

Provincial Parliament

Feeling of the Legislature Strongly in Favor of Champerty Bill.

Claims of Settlers in E. & N. Belt Again Brought to Government's Attention.

Prayers were read by Rev. Dr. Williams.

Petitions.

On the reading of the petition for government ownership of railways, Mr. Gilmour presented a petition from J. Fisher and others, re government ownership of railways.

From John Keen and others, re storage of explosives.

From Herbert Woodward and others, re government ownership of railways.

From A. W. Wright and others, re government ownership of railways.

From J. E. Round and others, re government ownership of railways.

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over the Sonoma River, near Alberni? 2. What are the names of the tenders (if any), and what was the amount of their respective tenders? 3. Was a deposit of \$500 received with each tender?

The Hon. Mr. Wells replied as follows: 1. Yes; 2. George Bishop, \$2,540; Wm. Rockett, \$2,613; 3. Yes.

Shops Regulation.

The Shops Regulation Bill was committed to the committee on the order paper, seven of which had been introduced to-day. At this rate they were as far as ever from adjournment.

Infants' Protection Bill.

The Infants' Protection Bill was committed to Mr. McInnes in the chair. The bill was reported complete without amendment.

Summary Convictions.

The House went into committee on the Summary Convictions Act Amendment Bill, with Mr. Munro in the chair. Progress was reported.

Provincial Elections Act.

The Provincial Elections Act Amendment Bill was committed, with Mr. Kidd in the chair. The bill was reported complete without amendment, and the report adopted.

Trustees and Executors Act.

The chair was taken by Mr. Gilmour on the consideration in committee of the Trustees and Executors Act Amendment Bill. It was reported complete without amendment, and the report adopted.

Champerty Bill.

The Legal Professions Bill was committed, with Mr. Munro in the chair. This is the much discussed Champerty Bill, and Mr. McPhillips moved almost immediately that the committee rise. He was supported by the following members: Messrs. Helmecken, Kidd, Green, W. Smith, Ellison, Gano, Fulton, Practice and Rogers. The remainder of the House voted nay, and the motion was lost.

Mr. McPhillips attacked the bill. He declared that the press of the country was almost unanimous in condemnation of the bill, and the men who edited these papers were accustomed to scrutinizing the legislation and estimating its influence on the country. The fact that champerty was in operation in Manitoba was not an argument in its favor. Manitoba was an agricultural province, where litigation was less frequent, and was limited in scope. In a mining province its operation was much more dangerous, for the lawyer would become a joint adventurer with his client. It would strike at the very heart of the profession, and breed a class of lawyers such as there were in some of the United States, where they preyed upon the public. The solicitor became no longer a trusted adviser but a speculator, who might bargain with his client instead of adhering to a scale fixed by law.

Hon. Mr. Helmecken read the rules of court to show that at the present time a lawyer might contract with his client for costs.

Mr. McPhillips asked then why was it necessary to pass this law.

The Attorney-General replied that the present law legalized a contract for a certain sum of money; the proposed law would legalize a contract for a portion of the sum involved in the action.

The Attorney-General, Mr. McPhillips claimed, was opposed to this law, and there was no public sentiment in support of it in this province. After an hour and half's oration he resumed his seat, amid great applause.

Mr. Oliver said that he had been convinced by the speech of the hon. junior member for Victoria that lawyers were all honorable men, but they would all be thieves if they dare. The Attorney-General had pointed out that a client might bargain with his lawyer for a lump sum for his services. Why should a rich man be able to bargain for money and a poor man be debarred from paying with a cow or a horse. (Laughter.)

The Attorney-General said he had always maintained the greatest interest in the work of his department.

The speaker also drew attention to the peculiar state of affairs whereby it was impossible to ship powder by steamer to the West Coast. While under the P. N. management the West Coast boats had carried powder, but under the P. R. the shipment had been summarily suspended. It was of the greatest importance to many settlers that this privilege should not be abrogated. If it was to be sure to be transgressed, the settlers must have powder even if they had to smuggle it.

The speaker said that he must rule the motion out of order, as involving expenditure by the government.

Hon. Mr. Turner replied at some length, as previously given in the Times. The government, he said, had now under the serious consideration that small plots on the Island and one on the mainland should be cleared to see what rate it could be done. The government had ascertained that powder could be supplied at 6 or 7 cents by being supplied through the secretaries of Farmers' Institutes.

With regard to the freight on this powder the West Coast, explosives would be carried on passenger steamers under Dominion laws.

Mr. Nell entered an energetic protest. There was a resolution ruled out of order by the speaker, and two honorable members had been allowed to speak to it at some length. Where was this thing to stop? He would like the press to know the rules could be broken with impunity.

Mr. Green asked if it was the intention of the government to supply explosives free to miners. (Laughter.)

Messrs. Martin and Curtis objected to the way in which his motion was introduced, and Mr. Helmecken replied, in a precisely similar character had been dealt with. He asked if certain members had greater privileges than others.

The speaker said that the ministers of the government to supply explosives free to miners. (Laughter.)

Mr. Oliver, attempted to speak, but was ruled out of order. He protested against the speaker's ruling, and intimated that he would go home this summer. The speaker then closed.

Mr. Nell asked the Chief Commissioner.

Did the government recently call tenders for the erection of a bridge

its rising do stand adjourned until 2 o'clock to-morrow.

Mr. Kidd protested. They had been promised night sessions some time ago, and were anxious to proceed with them. Several resolutions had been introduced for the benefit of the farmer, but they would benefit the farmer more by hurrying the work and letting the farmer members get home.

Mr. Hunter followed in similar terms. There were now 14 bills on the order paper, seven of which had been introduced to-day. At this rate they were as far as ever from adjournment.

Mr. Nell reminded the House that it had now been in session eight weeks, and that two-thirds of the business had not been transacted.

Returns.

Hon. Mr. Turner presented a return to an order of the House for an abstract of receipts and expenditures for the half year; also a return relating to the Armstrong and Kootenay railway.

Hon. Mr. McBride presented the report of the inspector of mines of the number of accidents during 1900.

Not a Precedent.

Before adjourning the Speaker drew attention to the fact that Mr. Hayward had discussed the motion before submitting it. This was entirely irregular, and must not form a precedent.

Mr. Hayward—I'll not do it again. (Laughter.)

The House then rose.

Prayers were read by Rev. Dr. Williams.

Petitions.

Mr. Munro presented a petition from fourteen reeves of municipalities in Fraser valley respecting certain amendments to the Land Registry Act.

Mr. Murphy presented one respecting amendments to the Miner's Act.

Mr. Brown presented one from the Vancouver bar asking that the Supreme Court be so amended that one of the Supreme court judges reside and discharge his duties in Vancouver.

The Speaker ruled the petition of Capt. McKenzie and others of Vancouver to agreement by government with V. V. E. out of order.

New Bills.

Hon. D. M. Eberts introduced a bill amending the Supreme Court Act. It was read a first time. He also introduced a bill amending the Small Debts Act and Municipal Clauses Act.

Capt. Tatlow introduced a bill to amend the B. C. Immigration Act, 1900. It was read a first time.

Mr. Gaden's resolution regarding the Indian reserve at Vancouver was dropped at that gentleman's request, as he wished to amend its form.

Songhees Indians.

Mr. Helmecken asked the Attorney-General.

On your reply April 16th, has the government received any official communication from the Dominion government, or any member thereof, relative to the acceptance of the terms proposed by the provincial government for the settlement of the Songhees Indian reserve?

Mr. Turner replied that the question, as set forth at page 581 of the report of delegation to Ottawa?

2. What is the purpose of such communication?

The Hon. Mr. Eberts replied as follows:

Yes; on the 17th inst. He read a letter from Hon. Clifford Sifton stating that he was making further inquiries into the subject, and when further information was obtained, he would communicate with the government.

Assessment Bill.

The House went into committee on the Assessment Bill with Mr. Hall in the chair. The committee rose and reported progress.

Steam Boiler Bill.

The Steam Boiler Bill was re-committed to Mr. Nell in the chair. Some amendments were introduced by the chief commissioner, one of which provided that the maximum inspection fee should be \$40. The bill was reported complete with amendments.

Magistrates Bill.

The Magistrates Bill was committed to Mr. Dickie in the chair. It was reported complete without amendments.

Royal Columbian Hospital.

On the second reading of the Royal Columbian Hospital Bill, the Provincial Secretary explained that it was intended to amalgamate the women's hospital and the Royal hospital. The first had been sustained by the women of New Westminster, and the latter largely by the government.

It had been his intention to bring in a bill dividing the hospitals into three classes, with a per capita grant to each class according to the attendance. He found it impossible to do so this session, but it would be brought down next session. He intended to amend the present bill by providing for a house surgeon to be paid by the government, and who would not be allowed to practise outside. There had been some friction over the amalgamation in New Westminster, but he thought the move would be approved by the public.

Mr. Brown complimented the Provincial Secretary on the step he had taken. By means of the amalgamation the hospital would be able to do better work than ever.

The Increased Tax.

On the second reading of the Revenue Tax Bill, Hon. Mr. Turner said the bill provided for a 5% tax. The 5% tax would be continued until January 1st, and the new rate then brought into force by order-in-council.

With the bill the government gave and with greater power this bill gave and with greater power this bill gave.

Mr. Hall said that the bill was a piece of legislation which would place all lawyers on an equitable and fair basis in regard to the matter.

Hon. Mr. McBride said he had always favored such a law, and his opinions had only been confirmed by subsequent information. He referred to the peculiar ideas in regard to the dignity of the profession which formerly obtained, and which had its outward symbol in the sack on the gown of barristers which was formerly used for receiving contributions, instead of exacting fees. He anticipated no trouble whatever nor any abuse of it.

Mr. Helmecken expressed surprise at the position taken by the members of the government. There was an impression that a poor man under the present law could not obtain justice. This was totally incorrect. He moved that the committee rise.

Night Sessions.

The Premier moved that the House at

already, and it would be unfair to collect the \$5 rate off others.

Mr. Brown said this changed the aspect of the case. The government had evidently "climbed down" on noticing that the country was going to shoot. For his own part the first time he returned to New Westminster after the bill containing the collection of the tax by the government had been introduced, he had instructed the collector to collect all he could for the city.

Hon. Mr. Turner—So I heard. (Laughter.)

He could not tell whether or not the government intended to enforce the bill. He would oppose the bill.

Mr. Gilmour did not think it fair to keep the tax out of a man's wages by collecting from his employer, who got a percentage rebate, which should go to the man who paid the tax.

Hon. Mr. Prentice commended the bill as being the only way to reach the Chinatown in the last election had said he would raise the taxes. The telegrams he read did not reflect the opinions of the organizations from which they were read. The statement of the Minister of Finance was a move in the right direction, as it would make people pay up their \$3 for fear that next year it would be \$5.

Mr. Green said he did not like the bill, but he intended supporting it. He had asked for large appropriations from the government. Those members who did so should support the measure in order that the revenue might meet the expenditure.

Mr. Hayward said he would support the second reading, but he would offer some amendments. He thought the Minister of Finance might have acceded to the request for an adjournment. He thought the tax should not be collected when a man reached the age of 60 or 65 years.

Mr. Oliver thought it was certain that more revenue was required, but his opinion was that taxation should be based on the benefits to be derived and ability to pay. There was Scripture to back the proposition that a man should pay according to his ability.

He did not think the cost of educating a large family should be all borne by the man who had it. The state, not the parent, benefited by a large family.

This might be a good deal of economy practised in connection with the protection of life and property. There were men on the police force of the province who were a disgrace and an invitation to crime, because they were idle.

Very few laboring men had an income of \$600, yet they paid as much on their personality as the man who had thousands.

In his own riding the bill had been unanimously condemned. He would be an age limit, too. He did not believe in taxing a man for the privilege of breathing the air for the last few years of his life.

He told the House how in the Fraser valley during hayings, aliens came over to work in haying, and insisted on being paid every night, so as to defeat the tax, and the employer was often forced to pay the tax for them in order to retain their services. It was most unfair, too, to make the manager of a cannery liable for \$700 or \$800 of taxes of employees, under penalty. This provision was both unjust and ridiculous.

There should be no exemptions for clerical men. A clerkman had the same responsibilities and privileges as other men. He should have the same liability. He would oppose the bill.

Mr. McPhillips believed a scientific basis for taxation would be revealed whereby direct taxation could be done away with. Taxation had reached a limit beyond which it should not go. The tax was a very onerous one, and as regards the men in his riding, he would be inclined to limit it to \$100. He intended to continue to agitate for free text books for the children. He sincerely hoped that the government would not be obliged to put in force the new tax.

Mr. Munro said there was no attempt to disguise the fact that the present tax was not being collected. He was in sympathy with the proposal to perfect the law so that the tax could be collected. Yet they were not to let the machinery of the law brought in the tax fully, the increased tax would be raised. This simply meant that the men who did pay their tax were to be charged to pay for those who failed to do so.

He was convinced that the men who evaded the \$3 tax would evade the \$5 one, and that on the latter basis the total revenue would be little increased. He also favored exemption from taxation on the part of the poor, and remitting a percentage for prompt payment to the man taxed.

A division being taken the bill passed its second reading on the following vote: Ayes—Messrs. Gilmour, Houston, Hall, McPhillips, Helmecken, Turner, Eberts, Dunsmyth, A. W. Smith, Ellison, Clifford, Hayward, Fulton, Rogers, Wells, McBride, Murphy, Prentice, Hunter, Taylor, Dickie, Munroe—22.

Nays—Messrs. Gilmour, Stables, E. C. Smith, Oliver, Hawththwaite, Nell, Brown, Curtis, Munro, Tatlow, Garden—11.

Railway Return.

Hon. Mr. Turner presented a return showing the deposits by railways.

Printing Report.

The sixth report of the printing committee was presented by the chairman, Mr. Hall.

The House then rose.

FOR CAPTURE OF KIDNAPPER.

New York, April 20.—"I will give \$10,000 for the capture of the kidnapper of the little Willie McCormick and the return of the lad to his parents." This announcement is made by Father James A. Mullin of the Church of the Sacred Heart, Highbridge, to which the boy of ten years was on his way three weeks ago when he disappeared. The priest had a long talk with the boy's mother, and her grief impressed him so keenly that he declared that nothing should stand in the way of finding the boy. The neighbors say that at all hours of the night Mrs. McCormick wanders about the grounds around her home calling the boy's name.

the government would ameliorate the tax if they could.

Real estate bore a tax of two mills, and it was only fair that the working man should bear his share. Personally, he often paid the tax for his employees.

Mr. Houston did not propose to discuss the principle of the bill, but to show the inconsistency of the member for Rossland. The men who received \$800 a year and paid \$5 was not overtaxed, for the wealthy man had to pay 1 1/4 per cent, on all over \$1,000. He himself had been obliged to fill out a blank for an income of \$7,000, out of which he had not the spending.

Increase of taxation would always be met by opposition. It was the first duty of the government to give the people a good common school education. The present tax placed the poor man on an equality with the rich man, because when he came to vote he could say he had the same right as the rich man, because he had his revenue tax receipt in his pocket. The tax was not an unfair one.

He charged the member from Rossland with seeking the opinion of the clubs and unions, from which he had read telegrams. Here, the leader of the opposition in the last election had said he would raise the taxes. The telegrams he read did not reflect the opinions of the organizations from which they were read. The statement of the Minister of Finance was a move in the right direction, as it would make people pay up their \$3 for fear that next year it would be \$5.

Mr. Green said he did not like the bill, but he intended supporting it. He had asked for large appropriations from the government. Those members who did so should support the measure in order that the revenue might meet the expenditure.

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