RAPID PROGRESS IN LEGISLATURE

House Now Clearing Off Order Paper in Quick Time—Many Bills Advanced at Yesterday's Sittings

BILL TO AMEND ELECTIONS ACT

Agreement With E. & N. Railway in Regard to Settlers' Lands Embodied in Measure Introduced Yesterday

The remaining legislature on the order paper of the local house was advanced in such volume and with such rapidity Tuesday that there is now fair ground for the assumption that the list will be exhausted, if not by this evening at all events by Thursday, so that prorogation may take place as anticipated by the First Minister, on Friday of this week. The past two days have seen such rapidity of movement as early in any session would be deemed impossible, second reading, committee and report, report adoption, and third and final reading followed so closely upon the heels of one another that a single sitting sufficed in numerous instances.

Two notable examples of quick marching of this nature were the bills respecting the Provincial Elections Act and the Municipal Elections Act, the latter of which proved absolutely non-controversial, merely providing as it does for the uniformity of polling hours by fixing the closing hour for polling in rural municipalities at 7 instead of 5 o'clock, and incidentally terminating the anomaly of having by-law voting perhaps still progressing two hours after a general election in the district might be formally closed. With respect to the Provincial Elections Act amendment bill, the principal provisions may be thus briefly summarized:

All judges of Appeal, Supreme and County Courts in British Columbia are disfranchised; the names of any judges now appearing upon the register are ordered stricken therefrom at the next formal revision; and any judge who may hereafter resign his seat upon the bench may only become a voter after the expiry of a six month's period dating from his retirement from the judiciary;

Advertisement of voters objected to shall be made henceforth for three weeks only in weekly newspapers and for three issues, once a week, in dailies;

Commissioners for receiving the registration of voters must in future themselves be upon the Register.

Voting in cities shall be divided by wards, separate ward registration of the electors therein being prepared and used.

Nanaimo alone of the four chief cities retains the one polling booth system.

Considerable interesting debate arose both on the second reading motion and in committee upon this particular bill the Attorney General tacitly conceded that the chief feature of the bill was provoked by the candidature of Judge Henderson at the late election.

Another important feature of the day was found in the bill to ratify and confirm the agreement made with the E. & N. railway company to terminate the long vexed question of settlers' rights within the railway belt, 20,000 additional acres of lieu lands with coal measures and certain foreshore privileges being given in addition to the acre-for-acre lieu lands already set aside.

Election Returns.

At the opening of the house yesterday Mr. Hawthornthwaite enquired of the Premier when details of the vote polled at the last general election might be expected by the house in the form of the usual return.

Hon. Mr. McBride replied that he would endeavor to have this done during Wednesday's, today's, sitting.

First readings were given to bills amending the Shops Regulation Act, 1900 (Mr. Hawthornthaite); the Provincial Elections Act (Attorney-General); the Water Act 1909 (Minister of Lands); as well as a bill to ratify an agreement bearing date of the 21st October, 1909, between H. M. the King and the Esquimalt and Nanaimo Railway company, this latter piece of legislation having been introduced by message from His Honor the Lieutenant-Governor.

Wages on C. N. R. Construction.

On motion for the adoption of the report of committee on the bill ratifying the agreement between the province and the Canadian Northern Railway company,

Mr. Williams moved to add to subsection c of section 7 of the schedule, "Provided always that the lowest wage paid to any laborer or worker employed in said construction shall not be less than $2.50 per day."

The member for Newcastle briefly supported his motion upon lines with which the house had already grown familiar through experience with a similar proposal made during the committee stage.

Premier McBride observed that he might fairly make the same reply to the member for Newcastle that had been made to that gentleman when he brought forward his resolution in committee upon identical lines: The government had taken especial care to assure construction work for white labor and at fair wages, by securing an agreement specifically excluding Orientals from engagement and assuring the payment of the full scale of wages current in the district. This agreement contained an ample assurance to the legislature and to the country that white labor only would be used, and that such labor should obtain a fair day's pay for a fair day's work. It would be impossible for the house to set itself the task of adjusting wages generally. And if the house should take such action as proposed in this one case, it should, to be consistent, fix the schedule for every avenue of employment in connection with construction of the road. The government had in this important matter arranged a guarantee that only white labor should be employed, and also that such labor should be fairly paid. He thought that ample security to labor was thus already provided for. It would not be policy for the house to take such action as might unduly embarrass the company, and which might also prejudice very easily the true interest of the workers themselves.

Mr. Hawthornthwaite was ready to agree that under conditions at present prevailing it was unwise at times to interfere with the general labor market, but held that this was an exceptional case, in which the best interests of white workers promised to be more adequately protected by acceptance of the proposal advanced in the amendment. It was not the intention of these railway companies to employ white labor in construction operations, unless absolutely forced to do so. He thought this clause would prove perhaps more workable than any other provision designed to accomplish the same object, and he therefore supported it, especially as it would place on record those favoring this practical machinery in legislation. Incidentally the member for Nanaimo took issue with the Premier as to his alleged misuse of words in referring to "a fair day's pay for a fair day's work." A fair day's work, Mr. Hawthornthwaite contended, seldom received a fair equivalent in wage, but only such portion of the product of the labor expended as conditions compelled payment of.

Agreement Binding.

Hon. Mr. Bowser once again elaborated the position in which the Provincial authority finds itself in respect to the danger of disallowance at Ottawa by the inclusion in provincial legislation of anti-Asiatic or other clauses antagonistic to federal policy. It was having these matters in view that he induced the government to secure, in dealing with the G. T. P. first an undertaking from Mr. Wainwright, and subsequently a formal contract from the G. T. P. company, that no Orientals shall be employed in construction work. This agreement was being fully lived up to, and appeared to be working most satisfactorily. No one knew this better, perhaps, than did the member for Nanaimo. If at any time that member could show that any G. T. P. contractor or sub-contractor had violated this agreement and utilized the labor of Orientals, he had only to bring the matter to the attention of the Attorney-General, and the machinery of the courts would be immediately set in motion. An anti-Asiatic clause had not been put in the Canadian Northern legislation lest disallowance might be possible; nor had an agreement been taken from the Canadian Northern company, because it would be with the Canadian Northern Pacific company, just incorporated, with which the government would have to deal in all such matters in this province. But preliminarily an undertaking to cover the point had been taken from the president of the Canadian Northern company in the following terms:

At Victoria,
17th January, 1910.

Hon. Richard McBride,
Premier of British Columbia,
Victoria, B. C.

Dear Sir—Following the negotiations which I have recently had with your government, I beg to confirm my statement that in consideration of the agreement arrived at between your government and the Canadian Northern Railway company, dated this day, I will undertake, upon the organization of the Canadian Northern Pacific Railway company that that company will enter into an agreement, for itself, successors and assigns, with your government, not to employ or permit the employment of Asiatic labor to do construction work on the aided lines.

(Signed) WM. MACKENZIE,
President.

So soon as the railway legislation in the House had received assent, Hon. Mr. Bowser added, completing his explanation, he would see that a formal contract with the railway company was forthwith sent to Toronto for completion, in line with the agreement and the undertaking outlined to the House.

Labor on E. & N. Extension

Mr. Hawthornthwaite remarked that the government already had an agreement with the Canadian Pacific Railway Company prohibiting the employment of Asiatics on the extension of the E. & N. railway to Alberni, and yet Orientals were being employed. Why, then, was no action taken by the government?

Replying, the attorney-general corrected the error into which the member for Nanaimo had fallen. The province had no agreement with the E. & N. Railway Company in this matter. The railway company had sought exemption from taxation for a term of years, which was made conditional upon no Chinese having been employed. The government could therefore have no opportunity to investigate labor conditions during construction until the application for exemption had been made. At present the only authority exercising supervision and direction was the Federal government, to which report should have been made of the conditions complained of.

Mr. Brewster supported the amendment, which was negatived by 31 to 4.

Report was thereafter adopted.

Hours of Engineers.

Upon the motion to adopt report on the Steam Boilers Inspection Act Amendment bill, a new section was offered by Mr. Hawthornthwaite in the following terms:

"16. No engineer holding a certificate under this act shall be employed (except in case of accident or necessity) for a longer period than eight hours in twenty-four. Twenty-four hours, for the purpose of this act, shall mean from midnight to midnight."

It was explained by the member for Nanaimo that large plants were not especially affected by his proposal, as they ran day and night, and three shifts accordingly. The smaller mills, however, frequently kept their engineers at work ten and twelve hours a day, which was too much. Engineers quite often were required to be on hand some short time before and also a little time after other employees, but there was provision in the bill to cover this small detail.

That this was substantially the same amendment reported in committee, when argument pro and con was very comprehensive, was pointed out by the minister of public works; the amendment was lost, four affirmative votes only being counted.

Report was then adopted and third reading of the bill taken.

On the report on the "Bush Fires Act" amendment bill being reached and adoption being moved,

Mr. Williams moved: To amend subsection (5) of section 2 by adding the following words: "Where any farmer or owner of land neglects or refuses to obtain such permit he may be held responsible for any damage that may occur to surrounding holdings by the starting of such fires."

To add the following as a new subsection 2:

"(6.) Any farmer or settler clearing land adjoining or contiguous to land held as wild lands under the Assessment Act, shall, upon satisfying the Government Agent for the District in which such lands are situated that his operations will be facilitated thereby, obtaining an order from such government agent requiring the owner of such wild land to clear a satisfactory fire guard around, or partly around, such wild land."

To add the following as a new section:

"3. Section 10 of the said chapter 84 of the Revised Statutes, 1897, (providing for a division of fines with informers) is hereby repealed."

The proposals were rejected by the House, and report adopted.

In committee on the Municipal clauses act,

Bills Advanced.

Mr. Brewster moved to add the following: (190.) For exempting from taxation any piece or parcel of land within any municipality used as a park, athletic club or association, or recreation ground to which the public is admitted, and which is not organized for commercial purposes or solely for obtaining profit."

This suggestion provoked a brief debate in which Mr. McPhillips led the defence forces with the batiecry of local control in such matters. Incidentally the advantages of golf were debated by Mr. Hawthornthwaite and the attorney general, the latter pointing out how admirable an institution the Oak Bay golf links had proven in attracting wealthy visitors and in advertising the advantages of Victoria's winter climate.

No change was made in the bill, upon which progress was reported.

Other government business was advanced with a rush during the late afternoon, inclusive of the following:

For the construction of sewers in unorganized districts. Bill passed third reading.

To validate bylaw 204 of the City of Nelson. Report of committee adopted and third reading carried.

Hospital Act Amendment Bill. Report of committee adopted and third reading taken.

Municipal Elections Act Amendment bill (to make uniform the law in respect to elections in rural municipalities fixing the time for the closing of the polls at 7 o'clock, instead of 5 o'clock) read a second time, committied, reported and given third reading.

Coal Mines Act Amendment Bill. Given second reading.

Timber Mark Act Amendment Bill. Received second reading, committed, reported and report adopted.

Timber Manufacture Act Amendment Bill. Received second reading, committed, reported, report adopted and bill given third reading.

Bill to validate and amend bylaw 83 of the City of Vancouver to aid the North Vancouver City Ferries Ltd. Read a second time, committed, reported and given third reading.

Bill to amend the New Westminster Act, 1888 and amending act (this being the bill by which New Westminster abandons its special charter and is brought under the general provisions of the Municipal Clauses Act, Vancouver being now the only provincial city operating under special charter.) Read a second time, committed, reported and given third reading.

Bill to revive, ratify and confirm the Vancouver and Nicola Valley Railway Company Act of 1908, Received third reading.

Bill to revive, ratify and confirm the incorporation of the Graham Island Railway Company. Received third reading.

Bill to incorporate the Western Union Fire Insurance Company. Received third reading.

Bill respecting the Great West Permanent Loan Co, received third reading.

Bill to incorporate the British Columbia Packers Association: report of committee adopted.

Bill to incorporate the Anglican Synod of the Diocese of Caledonia: given third reading.

Salvation Army

On consideration of report on the Salvation Army bill, an amendment was proposed by Mr. Williams to carry forward and make the newly incorporated body responsible for accounts incurred by the Army under the old organization. The member for Newcastle contended incidentally that should any prospective settler brought to British Columbia by the Army immigration department feel aggrieved on finding conditions to have been misrepresented to him, he should have a right to sue in the civil courts for damages. Also if the assets of the Army were to follow the new incorporation, the liabilities should also do so—as had been provided for in the Roman Catholic legislation passed by the House last session.

The amendment was slightly altered in the wording at the suggestion of the Attorney-General, and accepted by the House as follows:

To add the following as subsection (a) to section 3:—

"(a) All contracts entered into, and all obligations and liabilities properly incurred by or on behalf of the Salvation Army, shall devolve upon, be binding upon and be discharged by the Governing Council of Salvation Army."

The bill is still at the stage of report.

The bills of the Pacific and Alaska Railway Company and the British Columbia Railway Company—both in the committee stage—stand over to permit of an agreement being reached between those interested for a change in the name of either one company or the other, too great similarity at present existing.

Just before the dinner adjournment, Mr. Ross asked for the discharge of the order for second reading of the bill to establish a bi-monthly payday for the payment of wages in certain cases, explaining that bi-weekly had been intended. The bill as thus amended was re-introduced, and received first reading.

Settlers' Rights Settlement.

The Premier explained the objects in view in moving the second reading of this bill. He traced briefly the history of the several grants issued in connection with the Vancouver Island Settlers Rights bill of 1903-4, and pointed out that for years past the claims of the squatters within the Island railway belt had been presented session after session to this legislature, as well as at intervals to the federal authorities.

The matter was at that time brought forward by the member for Nanaimo, and it had been very largely through the persistent individual efforts of that hon. gentleman that the bill had finally been carried through which brought relief to the interested settlers. The government taking the matter in hand, a bill was submitted and carried in 1903-4 which it was hoped would prove effective, and in connection with this bill the member for Nanaimo had rendered very valuable assistance. Crown grants under this act were issued, and there had been subsequently a great deal of disquietude, especially on the part of the railway company, which took the validity of these grants into the courts, the McGregor case being carried to the Privy Council, which found that this legislature had been quite within its jurisdiction in enacting the law under challenge. By that act, the constitutionality of which was thus upheld by the highest tribunal of the land, one year had been allowed within which claimants were to present themselves for the grants authorized to be made. Some fifty of these came forward, and in a majority of cases grants were issued. There were still a few applications pending before the Executive Council, and it was intended to give decisions in these during the next few weeks, which would clear up all applications. Meanwhile, with regard to those already issued, certain questions had been raised by the E. & N. Railway Company with respect to the procedure adopted, that there were certain formalities which the government had failed to observe.

As a result of these protests by the railway company a conference was had between the government and the company upon the technicalities raised, and an agreement had been arrived at disposing of the matter amicably, as a result of which the company agreed to give a quit claim deed to the settlers. Of course compensation had necessarily been provided for, and this was to be found in the principal clause of this bill. Under the provisions of the act of 1903-4 provision had been made for compensation for lands taken for homestead purposes, and this provision was here virtually re-enacted, although with a varying definition of acreage because valuable coal areas were proven to exist under the lands appropriated, giving them special worth to those dispossessed as well as to those receiving them. The government in adjusting the matter had gone to very great pains in order to terminate this long-pending difficulty. It had done everything possible to reach a fair conclusion, and provide an equitable remedy for conditions which until 1903 it appeared no government had made any special endeavors to adjust with recognition of all rights affected.

The measure passed second reading, with the Socialist members voting negatively.

The Provincial Elections Act amendment bill was next taken up, the Attorney-General explaining its contents briefly as outlined in a preceding reference to the subject.

Mr. Hawthornthwaite humorously objected that he could not see in this bill that deep-laid scheme of the Attorney General which he felt confident it must somewhere contain. Nor could he see why judges should be placed in the same category as the untutored Siwash and the Chinaman. Surely that ever-active member for the Islands would not permit this slur upon the judiciary of the land!

Mr. Jardine also opposed the suggestion of depriving the judges—some of the most honorable and influential men of the province—of the franchise.

The bill passed second reading and was forthwith committed.

In committee Mr. Brewster desired information as to whether any judge had misconducted himself, or could be accused of having so done, by participation in politics while occupying a seat on the bench.

It was explained by the Attorney General in response that it surely could not be regarded as desirable or conducive to the best interests of the administration of justice that a judge should mix in politics while discharging his judicial duties. One member of the judiciary had not so very long ago been exercising his functions on the bench, while for two weeks negotiating with political deputations as to whether he should accept a nomination, and it had been stated providing for his future position in the event of his defeat.

Even so, Mr. Brewster could not see that the judge had seriously misconducted himself.

"Personally," remarked Mr. Hawthornthwaite, "it looks like a scheme of the attorney general's to keep "Billy" McInnis out of politics." (Laughter.)

The member for Nanaimo introduced as a new section provision that anyone for twelve months resident in the province, a British subject, and who could satisfy the election officer that he had been a resident for thirty days in the district, should be entitled to vote, whether or not his name appeared on any voters' list.

The attorney general declined the suggested amendment, explaining how it would give rise to scandals innumerable in politics, and wholly disorganize the election system of the province.

The amendment was rejected and the bill reported without amendment.

The member for Nanaimo re-introduced his proposal on report, when it again met defeat, the bill being later given its third and final reading.

Final Reading.

Upon the resumption of the House in the evening, the bill to ratify and confirm the agreement between the province and the Canadian Northern Railway Co., received its third and final reading amidst applause; third readings also being given the Timber Mark Act amendment bill and the New Westminster Act amendment bill, while the Municipal Clauses Act amendment bill was reported from committee—complete with amendments.

Some little crossfire as to land speculation and its legitimate restriction arose between the member of Nanaimo and the Premier, upon the committal of the Land Act amendment bill, with Mr. Shaw in the chair. Progress with the bill was reported; as also with Coal Mines Act amendment bill, next dealt with.

The Water Act amendment bill, providing for a few minor changes, the principal being in the direction of giving placer miners the right to use water without advertising or other customary formalities, passed its second reading unopposed; while

The British Columbia and Alaska Railway Company's bill was passed upon report and given third reading.

The report of committee was adopted on the Pacific and Alaska Railway Company's bill, which was amended in the title only, the company to be known hereafter as the Pacific Railway Company. The bill stands for third reading in the House today.

The following legislation was thereafter advanced a stage, with but brief and perfunctory debate:

The bill incorporating the British Columbia Central Railway Company.

The North Vancouver Island Railway Company bill.

The amending bill of the Howe Sound, Pemberton Valley and Northern Railway Company.

The bill of the Cariboo, Barkerville and Willow River Railway Company.

The bill amending the Vancouver False Creek Foreshore Act.

The bill to incorporate the Northern British Columbia Telephone Company.

The bill of the Penticton Railway Company.

The Comox Logging and Railway Company's bill.

The bill to ratify the agreement between the City of Victoria and the British Columbia Electric Railway Company, as to the Jordan River power supply.

The British Empire Insurance Co. bill.

The bill conferring upon the council of the corporation of Oak Bay certain additional powers to those contained in the Municipal Clauses Act.

The bill for the amalgamation of the water rights of the B. C. Fruitlands Co. and the Kamloops Irrigation Co.

The bill to incorporate the city of South Vancouver, and

The B. C. Mainland and Coast Industrial company's bill.

With regard to the Oak Bay bill it was stated by Mr. Hayward, in moving the second reading that the special concessions contemplated are similar to those outside of the Municipal Clauses Act enjoyed by the City of Vancouver in British Columbia, and also common among the privileges of Ontario municipalities. He had abandoned the proposals with regard to the laying of water mains for this year at least, and thought that the most progressive municipality in British Columbia, as Oak Bay certainly is, should be granted the special favors otherwise provided.

CHALLENGE FOR THE DWIGHT DAVIS CUP

LONDON, March 8.—The lawn tennis association today cabled to Sydney a challenge for the Dwight F. Davis International cup. The British association hopes that the preliminaries may be fought out in this country, and proposes to invite the United States National Lawn Tennis Association to send their team here, the Englishmen guaranteeing the expenses as the Americans did in 1909, when the British team visited the United States.

ALBERTA'S DISPUTE

Dissatisfied Members Offering Further Resolutions on Railway Question

EDMONTON, March 8.—Not content with the lengthy debate in the legislature last week on the Alberta and Great Waterways railway agreement, two resolutions were introduced yesterday which will probably throw the house once more into the throes of controversy. Under motions other than government motions, Mr. Boyle, of Sturgeon, gave notice that on Monday next he will move "that this house do resent the action of the government in so tampering with and stripping the files relating to the railway transaction and do demand that documents and papers so removed be immediately restored to said files now upon the table of the house."

Immediately afterwards, Mr. Stuart, of Sedgwick gave notice that on Thursday next he would introduce a motion "that whereas there is charged a deficiency of $740,000 in the sale of the bonds, due to the statement that the bonds sold at 110 while the government says the bonds sold at par, be it resolved that this house desires immediately conclusive evidence as to the deposition of the said sum of $740,000."

The questions asked by Mr. Boyle as to whether the government has accepted the offer of W. R. Clarke, president of the Alberta and Great Waterways Railway company as contained in his letter addressed to the premier, were held over on request of Premier Rutherford.

(Continued on Page 2.)

LONDON, March 8.—The Financial Times discusses the tariff negotiations between the United States and Canada. It fears that the American government "is not foolish enough to throw the trade of Canada into our hands by endeavoring to coerce that great country." The Canadian nation is the last in the world to be coerced, and has nothing to look for from the United States. The Financial Times advises British manufacturers to take advantage of the period of uncertainty to establish their position.

Will Build Abbatoir

EDMONTON, March 8.—P. Burns in consultation with the commissioners today in regard to the removal of the Norwood slaughterhouse, which is a public nuisance, stated that he intends to build a $500,000 abbatoir. Mr. Burns is now looking for a site which will make the concern convenient to railway facilities. Work will probably be begun in the early spring.

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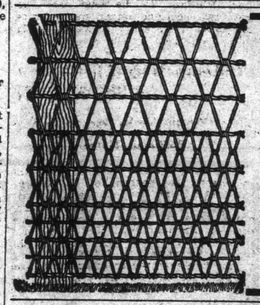

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