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heard so, but as yet had received no ADDRESS IN REPLY. MR. RALPH SMITH, in rising to move the address in reply to His Honor's speech from the throne, asked indulgence for the few statements he might make outside of but in connection several items of the document, he would the house last met, and to the factors producing those changed conditions. He greatly appreciated the honor that had been done him in assigning to him the country. The free miner having re-

been done him in assigning to him the moving of the reply. He took it as one moving of the reply. He took it as one ment it was not with him as an individof the many arguments against the truth of the contentions of the opposition that the gentlemen composing the present government party were hostile to the interest and the gentlement of the contentions of the opposition that the gentlemen composing the present government party were hostile to the interest and the government that a rail-way company had to deal if alleged trespass were complained of, this obligovernment party were hostile to the interests of Vancouver Island. That this was so he denied, deprecating all manner of sectional discord, and more especially the introduction of the old crythat the Mainland stood as against the that the Mainland stood as against the second of the control of the old crythat the correspondence of the house would show these crivarances to have been incessantly place. Island, by which the opposition had cer- grievances to have been incessantly plactainly been able to win more of the Island seats in the assembly than they could possibly have done otherwise. could possibly have done otherwise. Personally he knew of nothing to justify the introduction of this sectional cry hatched and fostered by the present opposition, it had conduced to the large percentage of Island representa-tives in their ranks. Proceeding to the subject matter of His Honor's speech, the member claimed that it afforded evidence that the present government were prepared to put in practice at once the reforms for which they had contended while in opposition, thus proving that their opposition had been on sterling principle, and neither antagonistic nor obstructive. With regard to the intromust occur as to whether or not the multiplication of industries and inof the country. It was possible for the gold, the silver or the lumber output of a country to increase enormously, while the augmented population practically starved. He helieved that the industry to increase the property of the was glad, too, to see that the industry to increase the property of the present government. It may be interested the recent disastrous fire at N minster, all members of the horizon. With reference the recent disastrous fire at N minster, all members of the horizon. Which reference the recent disastrous fire at N minster, all members of the horizon. Which reference the recent disastrous fire at N minster, all members of the horizon. Which reference the recent disastrous fire at N minster, all members of the horizon. Which reference the recent disastrous fire at N minster, all members of the horizon. Which reference the province is not monopolized by the members of the late administration. He was glad, too, to see that creased productiveness of the country

government, as mustrated by the now also that provision was to be made for tion of free miners' certificates for wage session on the subject, which was almost in the terms of this paragraph of His Honor's speech. The only reason inhabitants. He had pleasure in the terms of this paragraph of this Honor's speech. this Honor's specific this impost had not long ago been not the impost had not long ago been not the imposition of the first speaker on the opposite side of the house was that the late government where in so desperate straits that they felt compelled to use every penny, they could raise. They said the revenue of the country would be insufficient with the country would be also well as the country would be a sufficient with the country would be a sufficient with the country would be a sufficient with the country would be was erroneous, and that the country benefit from the removal of this the state before he might be permitted to earn his bread by honest toil in the The amendment of the Coal mines. The amendment of the purpose of Mines Regulation act for the purpose of excluding Japanese as well as Chinese om underground workings was something else that the present government party had long declared to be desirable. and every member of the house was fully aware that in 1897 legislation had eration how much more the employment

Col. Baker rose to inquire of the Premier if the news were true that Mr. Neilson, member-elect for one of the ridings of East Kootenay, had died during the morning.

Hon. Mr. Semlin replied that he had heard so, but so, which he properties disadvantageous to the prospectors—the moment the notice appeared many enterprising miners and heard so, but so, which he proposed that its end would come even before the close of the session on which the house day an argument that the conditions had entered. Not only was there disadvantageous to the prospectors—the moment the notice appeared many enterprising miners and heard so, but so, which he proposed that its end would come even before the close of the session on which the house day an argument that the conditions had entered. Not only was there disadvantageous to the prospectors—the moment the notice appeared signed by the land comjoy long life, and it might be anticipated that its end would come even before the close of the session on which the house day and the proposed that its end would come even before the close of the session on which the proposed that its end would come even before the close of the session on which the house day and the proposed that its end would come even before the close of the session on which the proposed that its end would come even before the close of the session on which the proposed that its end would come even before the close of the session on which the proposed that its end would come even before the close of the session on which the proposed that its end would come even before the close of the session on which the proposed that its end would come even before the close of the session on which the proposed that its end would come even before the close of the session on which the proposed t Hon. Mr. Semlin replied that he had prospectors returned to their homes, conseard so, but as yet had received no sidering their enterprising inners and the many characteristics. the free miner sought belonged, the member contended, not to any railway com-Before taking up the miner and the government and it was several items of the document, he would the duty of the government, as it proposed to do in the legislation here out-

hat all their grievances would receive continued, he might mention Mr. Gos-what they had never gained under the nell and Miss Wolley, but there were that all their grievances would receive not only his first appearance as a member, but his first view of the new parliawhich he might make passing reference. During the course of the late elections it had frequently been said that if the then government were rejected, where would men be found capable of taking their places? "I am glad to see," observed the member for Chililwack, "that the hrapins of the province is not monored. the brains of the province is not monopol- join in regret and in sympathy and ascovernment's intention to inaugurate fire, he pointed out that while rigid econby the gentlemen composing the present revision of the taxation system; and mortgage tax (so-called) and the aboligovernment, as illustrated by the now also that provision was to be made for tion of free miners' certificates for wage

would benefit from the removal of this obnoxious tax—an inhuman one, as it required the poor men to pay tribute to duties—arduous because the speech itself facts of the past with reference to this showed little foundation for the eloquestion—how the abolition of the tax quence displayed. The mover of the reply had certainly gone far outside the from miners themselves, and had never address, and had made mistakes, uning of through the mining committee of the tentionally, through ignorance of the house, composed as it was of members records of the house, which mistakes he would have pleasure in correcting. In the first place he had changed the government had been giving a flagrant illustraernment with having accused the opposition of sectionalism; he (Col. Baker) had no knowledge of this, except perhad no knowledge of this, except perhad no knowledge of this except perhad no k cluding both the Chinese and the Japanese from working in metalliferous mines of the province; yet the greatest difficulty was experienced in getting the of the province; yet the greatest difficulty was experienced in getting the common law of the state enforced, and displayed in this direction. Then, the power they were determined to take back meagre portion only of this law, when it applied to the operators of coal mines. This inconsistency on the part of the late government was both flagrant and serious, when it was taken into consid-serious, when it was taken into consid-serious consideration c This inconsistency on the part of the late government was both flagrant and serious, when it was taken into considtion for the miners and settlers on the ing election cry, but it was nothing Island, showing plainly that the late more, and it involved a wholesale sacriof Chinese and Japanese in coal mines of Chinese and Japanese in coal mines increased the danger to the intelligent opposition (and present government) was fice of vested rights. As to the exclusion of the Asiation of the

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Fromedings of the Eighth Legi Martin, Hume and Semlin; and the general certificate of the election of other members chosen at the late general election. These, on motion of the Premier, were ordered to be placed on the orders of the house.

He himself had been a member of a company sending out prospectors to work in the E. & N. belt, and who made discoveries which looked like good propositions. It was about this time that a notion of the covering the orders of the house.

> press that supported this new government was equally divided against itself. The Province, which certainly had been classed as one of the organs of the government of the day had when the The Province, which certainly had been classed as one of the organs of the government of the day, had, when the "guide, philosopher and friend" of the Premier (Mr. Sword) ,had offered himself in Cowichan, said plainly that it was averse to seeing the private secretary of the leader of the government leave his position in the civil service to contest a constituency, and that in the contest a constituency, and that in the contest a constituency, and that in the contest a constituency and that in the contest accounts are contest as constituency. leave his position in the civil service to contest a constituency, and that in the event of defeat he certainly could not expect to be returned to the office of which he had been the incumbent. He had been defeated, he was glad to know, and he had been promptly restored to the office. Personally he was glad that the Premier had again the company of his "guide, philosopher and friend," but what would the Province say to it, and might it not be possible that the government might find this a Sword of Damocles suspended over their heads? As to the acts of the new government As to the acts of the new government during their short life, they consisted chiefly in the dismissal of tried and valu-

able civil servants, in order that friends of the party might be given their places, d before the late government without result, although they could have been demonstrated to be grievances producing paralleled only in the most scandalously erious results to worthy citizens of the governed countries of the world. Useful province who looked upon the change of government as providing the remedy for and efficient public servants had been dismissed in order that the spoils might the abuses complained of in their petitions and hitherto treated with neglect.

These settlers could now rest assured

As they called for names, Col. Business in the petitions and hitherto treated with neglect.

As they called for names, Col. Business in the petitions and hitherto treated with neglect. As they called for names, Col. Baker

what they had never gained under the old regime—serious and fair consideration. He had pleasure in moving the address in reply to the speech.

Mr. MUNRO, in seconding the motion, referred to the fact that this was not only his first appearance as a meminate of the speech why had incompleted by any means, and he knew of others who were listed for dismissal. As to the general prosperity of the proventions are the speech why had incompleted to in the speech why had incompleted to in the speech why had obstructive. With regard to the introductory paragraphs of the speech, all British Columbians would naturally feel satisfaction in the general prosperity of the country. The coal output, of which he had particular knowledge, had been thanks for the congratulations he had ince referred to in the speech, why had the government neglected to give credit where it was due, and say that much of he had particular and previous year, and greater than in any previous year, and with the opening of the new fields tapped by the Crow's Nest road, it was reasonable to anticipate that next year's output would be infinitely greater than that of the year just closed. But while not of the year just closed. But while not desiring to detract from whatever part which he might make passing reference. During the course of the late elections to the member of the new government, himself are proposed and acted on by a member of the late government last session? Included the reply on his vigorous and interesting address, had not precisely the same course been proposed and acted on by a member of the late government last session? Included the reply on his vigorous and interesting address, had not precisely the same course been proposed and acted on by a member of the late government last session? Included the reply on his vigorous and interesting address, had not precisely the same course been proposed and acted on by a member of the late government last session? Included the reply on his vigorous and interesting address, had not precisely the same course been proposed and acted on by a member of the late government last session? Included the reply on his vigorous and interesting address. he had particular knowledge, had been thanks for the congratulations he had greater than in any previous year, and with the opening of the new fields tapped the reply on his vigorous and interesting the reply on his vigorous and interesting exclusion of aliens proposed in the advanced to the reply on his vigorous and interesting the reply of the reply on his vigorous and interesting the reply of the reply

He was glad, too, to see that be interesting to know, however, the exthe augmented population practically starved. He believed that the industries of this province at the present time the present government proposed to carry out the policy enunciated at the elections. Briefly endorsing those portions of the address referring to the sealing and also whether this had not much to do with the appearance on the government proposed, and also whether this had not much to do with the appearance on the government proposed. The work of the sealing and salmont in a better position than those of position than those of the sealing and salmont in a better position than those of the sealing and salmont in a better position than those of the sealing and salmont in the se As evidence of the ntion to inaugurate in the proposed repeal of the government's intention to inaugurate changes advocated while in opposition, he pointed to the clause of the speech dealing with the proposed repeal of the expenditure in the rational development tax imposed upon wage earners employed in metalliferous mines. The removal of metalliferous mines. The removal of the speech and the expenditure in dustries. He was pleasing the consideration to be shown the ed to see that an ear had at last been consideration to be shown the removal of the consideration to be shown the removal of the speech and the removal of the removal of the consideration to be shown the removal of the imposed upon wage carters employed to see that an ear had at last been Royal City would be watched for with impost had been urged continuously given to the requests of the people for a

> tax" was entirely a misnomer, coined to catch the popular fancy, and it would be valuable to know at once whether the government proposed to abolish the personal property tax in its entirety, for the tax on mortgages, no matter was adjusted, would always remain to be COL. BAKER congratulated the mov-

Col. Baker's remarks, moved the adjournment of the debate until the next

sitting of the house. CONTESTED ELECTIONS BILL. ATTORNEY-GENERAL MARTIN. n moving the second reading of the bill especting the non-trial of election petions during the continuance of the providing that no election petition should be tried during the progress of a session. The necessity for such an act was uemonstrated by the experience of the other provinces, and it certainly was right that no constituency should be deprived of word that had been offered by the other side of the house was calculated to lead to the facts and the worst features of the corrupt spoils no constituency should be deprived of system of the United States being thus introduced, with a disregard for fairness ation—pending the law's delays. He denied emphatically that the government had any motive in presenting this measure other than to see that every consti-tuency possible should have continuous representation during the session. Re

erring to the peculiar circumstances in connection with the case of the member for East Lillooet, he appealed to "the good sense of members of both sides," and held that the neglect in the determination of the subject of the election petition in question had been solely due to the procrastination and neglect of the petitioner. If he had desired to bring the matter to a focus, it might have been done long ago, but the object sought appearance rather to he to device. sought appeared rather to be to depriv these two constituencies of their representation during the session. The bill, the second reading of which he moved, had also for its object the protection of

and Cowichan against interference by petition during the course of the present MR. McPHILLIPS had not thought hat on the first opportunity afforded aim of speaking in the house it would be his duty to rise in protest against a bill framed as was this one. One would have thought that out of his large political experience, the Attorney-Gen-eral would have been able to present some precedent, supporting his assumed right to offer to the house a measure framed as was this extraordinary piece of legislation. It was so remarkable duction that he would feel it his duty move in amendment to the motion for he second reading, the following resolu-

"That legislation in the direction taying the course of the administration of justice is vicious in principle and is subversive of law and order and good overnment, and is calculated to bring the administration of justice into dis-repute and make the courts of law mere nandatories of the political power that it has ever nay be in the ascendancy; en opposed to proper precedent to afect pending litigation by legislation; and herefore be it resolved that interference the trial of an election petition, and the staying of the trial thereof, is wrong in principle, and unwarrantally trespasses upon the functions of the ourt, and is a matter that ought not to fied. dealt with by any bill."

Mr. Macpherson, Hon. Mr. Martin such a substantive resolution was not in order. Mr. McPhillips in reply referred to p. 446 of May, 10th edition, and Mr. Speaker decided that the amendment was allowable. Mr. McPhililps then proceeded to argue

rigorously against the setting aside of the processes of law for the purpose of colitical expediency. If the Attorney-General had brought in a bill to the efect that Mr. Prentice or Mr. Deane of ooth of them should be indemnified against possible penalties in the event of determination of the petitions be against them, it would have been a different matter, while there would still be strong objections to be urged on prin-But this bill went much furtherproviding that Mr. Prentice might not only sit and exercise the functions of a ember until the determination of his ease, but until the close of the session his case being kept sub judice until then. The cause of the delay in the set-tlement of the application had, as was well known, been the absence of a ma-terial witness, who had been regularly subpoenaed. He was a servant of the white employees. If there were good with present government, white employees. If there were good to carry sectionalism into the proposals in this connection made by the member for Nanaimo when other reasons a thousand fold more cogent for the exclusion of the Asiatics from the exclusion of the Asiatics from the exclusion of the Asiatics of the proposals in this connection made by the member for Nanaimo when the proposals in this connection made by the member for Nanaimo when the proposals in this connection made by the member for Nanaimo when the proposals in this connection made by the member for Nanaimo when the proposals in this connection made by the member for Nanaimo when the proposals in this connection made by the member for Nanaimo when the proposals in this connection made by the member for Nanaimo when the proposals in this connection made by the member for Nanaimo when the proposals in this connection made the proposals in this connection made by the member for Nanaimo when the proposals in this connection made the proposals in this connection made the proposals in this connection made overnment, and he did not attend, at the proposals in the proposals in this connection made the proposals in the proposals in this connection made the proposals in the proposals in this connection made the proposals in the proposal gent for the exclusion of the Asiatics from the coal mines. The present government was asking merely for the extension to the coal mines of the law with regard to the employment of Chinese in the coal mines. This was something that had come under his own the late administration had proposed for the metalliferous mines in 1897. While the late government had been so well as the insured to the indicate of the general to the employment of the law with regard to the employment the restriction talked of. Further evidence of the government's pretter there evidence of the government's pretter evidence of the government's pretter there evidence of the govern tension to the coal mines of the law that had come under his own the late administration had proposed for the metalliferous mines in 1897. While the late government had been so very anxious to legislate in reference to the metalliferous mines, the very laws on the statute book for the protection of the lives of workers in the coal mines had been openly disregarded by the mine government or its servants. Passing on for expectantly was that with negard to something that had come under his own in the proposal fournment, which the coult of the proposal to the members for Cowiehan and Albertocation in the proposal of the members for Cowiehan and Albertocation in the registration of prospectors in the members for Cowiehan and Albertocation in the proposal for the members for Cowiehan and Albertocation in the registration of the members for Cowiehan and Albertocation in the proposal for the members for Cowiehan and Albertocation in the registration of the members for Cowiehan and Albertocation in the registration of the members for Cowiehan and Albertocation in the registration for the members for Cowiehan and Albertocation in the registration for prospectors in the coulting the rights of prospectors in the coulting the rights of prospectors in the would be found in the proposal in the metalliferous mines, the year of the waited for with interest, as it is especially desirous not to frighten capital from the discussion was disqualified, but to the members for Cowiehan and Albertocation in the rights of prospectors in the coulting the rights of which would be found in the proposal form the metalliferous mines, the very laws on the waited for with interest, as it is especially desirous not to frighten capital from the would have another chance of security was the very laws on the would have another chance of security was the country by repudiation of bargains in the country by repudiation of bargains and interference with proposal form the metalliferous mines, the very laws on the would have another chance of security w

had been experienced in the determina-tion of these petitions, what assurance could the house have that they would be een passed four years ago, touching this same Lillooet constituency, when indeed. the interests of the same gentleman were at stake. And this bill the house had unanimously passed Upon the present occasion it was only a technical objec-

not the principle involved.

MR. EBERTS regarded the bill now in the hands of the house as one of the the truth. He traced the history of the East Lillooet election appeal from its commencement, showing that the petitioner Stoddart had proceeded with the utmost promptness, and that step by step the issue of the trial had been step the fought by the respondent, to whom the delay in the settlement of the matter was to be attributed. As every one knew, no actions could be tried during the vacation months of August and

the newly elected members for Alberni nical disqualification. The man was either legally qualified or he was disqualified—there was no middle course The Attorney-General knew that Mr. Prentice was not legally qualified to take his seat; Mr. Prentice knew it, for had he not, since the proceedings were nitiated, taken steps to have his put on the voters' list? His entire course had been to interpose delays to lefeat the diligence shown by the peti-tioner in bringing the trial of the issue And what was the nature of t delay? The material witness, he last delay? Mr. F. Soues, the collector of votes, had been summoned from Clinton, but had written, explaining how his instructions as a government servant were not to leave the office without explicit instruc-tions from his superior, the Attorney-General. He had communicated with that gentleman, asking if he should obey the order of the court, and stating that in view of his instructions he would ot do so unless he received a reply, which he asked for. None was sent by the Attorney-General. If the Attorney-General had consented to the witness beying the subpoens of the court the trial of the issue would have been com-pleted. Having thus prevented the trial of the issue, the government now came before the house with a bill that was a disgraceful political trick, for it proposed to seat Mr. Prentice in the ho when he and his friends and the govern-

Hon. Mr. Semlin-His name was or the voters' lisoruyft cmf cmfwypmfwyp and Mr. Higgins at once took points of order, quoting numerous authorities, in May as supporting their position that the collector of votes to that effect, and also that his name does not appear on the voters' list. Proceeding, the exAttorney-General condemned as a mere
piece of political trickery this bill to
seat Mr. Prentice while relieving him of
the severe penalties attaching to
the action, he knowing his ineligibility. It was juggling with the
constitution act to take away from the the voters' list. Proceeding, the exconstitution act to take away from

ment all knew he was not legally quali-

ourts the protection of the people. British colony would show a precedent for thus breaking in upon the constitution, and it would be just as fair and as logical were the government to bring in a bill to declare him (Mr. Eberts) no longer a member, and appoint some one from without the bar of the house to take his place. Indeed it would be quite were they to thus turn out of heir seats all the members of the opposition, and put in them whomsoever they pleased. He opposed the second reading and considered the bill an outrage on the

rights of a free people.

MR. POOLEY reviewed the simple facts of the case as recited by Mr. Ebnterested, agreed in by both sides of the house, and not violating any of the pro visions of law. Mr. Prentice on the present occasion was disqualified, but having got his name on the voters' list

found ready to support your amendment to the general law." He concluded by entering his emphatic protest against legislation of this nature.

HON. MR. SEMLIN denied that precedent could not be found for the measure, or that it could be construed as reflecting upon the courts or the administration of justice. But even if this bill could be taken as a vote of censure uptration of justice. But even if this bill could be taken as a vote of censure upon the courts it were better so than that any constituency should be deprived of continuous representation in the assembly. Looking upon the long delay that had been experienced in the determination of the people. He would not discuss the status of the election petitions referred a similar piece of legislation. In the Ontario act the member was entitled to take his seat but in the present instance one of the gentlemen interested was not qualified to sit. Hear, hear). He was bright to interfere in matters that take his seat but in the present instance one of the gentlemen interested was not qualified to sit. Hear, hear). He was bright to interfere in matters that take his seat but in the present instance one of the gentlemen interested was not qualified to sit. Hear, hear). had been experienced in the determination of these petitions, what assurance could the house have that they would be disposed of before the close of the present session—adjournments of the courts were continually being made, and all that this bill proposed was to adjourn the trial of the matter until two weeks after the prorogation of the house, which would be in less than six weeks. As to precedent, an almost parallel bill had been passed four years ago touching this courts that mattering he had been passed four the house discussed by the house last year by the surface that matters before the curts could not be discussed by the house, and he proceeded to quote from May as an authority, why matters under adjudication should not be dealt with by the house. The election trial in Mr. Prentice's case had already come up and would be heard on Thursday next, the reason of the postponement being to sequence of the house of a trial fixed by the courts, be considered other than an interference? It was an insult to the intelligence of the house to argue other. reason of the postponement being to secure the attendance of Mr. Soues as a interference? It was an insult to the intelligence of the house to argue otherwise, and therefore this case could not wise for if this was not an interference be considered otherwise than sub judice. with the courts then no legislation was In other words the effect of the bill was to remove from the hands of the courts interference. He would not join hands the right to say when the trial should be held. It was, he maitained, a retrograde movement to take back in this tice taking his seat—the letter of the law might possibly have been violated, but over to the courts of law, and it cer- clared lost on the following divisio tainly was not right when the parties were ready to go to trial to prevent the

case being fought out before the proper tribunal. One could not too strongly condemn this tampering with the constitution, and to pass this bill would election case, in support of his argument that the legislature should not take away from the courts the power given them by the legislature to deal with election petitions. It was held in this that in spite of anything that could be election petitions. It was near in this appeal that where it was the intention of the legislature under an act, assented to by the crown to create a tribunal for the purpose of trying election petitions in a manner which should make its decision for all form all purposes it should be the consequences in t

mere ordinary civil rights; they are acts constituting an entirely new, and up to that time unknown, jurisdiction in a particular court of the colony for the purpose of taking out, with its own consent, of the legislative assembly and westing in that or taking out, with its own consent, of the legislative assembly, and vesting in that court, that very peculiar jurisdiction which, up to that time, had existed in the legislative assembly of deciding election petitions, and determining the status of those claiming to be members of the legislative assembly. A jurisdiction of that kind is extremely special, and one of the obvious incidents or consequences of such a jurisdiction. incidents or consequences of such a jurisdiction must be that the jurisdiction, b whomsoever it is to be exercised, should be exercised in a way that should as soon as possible become conclusive, and enable the constitution of the legislative assembly to be distinctly and speedily known. Accordingly we find, on looking at the act of parliament, that after providing by the 89th section as to the matter which the syth section as to the matter which the Superior court is authorized to determine the 91st section declares that a certified copy of the judgment shall be transmitted without delay to the Speaker, and another to the prothonotary in the district in which without delay to the Speaker, and another to the prothonotary in the district in which the petition was presented, and then the 118th section provides: "The Speaker shall, at the earliest practical moment after having received the judgment and reports, adopt all the proceedings necessary for confirming or altering the return of the returning officer, or for the issuing of a new writ for a new election within thirty days, or for otherwise carrying the final judgment into execution, as circumstances may require. He may, for the issuing of such writ of election, address his warrant under hand and seal to the clerk of the Crown in Chancery." Then the 119th section is: "The Speaker shall without delay communicate to the legislative assembly the judgments and the reports received, and his own proceedings thereon." And the 120th section is: "When a special report has been received, the legislative assembly may make such order in respect of such special report as it may deem proper." The whole scheme, therefore, of the act of parliament is that, once the action of the Superior court takes place, and the decision of the Superior court arrived at.

the Superior court takes place, and the decision of the Superior court arrived at stopping there, it would be very difficult to do otherwise than conclude, from the character of these enactments, that the object which the legislature had in view was to have a decision of the Superior court, which, once arrived at, should be for all purposes conclusive.

But there is a further consideration which arises upon this act. If the judgment of the Superior court should not be conclusive, of course the argument is that the power which is to be brought to bear to review the judgment is the power of the Crown in Council.

the judgment is the power of the Crown in Council.

Now, the object matter, as has been said, of the legislation is extremely beculiar. It concerns the rights and privileges of the electors and of the legislative assembly to which they eect members. Those rights and privileges have always in every colony, following the example of the Mother Country, been jealously maintained and guarded by the legislative assembly. Above all they have been looked upon as rights and privileges which pertain to the legislative assembly. in complete independence of the Crown, so far as they properly exist. And it would be a result somewhat surprising and hardly in consonance with the general scheme of the legislation if, with regard to rights and privileges of this kind, it were to be found that in the last resort the determination of them no longer belonged to the legislative assembly, no longer belonged to the Superior court which the legislative assembly had put in its place, but belonged to the Crown in Council, with the advice of the advisers of the Crown at home, to be determined with reference either to the

The amendment was then put and de-For-Messrs. Pooley, Booth, Duns-Smith (A.W.).

Against-Messrs. Jos. Martin, Sembe to commit an error that all members of the house would live to regret. He quoted from Theberge v. Laundry, an appeal to the privy council in a Quebec Kidd, Kinchant, Helgesen, Munro, Green, Neill-19.

MR. BRYDEN (North Nanaimo) then september, while as soon thereafter as the matter came into court, Mr. Prentice, through his counsel, raised the technical objection that error had been made in the manner of service—

made demnity to allow the corruptly chosen member to sit for one session or even Mr. Prentice's return is that he is technically disqualified—that is all.

Mr. Eberts responded that there was no such thing known to the law as technically disqualified was technically disqualified.

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Mr. Eberts responded that there was no such thing known to the law as technically demnity to allow the corruptly chosen member to sit for one session or even more—in fact carry on the thing indefinition of the decision of stituting or providing for the decision of mere ordinary civil rights: they are acts some time and if that gentleman took his tion cases settled as he was to have these gentlemen on the floor of the there was no reason why it could not have been done. But the government were determined to pass the bill so it was no use to talk as the government members were evidently well under control. (Laughter). He thought that the mier and could not be allowed to lead his side he would resign. In closing he congratulated the opposition members for having made the best speeches ever heard on the opposition side of the house in comparison with the rambling remarks of those made by what was supposed to

be the government. (Laughter). MR. A. W. SMITH (West Lillooet) rose to say that though the government, seemed determined to put the bill through, that when the bill was in comthe Attorney-General would so amend it as to allow the gentlemen to keep their seats only until the trials were heard.

The Attorney-General-That is just what it means. Mr. Smith-No, the trial is fixed to come off next Thursday, but the bill is to postpone the hearing.

He explained that he meant to leave the courts to deal with the trials on the dates already fixed and to allow the nembers interested to sit only until the conclusion of the trials if the should go against them. He was very sorry that the Attorney-General had not seen fit to accord permission to Mr. So to come down as a witness last week for Mr. Soues would by the regulations of the department lose his position if had come down to Victoria without the permissoin of the head of his departme Mr. Smith read the regulation issued by the Attorney-General's department must absent himself during office hours without the permission of the head of the department, or any such violation would warrant his dismissal. If Mr. Soues had obeyed the order of the court without the permission of the Attorney-General he would have been liable to lose his position. Mr. Smith had no wish to see

this bill was a piece of special legisla-tion and such legislation was never received well by the people. I therefore vote against the bill. MR. HELGESEN (Cariboo) said that it had been reported that the opposition were dying hard, and like dying men, they seemed now to be grasping at a straw. The lawyers on the opposition side were trying to attribute political trickery to the government, but as a matter of fact the bill only abolished a bad usage, and the sooner that was done the better. He would have done the same thing as the Attorney-General in regard to Mr. Soues, for the Attorney-General was quite right in not calling an official away from his place on a trivial affair like this.

Mr. Prentice kept out of his seat, but

COL. BAKER denounced the duct of the government, as he had al-ready done earlier in the day, as des-potic. Not another member on the gov-· Continued on page Eight.