SUPERANNUATION CLAUSES DROPPED

Civil Service Act Will Pass Without Opposition on Part of Liberals

MANY BILLS ARE ADVANCED

Numerous Measures Were Dealt With at Yesterday's Session

(From Friday's Daily)

The government has withdrawn the clauses of the civil service bill relating to superannuation. Hon Dr. Young in committee on the bill at last evening's session of the legislature moved to this effect, and the only contentious measure which remained upon the order paper was so changed that all opposition will be dropped.

The house will, therefore, be probably able to prorogue on Saturday.

The action of the government was due to the evident intention of the Liberals to block the bill at every stage. The measure could not have been finally enacted without lengthening the session by at least a week.

The measure including the superannuation clauses was said to be the most complete, the broadest and most comprehensive of any legislation of such nature enacted anywhere.

The supply bill was given third reading.

Some five bills introduced by the Socialist members were negatived on second reading.

Upon the division on the second reading of the bill providing for an 8-hour day for workers in shipbuilding yards, John Jardine voted in favor of the measure. He had previously condemned the measure in that it discriminated against particular industries.

The bill consolidating and amending the law relating to electors and elections in municipalities was reported and given third reading. The clause defining "householder" stands.

Considerable routine business was transacted. The house adourned at 2 o'clock this morning.

The speaker took the chair at 2:30 o'clock.

Prayers by Rev. A. J. Stanley Ard.

Read Third Time

The bill to enable the city of Nelson to borrow $85,000 for electric light and power purposes was read the third time and passed.

Factories Act

The house went into committee on the bill for the protection of persons employed in factories.

On section 4 Mr. Hawthornthwaite moved that sub-section A, which relates to the employment of children, be struck out.

Mr. McPhillips remarked that children were allowed to be employed in the fruit canneries of Ontario, and it might well be argued that the fish-canning industries of this province should be placed in the same category. He had been rather inclined to exclude this industry from the operations of the act, but he had nevertheless decided to include it among the list of factories mentioned in the schedule.

Hon. Mr. Bowser thought it would be very unwise to harass the fish canning industry, particularly in view of the recent unfavorable seasons. The absolute prohibition of the employment of children in this industry was certainly drastic legislation.

Mr. Hawthornthwaite: Instead of being drastic, it is only ordinary, common, humane legislation, which ought to be enacted the wide-world over. And further, as far as canneries are concerned, these are the very institutions which are responsible for bringing into this country hordes of Japanese and Chinese, and for driving white labor out of this occupation. And not content with this, they now want to exploit the labor of little children.

Hon. Mr. Bowser: Children have been so employed for years.

Mr. Hawthornthwaite: Well, if so, the sooner the practice is stopped the better.

In answer to Mr. Oliver, Hon. Mr. Bowser stated that if the question came before the courts the schedule which gives the list of the factories to which the measure applies, would be relied upon in interpretation as showing the intentions of the legislature.

Mr. McPhillips: It would be a monstrous thing to apply the act to industries which are not mentioned in the schedule.

Mr. Brewster (Alberni): While no intention exists on the part of the fish canning companies to exploit the labor of children it must be remembered that Indian girls are mature women at the age of fourteen. While these companies have no objection to inspection they are opposed to interference with the hours of labor.

The amendment was lost on division.

Canneries Excepted

On motion of Mr. Hayward (Cowichan) the following amendment was adopted:

No children shall be employed in factories except in the business of canning fish and the work incidental thereto, and fruit packing, as provided by section 6.

While the following clause was inserted as section 6 of the act:

To insert a new section, to be numbered 5a:

"5a. Children may be employed in the business of canning or curing fish or fruit packing, but only during the time of the several salmon runs or runs of other classes of fish: Provided further, that the limitations upon the hours of labor, the hours of commencement and cessation of work, as set forth in this act, shall not be binding upon the employers of any child, young girl or woman in the business of canning or curing fish within the time or times aforesaid, but in all other respects this act shall be applicable to the employers of labor in the business of fish canning or curing, and the canneries operated in connection with any such business.

C. W. Munro (Chilliwhack) said that interference of this sort would simply mean putting the fruitgrowers out of business.

Mr. Hawthornthwaite: If it depends upon child labor for success, it deserves to be put out of business.

Regarding Laundries

On section 40 Mr. Hawthornthwaite moved the following amendment:

"(d) In all cities or rural districts where one or more laundries are established and being operated by steam or other mechanical power, to prohibit work being carried on in any laundry before the hour of 7 a. m. and after the hour of 5 p. m.

And explained that the representatives of the laundry industry were content to accept this clause.

The amendment was lost on division.

The committee rose and reported the bill.

Dangerous Employment

On the resumption of the debate on the second reading of Mr. Hawthornthwaite's bill to regulate employment in dangerous industries

Hon. Mr. McBride: Mr. Speaker, I propose to detain the house but a very short time with the expression of my views on the proposed legislation. In the first place, sir, I ask leave to explain that heretofore in connection with the regulation of the hours of labor in the underground workings of mines, I have been enabled to cast my vote in favor of the principles which were advocated by the hon. member for Nanaimo, but now, sir, he proposes to go a great deal further, and to extend this regulation much further than has ever hitherto been suggested by any hon. member of this house.

Now, sir, the first thing that strikes me in connection with this matter is that in the event of this bill becoming law, it simply means that for the time being at least, several hundred persons, principally Asiatics, who are at present engaged in the occupations, which are mentioned in the bill, will be compelled to seek employment elsewhere.

And my hon. friend who takes very high ground, indeed, on this question, is simply trying to take a step which will drive these people from their own present occupations, and set up additional competition in other lines of industry in this province. But, even, sir, if this were not the case. Even if that condition of affairs would not obtain, I know from my limited experience, and this would be particularly true as regards Orientals, it will be quite an easy matter indeed for these persons to school themselves sufficiently in the English language to come within the requirements of this measure, so that, after all, I think, sir, my hon. friend is not at all wrongly advised, when I tell him that it would not be at all a difficult matter, and in spite of this barrier which he is endeavoring to raise against these persons, for these very persons to find a very easy way to conform to the necessary qualifications.

Would Be Interference.

There is another aspect of this case which, I think, should appeal to the committee, and this lies in the fact that by the adoption of this legislation this parliament would be going to a very considerable length in the way of interfering with the arrangements that ordinarily exist between employers and employees.

I hold, sir, that the best situation and the most profitable results, as between the employer and the employee, may only be attained when the relations which exist between these people are always of a friendly character. But, sir, if it is seriously proposed at all times in this country to bring in the offices of the parliament of British Columbia in the direction of adjusting relations of this kind, I am quite satisfied that very soon there would be created a condition of affairs in this country that would by no means work out to the profit, either of the workingmen or of the employer. (Hear, hear.) And, sir, there is another point which must commend itself to this legislature; that as regards lines of industry generally, British Columbia is in competition with a large market, and moreover is subject to very strong competition indeed. But, isr, if it were to become the law of Canada that in all these industries the hours of labor should be confined to eight hours, that objection might no longer apply, and perhaps there would be nothing in the argument which I now propose to advance. But just so long as conditions that obtain in this Dominion exist, and which do not compel kindred industries to observe the same regulation, just so long would it be very unfair and very inimical to the interests of this province.

Opposes the Bill.

I therefore, sir, oppose the bill of my hon. friend on these grounds:

In the first place on account of the unfair competition which it must occasion in other important lines of industry in this province; in the next place because of the very easy fashion in which these people can manage to comply with its conditions, and lastly, because of the very unfair competitive conditions which its existence would create as between the industries of this province and the other provinces in the Dominion, and for these reasons I would urge my hon. friend to consider the matter further before he finally decides to press for the enactment of this legislation by this parliament.

I might say, Mr. Speaker, that I recently had the pleasure of receiving a delegation from the Trades and Labor Council of the city of Victoria, and I know from a perusal of their rather brief memorial that while these gentlemen place themselves emphatically on record in favor of an eight-hour day, they do not at the present time venture to go further than to ask the government to enforce such a regulation in respect to government work, and to government work alone. (Hear, hear.) For the reasons, sir, that I have advanced I have to oppose the second reading of this bill.

On Different Ground.

Mr. Macdonald, Rossland: My objection, sir, to this bill is taken on a very different ground, for I have not the slightest doubt that if it passed this house it would be without any effect whatever.

Some years ago similar legislation was adopted by this house prohibiting the employment of certain persons, including the Chinese, underground in the mines. And the hon. gentleman knows very well that the constitutionality of that act was tested in the highest court in the empire, which found it to be unconstitutional because it discriminated against aliens, and consequently encroached upon the powers vested in the Dominion legislature under section 92 of the B. N. A. act. This decision was given in the Union Colliery cases, and to introduce an act which still more clearly controverts the provisions of the B. N. A. act than the act to which I have referred is simply to trifle with this legislature and to trifle with the people.

Mr. Hawthornthwaite: Do you hold that this bill is ultra vires?

Mr. Macdonald: I do, and most distinctly.

Mr. Hawthornthwaite: But is it not the case that Chinamen were specified in that act?

Mr. Macdonald: Yes, it is; but if my hon. friend will read the decision of Lord Watson, he will find this: That the objection which was then taken was not to the prohibition of Chinamen as Chinamen, but on the other hand, as aliens, and that because all legislation in regard to aliens fell exclusively within the jurisdiction of the parliament of Canada, it was ultra vires. But in this case, the hon. gentleman goes still further and says, that no aliens shall be employed in certain employments. And so this bill falls more clearly than the act which I have mentioned, within the scope of that decision.

Mr. Hawthornthwaite: The word alien does not occur anywhere in this bill.

Mr. Macdonald: I take it that this act, if it were passed, makes it unlawful to employ any person who does not either read or write some language of Europe, and a court would hold, that this provision is aimed at aliens. I believe it to be so, and I do not propose to place myself in the ridiculous position of voting for legislation, which I believe to be ultra vires in this house.

For White Men

John McInnis (Grand Forks) held that it was the object of the bill to preserve British Columbia for the use and advantage of the white man.

Within Province's Powers

In answer to Mr. Hawthornthwaite, who enquired whether in his opinion the bill as drawn was ultra vires.

Hon. Mr. Bowser: The question of civil rights comes entirely within our jurisdiction. And the privy council in the case mentioned was largely influenced by considerations affecting the naturalization of aliens, and the result was that they came to the conclusion that this house through the passage of that alien legislation had interfered with the rights of naturalization, which of course comes exclusively within the jurisdiction of the Dominion house. I think that this subject comes well within the powers of this legislature, and that it is perfectly competent for us to pass this legislation, notwithstanding what the hon. the leader of the opposition has said. Mr. Blake in his argument dealt altogether with the question of naturalization, and carefully avoided arguing the question of civil rights at all, and it was thought at the time that if the attention of the court had been directed along the lines of civil rights, the decision would have been entirely different. And this was Mr. Cassidy's opinion. Unquestionably we have the exclusive right to legislate on all matters affecting civil rights, but not on questions affecting aliens or Chinamen as such.

The second reading of the bill was rejected.

Amending Companies Act.

The bill introduced by A. E. McPhillips, K. C. (Islands) to amend the Companies act, 1897, was committed with W. H. Hayward in the chair.

Section 2, as contained in the bill, was struck out and the following amendment substituted:

"Section 56 of chapter 44 of the revised statutes, 1897, being the Companies act, 1897, as amended by section 6 of chaper 5 of the statutes of 1900, is hereby further amended by striking out all the words in sub-section (12) after the word 'company,' in the sixth line thereof, and by adding to such sub-section the words: 'Provided however, that in case of a sale for shares in a company other than a non-personal liability company, such shares shall be fully paid up.'"

The bill was reported complete with amendments.

A amendment making the attached schedule regular was also introduced.

Eight-Hour Day Law.

John McInnis (Grand Forks) in moving the second reading of the bill to establish a general eight-hour day, stated that with the present up-to-date machinery would be no hardship. Australia and New Zealand were industrially successful, and they had adopted this system. Shortening the day did not necessarily mean increasing the cost of the article manufactured.

With a general eight-hour day the community would become better morally, intellectually and physically. The danger of accidents on the railways would be decreased.

Harry Jones (Cariboo) stated that the bill would be unworkable in the hydraulic mines of the district, which he represented.

The second reading was negatived on division, John Jardine (Esquimalt) voting with the Socialists in favor.

Provincial Homes Act.

In moving the second reading of the bill to amend the Provincial Home act, J. A. Macdonald (Rossland), stated that the measure was designed to remedy the condition which had arisen of recent years, especially in the mining regions.

The old act provided that only those who had been residents of the province for 15 years could benefit under the act. The present measure was designed to shorten this period to five years.

Premier Takes Objection.

Hon. Mr. McBride: I take objection to my hon. friend's motion on the ground that it is only competent for members of the ministry alone to introduce such legislation; but I will at once say that I must very highly commend the interest which my hon. friend, the leader of the opposition, takes in this matter, representing as he does a very important mining constituency in this province, as well as in the general well-being of his constituents, and of those who live in that section of the province. And I can moreover assure him that the Minister of Mines has also a care for aged miners, and I shall at all times be only too happy to take into consideration and to submit to the administration any suggestions that may be pertinent to the situation. (Hear, hear.) I might also say to my hon. friend as well as for the information of the house, it is quite true that the home for the aged at Kamloops is at the present time taxed to its limit; but I am advised by the provincial secretary that he has now under consideration the enlargement of this institution. (Hear, hear.)

I repeat, sir, that I take the point of order that a private member cannot introduce legislation of this kind, while in the next place, even if this could be done, it means a drastic change which would impose on the government additional burdens that would need considerable thought on the part of the executive before the object in view could be properly carried into effect.

Will Take Matter Up

Hon. Mr. McBride: I will gladly take up, during recess, the advisability of taking steps to attain the end sought by my hon. friend, the leader of the opposition. I think that it is a very commendable thing, but it must be approached with considerable care. I will, moreover, go a step further, and say that the lieutenant-governor in council has at the present time under consideration a proposition, which emanated from the Union of British Columbia municipalities to provide for the construction of certain homes in this province for the care of the aged, the sick and the indigent. And while this is a matter, regarding which I cannot now make any extended remarks, it only goes to show that relief of this kind is engaging the attention of those in this province, who are in a position to deal in a definite manner with the subject. (Applause.)

Mr. Hawthornthwaite: A kind of poorhouse is proposed, whereas the proper way to deal with these cases is by means of the superannuation bill.

Hon. Mr. McBride: With your permission, sir, I will move the adjournment of the debate.

To Regulate Employment

Parker Williams (Newcastle) moved the second reading of the bill to regulate the procuring or employment of workmen. People could not go outside the province to Great Britain and give a proper conception of conditions here. He instanced the case of certain miners brought out from Scotland to Cumberland, and became a charge upon the Nanaimo miners' union. A number of Welshmen had been brought out to Fernie and displaced residents of this province. These men were brought out by deceptive statements. The house should step in and change this condition of affairs. The bill provided that the employer designing to bring out men should obtain a permit from the provincial secretary, and also publish the facts in a newspaper.

J. A. Macdonald (Rossland) did not believe that such legislation would ever prevent misrepresentation of the motive referred to. It would only put those who did not intend to deceive, to additional expense.

J. H. Hawthornthwaite (Nanaimo) stated that the hon. member for Rossland was not consistent. The bill was not aimed at individuals, but at corporations which sent abroad to bring in large numbers of foreign workers to keep the fluidity of the labor market and keep the fear of God in the employees they already have. He instanced the conditions in Nanaimo. Men had been brought in by hundreds and left to starve. The government was now under the necessity of starting relief works.

J. A. Macdonald: "I admitted that there was an abuse, but I did not admit that the principle of the present bill was right."

On division the second reading was negatived, Hon. Dr. Young, W. R. Ross and John Jardine voting with the Socialists.

Gets Second Reading.

The bill to amend the Municipal Clauses act was given second reading.

Governing Marine Works.

J. H. Hawthornthwaite, Nanaimo, in moving the second reading of the bill to establish an eight-hour day in marine and shipbuilding works, stated that a disastrous strike had occurred in this industry and many men were out of work. In one of these establishments the eight-hour day was in force and he saw no reason why the other works should not adopt the same regulation.

Hon. Mr. McBride: I would simply observe that in conformity with what I stated this afternoon in regard to an hthroguet of W ..... eight-hour day I am obliged to oppose the second reading of this bill. I do not, however, find fault with the views which my hon friend holds on this question, and which are quite well known to the house.

Mr. Macdonald's Views.

Mr. Macdonald: If this rule were applied to shipyards we should, to be consistent, apply it to all other shops. These places are subject to competition from abroad, from the old country and eastern Canada, where wages are lower, and if we are to build up the shipping and other industries here we must not handicap them in this manner. In other words, while I agree that it is a good thing to reduce as far as possible the hours of labor in all employments, yet we must not proceed in this matter in advance of our competitors in the other provinces and among the other nations of the world.

Parker Williams, Newcastle, said that this sort of argument might well come from a boy in a kindergarten school. A shipbuilding industry here, which was heavily bonussed, did not give their employees the eight-hour day, while another establishment which was not bonussed at all had adopted this regulation.

Mr. Jardine remarked that while he favored an eight-hour day throughout the province, he supported the bill on the ground that half a loaf was better than no bread.

The motion was lost, Mr. Jardine voting with the Socialist members.

Labor Regulation Act

J. H. Scholfield (Ymir) in moving the second reading of a bill to amend the Labor Regulation Act, 1907, stated that the measure was merely to enable a change of shift.

The bill was committed with Dr. McGuire (Vancouver) in the chair, and given third reading. The entire proceedings occupied less than five minutes, and Mr. Schofield was applauded as he resumed his seat.

Health Act Amendment

When the second reading of the bill introduced by Mr. McInnes (Grand Forks) to amend the Health Amendment Act was moved, Hon. Dr. Young opposed the proposal to make it necessary to inspect lumber camps three times a year. This was unnecessary, he believed, and would entail a large expenditure to no purpose. The general health conditions in the camps proved this.

Dr. J. H. King (Cranbrook) and Dr. G. A. B. Hall (Nelson) both spoke upon the measure. Dr. King proposed an additional inspection in July or August on account of the prevalence of typhoid at this period.

On division the second reading was negatived, the entire opposition voting for the measure.

The house adjourned at 6.15 o'clock.

After Recess

On motion of the Hon. Mr. McBride, in the absence of Mr. McPhillips, the bill to amend the Companies act was read the third time and passed.

Municipal Clauses Act

The house went into committee on the bill amending the Municipal Clauses act.

Hon. Mr. Bowser moved that the following sub-section of section 4 be struck out:

In city municipalities of over ten thousand inhabitants, such regulations as the good of the inhabitants of the city requires, not specifically provided for by this section and sub-sections.

And stated his strong opposition to the granting of such wide powers to municipalities, and to the taking away of that power which they expressly desired to keep within the control of the legislature.

Mr. Oliver remarked that these councils consisted of the people's representatives, and were just as competent as members of parliament to enact legislation.

A. E. McPhillips (Island) held that the passage of such a provision meant the very reversal of the principles upon which municipal government was founded, and would make of a city council a petty parliament.

Dr. G. A. B. Hall (Nelson) observed that such legislation existed in Ontario.

Mr. McPhillips: I do not agree with the hon. gentleman, but even so, the conditions here are very different.

The motion to strike out was carried on division.

Underground Wires

Hon. Mr. Bowser moved to strike out sub-section (42b) of section 4 and insert the following in lieu thereof:

"(42b) To compel existing telephone, electric light or power companies, whether operating under special or private acts or otherwise, to replace all or any existing wires and means of transmitting electrical current for power, light, heat or energy underground, the municipality providing suitable distribution points in each block with right of access thereto and the right of distribution therefrom across the adjacent lands and paying the cost of removal and replacing of any such means of transmission, due consideration being given to the difference in the cost of maintenance of the two systems for a period not exceeding fifteen years, such amount to be ascertained prior to the commencement of the work and in cases of dispute to be settled under the terms of the Arbitration act. The cost of any such work may be imposed upon the real property benefited, proceedings to be taken as in the case of local improvements under section 256 and sub-sections of this act. The assent of the electors shall, in manner provided by section 75 of this act, be and is hereby declared to be necessary to the validity of any bylaw to be passed under the provisions of this sub-section."

Hon. Mr. Bowser explained that the inclusion in the bill of the provision, which he proposed eliminate, was due to peculiar conditions, that existed in the city of Victoria.

Affects Victoria

The B. C. Electric Company had obtained certain powers through legislation in 1894, and later on, while its charter ran for 50 years, but the section in question injuriously affected the vested rights of this corporation. Under the agreement, which had been made between the company and the city, neither party had a right to procure legislation, which would interfere with that contract, unless both parties were in perfect accord. The shareholders in this company had invested a great deal of capital in this enterprise, but the city, which had in the first instance been only too willing to grant these privileges for the period of 50 years, now wished to change the agreement. The B. C. Telephone Company was in similar case. This company had obtained legislation in 1892 and in 1903, confirming them in their rights, but the city now desired to have the wires laid underground, although in the existing circumstances in this city there was no possible way of so introducing these wires into the buildings until the company had effected some arrangement with their owners. After having obtained certain definite statutory rights the shareholders had invested their money, and legislation which woul interfere with vested rights would not be permitted to pass, while they controlled the administration of public affairs in this province. (Applause.) In regard to the question which concerned the difference in cost of handling the two systems, the city might desire to take as a basis, 100 years from now, with the result that the balance in favor of the Telephone Company, might be entirely wiped out. (Hear, hear.) But a period of 15 years, he considered, in all the circumstances of the case, quite fair, and any dispute that might arise during the progress of negotiations could readily be settled in the ordinary way through arbitration. (Hear, hear.) He proposed to strike out these provisions, because he did not think that they could properly be applied either in the case of the Telephone or of the Electric Railway Company, if any change was made in their present systems. They all knew the character of the Arbitration Act. This was well defined, and no trouble would be experienced either on the part of the city or of the company in proceeding under this act. (Hear, hear.)

City Has Not Moved

Mr. Jardine: Has the city council approved of this section?

Hon. Mr. Bowser: No, they have not.

Mr. Jardine: This seems to be a very extraordinary amendment. Would it not be well to leave its further consideration over until tomorrow, in order to give the city opportunity to make, if they so choose, representations in the matter?

Hon. Mr. Bowser: This proposed change has been on the order paper for some time, and the mayor and council know all about it. I do not know that they agree with it, but they certainly are aware of this change which I intend to make in the bill, so there is really no necessity for laying it over.

Mr. Oliver strongly protested against the change as unfair to the municipal committee and to the municipality.

Hon. Mr. Bowser: I am here to do my duty, and as the first law officer of the crown I take the full responsibility for this proposed change in the bill. I think that vested rights would have been interfered with if the clause had been left unchanged, and unless the B. C. Electric and Telephone companies agreed in any proposition that was made, their legislative and their vested rights must be protected. (Hear, hear.) And not only has the B. C. Electric Railway company an agreement with the city, which agreement the city has attempted to set aside and repudiate, but this agreement was originally arranged for a period of 50 years, of which some 30 or 40 have not as yet expired.

Now, this legislation would have had the effect of setting aside this agreement, which was entered into in good faith between the city and the stockholders who in good faith subscribed the capital of the company. The hon. gentleman is not at all responsible for the legislation which passes through this house, while we are directly responsible for it, and I, as the first law officer of the crown, am more responsible than anybody else. (Hear, hear.) We have control of this house, and it is most clearly my duty, as far as my ability serves, to see that no bills are allowed to go through the house which should not be enacted. (Applause.)

The rights of the B. C. Telephone company are buttressed upon three different legislative acts, and its vested rights must be respected.

Must Protect Rights.

Where rights are given by municipalities they cannot be taken away, unless an agreement which will enable this to be done in some proper manner is reached.

Mr. Jardine: Municipalities are quite right in making changes if they so wish.

Hon. Mr. Bowser: Apparently hon. gentlemen opposite would confer certain rights and then turn around and take them away. But such people are not to be found in the ranks of the Conservative party. (Cheers.) The Liberal party alone is able to boast of people of that character. (Hear, hear.) We merely wish to conserve the rights which both of these companies have obtained through the passage of legislation by this house, and then we make it possible, whenever it chooses to enter into negotiations, for the city to come to an agreement with either of these companies.

Mr. Munro said that the same arguments had been presented to the municipal committee which had not in its recommendations proposed to confiscate anything. Ample provision had been made for compensation to the very last nickel.

Mr. Hawthornthwaite remarked that the whole business reminded him of a mouse nibbling at a cheese. The Liberals proposed merely to nibble at the cheese, but the Socialists, bolder and more honest in giving expression to their views, were determined to seize upon and to devour the entire cheese.

Greenwood's Tunnel.

An amendment to permit of municipalities bonusing tunnels was introduced upon the recommendation of the municipal committee at the instance of the city of Greenwood.

It was opposed by Hon. W. J. Bowser, who stated that this would depreciate the value of the city's bonds and was lost on straight party division.

Sections Amended

Section 5 of the bill inserted at the instance of the city of Nelson to enable them to dispose of their water rights was amended at the instance of the attorney-general so that the approval of the lieutenant-governor-in-council to any such action is necessary.

Mr. McPhillips moved to amend section 174 as follows:

"To insert after the word 'certificate,' in the twelfth line thereof: 'The said official shall on demand, without charge, give to any ratepayer who has paid his taxes, rates and assessments on lands a certificate that all municipal taxes, rates, assessment and charges, charged, levied or assessed against the lands of such ratepayer, have been fully paid.'"

This was adopted.

Liquor Licenses

W. H. Hayward (Cowichan) moved to add the following sub-section to clause 23, regarding those who may obtain liquor licenses:

Section 198 of said chapter 32 is hereby amended by inserting after the word "householders," in the fourth line, the following words: "not being Chinese, Japanese, other Asiatics or Indians."

The amendment was adopted.

The following new clause was substituted for section 23 with regard to liquor licenses:

"23. Section 198 of said chapter 32 is hereby amended by inserting after the word 'householders,' in the sixth line, the following words: 'not being Chinese, Japanese, other Asiatics or Indians,' and by adding the following at the end of said section:

"Provided that wherever any premises proposed to be licensed are situated within five hundred yards of any boundary of any township or district municipality, the same shall, in addition to the foregoing requirements, be supported by a petition or requisition signed by at least three-fifths of the resident landowners and resident householders, not being Chinese, Japanese or other Asiatics or Indians, and their wives living with them, taken as an aggregate, within a radius in all directions of one-third of a mile from the premises proposed to be licensed."

Control of Streets

On the motion of the attorney-general, section 26 was struck out. It read as follows:

Said chapter 32 is hereby further amended by adding thereto the following sections:

"242a. Any municipal council may in, upon and over public streets, highways and wharves, in exercise of the powers by this act conferred, with the assent of the electors pursuant to section 75, construct and maintain and operate lines of rails and street railways, and dispose of, lease, alienate or grant running rights over the same.

"242b. No person or corporation now in possession of land which forms part of a street or highway of any city, and no person or corporation who shall hereafter enter into possession or occupation of land forming part of any such street or highway shall, whether the possession of the person claiming or his ancestors or predecessors in title, or of the predecessors of a corporation, by virtue of such possession, be deemed to have acquired, or shall acquire, any right or title thereto, whether by prescription or common law, or by virtue of any statute or limitation heretofore or now in force."

Indemnity Limited

The following amendment was added as a new section (31) on the motion of J. F. Garden (Vancouver):

Sub-section (94) of section 50 of the Municipal Clauses act is amended by striking out all the words after "Reeve," in the seventh line, and adding the words "shall not exceed three hundred dollars per year, and to the councillors shall not exceed two hundred dollars per year each."

This limited the yearly indemnity of reeve and councillors.

The bill as amended was reported.

Raises Point of Order

When the house came to the second reading of Mr. Hawthornthwaite's measure entitled "An Act to amend an act relating to the Island railway, the Graving Dock, and the Railway Lands of the Province, 1884," Hon. Mr. McBride raised a point of order.

He held that it was not competent for a private member to introduce such a measure in that it dealt with crown lands and the public finances.

Hon. D. M. Eberts reserved his decision.

Sustains Point of Order

The Speaker gave his decision upon the point of order raised by the hon. the premier, with regard to the bill introduced by J. A. Macdonald (Rossland) with regard to the Provincial Home Act.

He ruled that as the measure would create a new class of persons to benefit by the act, it would affect the public finances, and that the point of order was well taken.

Operators' Hours

J. H. Hawthornthwaite in moving the second reading of the bill designed to regulate the hours of labor of telegraphers and signalmen, pointed out that such action was in line with that adopted recently in several states of the Union.

It was in the interests, not only of the men themselves, but of the public at large. The lives of the traveling public were endangered by telegraphers working overtime. He trusted that the government would see its way clear to support the measure. The government's policy was not consistent with its policy when it came into power. It had been elected on labor legislation. If it persisted in its present policy it would be defeated on the same.

Hon. Richard McBride expressed his conviction that there had been no agitation on the part of the telegraphers for such legislation. The corporations affected were operating under federal charters, and so if enacted the law would probably be ineffective.

He was glad to be able to say that the telegraphers of British Columbia possessed a strong union, and were able to settle the differences amicably.

Mr. Hawthornthwaite stated that the Telegraphers' Union was unanimous in placing their case in his hands.

Hon. R. McBride: I have never heard of any such agitation.

Mr. Hawthornthwaite: That's not strange either.

Hon. Mr. McBride stated that he had never, to his knowledge, been approached by a delegation asking for a general eight-hour day.

In reply to Mr. McInnis, the premier stated that he had met a delegation from the Trades Council, who had asked that employees on government works be restricted to eight hours a day.

The second reading was negatived, J. H. Schofield (Ymir) voting with the Liberals and Socialists in support of the measure.

Settlers' Rights Act.

The premier, on the second reading of the bill to amend the Vancouver Island Settlers' Rights act, took the point of order that the bill, in that it dealt with crown lands, was beyond the competency of a private member to introduce.

The Speaker reserved his decision.

Bi-Monthly Payday.

Parker Williams, Newcastle, in moving the second reading of a bill providing for bi-monthly payment of wages, pointed out that the bill differed from bills introduced formerly in that it made the measure apply only to industries situated within three miles of an incorporated town.

W. R. Ross, Fernie, supported the measure, as did J. A. Macdonald, Rossland.

The second reading was negatived, J. H. Schofield and W. R. Ross voting with Socialists and Liberals in support of the measure.

Mineworkers' Wages.

Upon the second reading of the bill for the securing of certain mineworkers' wages moved by H. C. Prewster, Alberni, a debate arose, which was adjourned on the motion of Hon. Mr. Bowser.

The supply bill was given third reading.

Land Registry Act.

A. E. McPhillips, K. C., Islands, upon the consideration of the report on the bill to amend the Land Registry act, moved that the following new clause be added:

"All that part of section 31 of the said chapter 23 after the word 'conducted,' in the ninth line thereof, and section 32 of said act, shall not apply to any tax sale to be held or that has heretofore been held of lands for overdue taxes in the city of Victoria, in cases where the tax deeds have not been registered at the time this act comes into force.

The report was adopted and the bill given third reading.

Read Third Time.

Dr. G. A. B. Hall, Nelson, moved, upon the consideration of the report of the bill to amend the Liquor Licence act, 1900, to insert a clause providing for the right of appeal from the decision of the superintendent of provincial police in the manner provided for from commissioners. The amendment lost and the bill was given third reading.

Canneries Revenue Act.

The Canneries Revenue act was amended when the report of the committee came up for consideration so that the act should not apply to people engaged in catching and curing salmon in a small way.

The report as amended was adopted and the bill given third reading.

Municipal Electors.

The bill to consolidate and amend the law relating to elections and electors in municipalities was reported. It was also given third reading, the house dividing and rejecting the amendment of Mr. Naden with regard to the definition of the word householder. Liberals and Socialists supported the amendment.

Bills Reported.

The bill amending the Water Clauses act was reported complete with amendments and given third reading.

The bill amending the Game Protection act was reported and given third reading.

Withdraws Superannuation

John Oliver (Delta) asked leave of the house to withdraw his point of order taken with regard to the civil service act. Leave was granted.

In committee clauses 24 to 30 inclusive, relating to superannuation were struck out. The committee rose and reported progress.

Other Bills Advanced

The bill entitled An Act Respecting Dentistry was committed and the report as amended adopted.

The bill entitled An Act to Amend the False Creek Foreshore act was given second reading and committed.

In committee J. H. Hawthornthwaite moved that the words lieutenant-governor be struck out and the word Bowser substituted.

The bill entitled An Act Regarding a Certificate Issued to the Greenwood City Waterworks Company under the provisions of the Water Consolidation act was given second reading.

The house adjourned at 2 o'clock.

JOSEPH MARTIN'S PLANS

Said to Have Intention of Leaving in October to Reside in England

Vancouver, March 5.—Joseph Martin, K. C., will leave in October of this year to live in England, where he will take legal work before the privy council. He also intends to enter political journalism, and probably will eventually enter political life in the old country.

Iron Works to Close.

Belleville, Ont., March 5.—The plant of the Deseronto iron works will shortly close down, owing, it is said, to the inability to obtain charcoal.

Saskatchewan Legislature

Regina, March 5.—The Saskatchewan legislature will be called to meet on March 26. It is expected that Premier Scott, who has been in Europe for his health, will return in time to be present.

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