness on said leases has again accumulated to \$11,073:

"Whereas since the granting of these leases in 1898, no mill has been built on any other development work done on the limits:

"Whereas it is greatly against the interests of the general public that these limits should be held without development:

"And whereas it is against the interests of the province in general that large areas of timber lands throughout the province should be held by parties who neither benefit the province by the development of the lumber industry nor increase the revenues of the province by paying the rents established by law for such timber lands:

"Therefore, be it resolved, That this house respectfully urge the government to take such action as will lead to the immediate building of a mill on the development of the timber lands within the Albert district.

Mr. Neill explained that the company had been granted leases of 39,912 acres of timber in 1898 on condition that they would build a mill. Subsequently they had secured an extension of time in consideration of paying a small extra payment, and in June 1898, having made default in payment they compounded their indebtedness to the province for a payment of 50 cents on the dollar. The company were again in arrears nearly \$12,000 and no mill has been built and the timber is locked up and rendered useless. The company hold the lands as a speculation depending upon the sale of them to recoup themselves and to make a profit, a state of affairs which was clearly unfair to the people of Alberta and the province in general. He hoped the government would take immediate steps to compel the company to build a mill and develop their holdings.

Hon. W. C. Wells complimented the honorable member for Alberta upon the usual interest he evinced in the work of his district, and which was not exceptional in the introduction of the present resolution; it was a resolution, he said, which was clearly in the principle, from an abstract view of the facts, and which was clearly in the principle, from an abstract view of the facts, and which was clearly in the principle, from an abstract view of the facts.

Mr. Brown moved the adoption of a new section making the Shops Regulation Act applicable to the shops of New Westminster, which was adopted.

The bill was reported complete with amendments.

SUMMARY CONVICTIONS.

Mr. Martin's bill to amend the Summary Convictions Act was taken up in committee, with Mr. Munro in the chair.

Mr. Martin moved the following new section:

"Section 70 of said chapter 170 is hereby repealed, and the following substituted therefor:

"70. In every case of appeal from any summary conviction or order made or made before any justice, the court to which such appeal is made shall have jurisdiction to make such order as it may think fit, and may also make such order as to costs to be paid by either party as it thinks fit.

"2. Any conviction or order made by a justice may also be appealed from by process of the court itself.

The bill was reported complete with amendments.

LEGAL PROFESSIONS BILL.

Mr. Gilmore's bill to amend the Legal Professions Act was again considered in committee. Mr. Haywood in the chair.

Mr. Martin moved an amendment declaring that the act was passed only for the purpose of qualifying persons to be registered as barristers and solicitors. The amendment was adopted.

An amendment by Mr. McPhillips enabling applicants to qualify for barrister and solicitor at the same time was adopted. The committee then rose and reported progress.

MEDICAL ACT.

Resuming the debate on the bill to amend the Medical Act, Mr. Taylor said his object in moving the amendment of the debate was in order to observe the action taken in the Dominion house of commons on Dr. Reddick's bill, which was designed to admit to practice in that part of Canada such doctors as had passed the necessary examinations before a Dominion board of examiners. As Dr. Reddick's bill had not been passed at Ottawa and as it was important that this province should await the result of Dominion legislation he moved that the bill be read six months hence.

Mr. Taylor said that he was not in favor of medicine in this province. The province was a few years ago a lawless land, and it was gratifying to note that the standard of medical education was high in the Dominion and elsewhere, but it was gratifying to note that the standard had been raised within the past few years. The Ontario Medical Council had increased the term of study to five years instead of three and four as it had been. That was proof that that body considered there was room for improvement in the system and we could not be too particular about preserving the standard.

Mr. Haywood presented the report of the committee on agriculture.

The house then adjourned till 8 p. m.

Night Sitting—41st Day.

Mr. Martin moved an amendment declaring that the act was passed only for the purpose of qualifying persons to be registered as barristers and solicitors. The amendment was adopted.

On motion of Mr. Haywood the report of the committee on agriculture was received.

FIRST READINGS.

Mr. Curtis' bill to amend the Constitution Act, which appeared on the order paper, was read a first time, as being beyond the power of a private member.

Mr. McPhillips' Youth's Protection Act was read a first time.

Mr. Oliver's Highway Bill was introduced and read a first time.

A bill to amend the Courts of Justice Act was read a first time.

Mr. Martin corrected his statement, that no meeting of the Bar association of Vancouver had been held with reference to the Supreme Court bill. He saw by the papers that such a meeting had been held, but he had received no notice of the result.

LOAN BILL.

In moving the second reading of the Loan Bill, Mr. Taylor said it was the most important bill of the session. It was for the purpose of enabling the government to borrow \$500,000 for various purposes, principally, and for other public works. The desirability of the speedy construction of the proposed railways was universally conceded. The railways to be built were:

From the Coast, in the neighborhood of English Bay, to the mouth of the Chilliwack and Hope, to Midway, Boundary Creek district, approximately three hundred and thirty miles.

From the Coast, to the terminus of the Grand and Nanaimo railway to the north end of Vancouver Island, approximately 100 miles.

From the Coast, to the terminus of the Shuswap & Okanagan railway, approximately one hundred and twenty miles.

From the Coast, to Kitimat, to Hazelton, approximately one hundred miles.

From Port Steele to Golden, approximately one hundred and fifty miles.

It was unnecessary to dwell upon the first as it had been so exhaustively discussed in the house in the press and on the public platform.

The extension of the Vancouver Island railway would afford a fine connection with the Northern mining districts and open to development a very rich province.

The third railway, from Port Steele to Vernon, would serve to open up another splendid mineral and mining country and would also afford a fine connection with the Northern mining districts and open to development a very rich province.

The railway from Kitimat to Hazelton was of great importance, as it would give access to and enable settlement of a vast and valuable region, rich in mineral, timber and agricultural lands.

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Mr. Oliver said the government should have collected the dues at the proper time. The present government was not responsible for the acts of their predecessors, but it was their duty to enforce the rights of the province by insisting upon payment of the arrears now due.

Mr. Neill said he was willing to accept the explanation of the chief commissioner, and relying on that gentleman's assurance to settle the matter in the near future, he would withdraw his motion.

QUESTIONS.

Mr. Murphy asked the Hon. the Attorney-General the following questions:

1. Is it the intention of the government to bring the "Cattle Act" into force?

2. If so, when?

3. If answer to No. 1 be "Yes," will government agents and inspectors be instructed to see that the provisions of said act are carried out?

The Hon. Mr. Eberts replied as follows:

1. Yes.

2. When certain questions referring to boundaries of cattle districts have been determined.

3. Yes.

THIRD READINGS.

The following bills were read a third time and passed:

Tramway Companies Incorporation Act Amendment Bill.

Amending Debtors Act Amendment.

B. C. Immigration Act Amendment.

THE CHAMPERTY BILL.

Mr. Martin moved that the report on the Legal Professions Bill be amended so as to restore it to its original form, by striking out Mr. Kidd's amendment by a payment of 50 cents on the dollar; only receive the taxable fees under any contract between attorney and client, and that only in the event of his winning the suit.

Mr. Martin was into a lengthy explanation of the bill, covering the same ground as on previous occasions.

Mr. McPhillips vigorously opposed the amendment.

Mr. Houston would like to see the law so framed that it could be applied to any lawyer with any other business man, so that a client would know in the first instance what he would have to pay for the services of the lawyer.

Mr. Kidd defended his amendment, adopted by committee of the whole, and stated that it would protect the poor man from imposition.

Mr. Brown supported the bill because he considered it in the public interest, and peculiarly suited to the conditions existing in British Columbia.

Mr. Munro supported Mr. Kidd's amendment, as it was clearly in the interests of clients.

Mr. Martin's amendment was lost on the following division:

Ayes—Messieurs McInnes, Gilmore, Stables, E. C. Smith, Oliver, Hawthorn, Neill, Brown, Martin, Curtis, Houston, Turner, Eberts, Clifford, McBride, Murphy—25.

Noes—Messieurs Munro, Kidd, Green, McPhillips, Helmecken, A. W. Smith, Ellison, Taylor, Haywood, Gardner, Fulton, Pratney, Wells, Rogers, Hunter, Taylor, Mounce—17.

The report was then adopted.

TO PROTECT BAKERS.

The consideration of Mr. McPhillips' Shops Regulation Amendment Bill was resumed in committee. Mr. Stables in the chair.

An amendment prohibiting persons under 18 years of age from working at night was adopted.

Mr. Gardner's amendment prohibiting occupation of cellars or underground rooms as bake shops was adopted.

Mr. Brown moved the adoption of a new section making the Shops Regulation Act applicable to the shops of New Westminster, which was adopted.

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