

REVISED STATUTES.

Hon. Theodore Davie's Report Submitting the First Volume of the Commission's Work.

What Has Been Already Accomplished - Suggestions Regarding a Number of Acts.

The following is the report of Hon. Theodore Davie in submitting to the Lieut.-Governor the first volume of the provincial statutes as so far revised:

Hon. Edgar Dewdney, Lieutenant-Governor of British Columbia.

MAY IT PLEASE YOUR HONOR:

Pursuant to appointment under the great seal, constituting me a commission for revising and consolidating a new edition of the Laws of British Columbia, and of the statute law of England in force in and applicable to this province, I have the honor to present herewith a volume containing the first instalment of such revision. In an appendix to the volume will be found an act to amend the law relating to bills of sale, and an act respecting the registration of births, deaths and marriages, which have been prepared as supplementary bills to the act in relation to the same subjects comprised in the book, to take the place of the original acts, and to be given the force of law during the present session, should the legislature see fit.

In commencing the work, Mr. Richard T. Elliott, barrister-at-law, was appointed secretary to the commission, and has continued to act as such to the present time. His Honor Eli Harrison, judge of the county court of Nanaimo, has contributed valuable aid in drafting and revising several of the acts.

The provincial acts relating to associations and societies, benevolent and friendly, agricultural and horticultural, cheese and butter, industrial, and provident, legal, medical, pharmaceutical and others, have with the exception of the act intitled "An act to incorporate benevolent and friendly societies," which has been re-drawn, undergone but little change, and have been grouped together under the head of "Associations"; whilst the statutes interpretation act, the act respecting arbitrators, assignments for the benefit of creditors, power of attorney, cattle farming, civil service, small debts, employers' liability, preference, conditional sales, families insurance, insane asylums, licenses, magistrates, marriage, official administrators and railways acts, having been consolidated to date, with occasional introduction of Imperial sections, have undergone but slight alteration.

The law relating to municipalities has been divided into three separate acts, intitled "The Municipalities Incorporation Act," "The Municipal Elections Act," and "The Municipal Clauses Act." Under each head the law relating to municipalities, besides being consolidated, has been re-classified, and many sections have been re-drawn and new provisions inserted. The plan of such three acts, the reasons for the change, and an account of the amendments and alterations, are to be found in the commissioner's note appended to the several statutes.

The aim of the consolidation throughout has been to retain the spirit of the law as it exists, and to exclude any alterations which have been made or suggested, they have been indicated in different type, so that the legislature can readily either adopt or reject them.

The enactment of law by mere reference to statutes of the Imperial parliament or otherwise has been completely discarded. In those cases where the law is now given by reference only to Imperial statutes, the statute or law, so formerly referred to, has been re-drawn, and the necessary variations. As an instance of this may be mentioned "An act respecting leases and sales of settled estates" (chap. 133 of the Consolidated Acts, 1888), where a body of English law comprising some sixty sections is introduced by one enactment of the Imperial parliament in force in this colony as, from their general interest and importance, the commissioners may think it desirable should be so included. The New Zealand act has been re-drawn, and the necessary amendments and alterations, without revision or change, certain Imperial statutes, occupying a book of about five hundred pages.

A preliminary table of contents of the present instalment of revision, containing six pages, and setting out an analysis of the different acts, is submitted herewith, and there is also in course of preparation by Henry Alvy Mason, Esq., barrister-at-law, a table showing the disposal and placing of all Provincial and Imperial statutes dealt with in this volume. Such a table will be submitted when completed, but in the meantime it was thought better, in view of the approaching session of the legislature, not to delay the presentation of the work so far as it has progressed.

Perfect accuracy for the present instalment of revision is not claimed, although it is believed to be fairly correct. Before the final completion of the work it will be again checked and compared. In those cases where statutes have been consolidated only for the purposes of revision, the work of revision is being proceeded with. As instances of this may be mentioned the Companies acts and the Mineral and Mining acts, the last mentioned of which statutes, although not included in the volume now submitted, were consolidated and indexed by the commissioner, and, being printed in pamphlet form, have been distributed throughout the mining districts. A doubt exists as to the intention of the legislature in regard to section 9 of the act of 1892, and section 8 of the act of 1893, reading as follows:

1892, c. 32, s. 9.—In case of any dispute as to the title to a mineral claim, priority of record will determine the right, subject to any question as to the validity of the record, and subject also to the compliance by the free miner with the provisions of this act.

1893, c. 29, s. 8.—In case of any dispute as to the location of a mineral claim, the title to the claim shall be recognized according to the priority of such location, subject to any question as to the validity of the record itself, and subject further to the free miner having complied with all the terms and conditions of this act.

It will be necessary to pass an enactment removing this doubt. I beg to subscribe myself, Your Honor's most obedient servant, THEODORE DAVIE, Commissioner.

If one were asked to name the most unlikely freak in fashionable attire, he might, after considering, reply: "Oh, let's say a waistcoat made of feathers." But, hear heart, a waistcoat made of the feathers of the grebe is now offered for approval and purchased by slender young women. Such a garment will be fitted with silken sleeves and back, and over a coat of cloth. Fur waistcoats with the same silk sleeves are also very rare. Pheasants' feathers can be used in the same eccentric way. What next? I know not. Possibly silk wraps worn over leather bodices!

Hui Hung Chang wants more missionaries sent over to China, but they have not finished killing those they already have yet.

THE CITY.

Mr. R. FRANCIS of Lake district, died early yesterday morning, after a three years' illness. Fernwood lodge, C.O.O. F. M.U., has charge of the funeral, which takes place at 2 o'clock this afternoon. Members of the order will meet half an hour earlier at the rooms of Danneberg lodge.

During January the collections of inland revenue for division No. 37, this city, totalled \$13,491.01, as contrasted with \$10,886.68 for the corresponding month of last year. The heads of receipts were as hereunder: Spirits, \$9,101.98; malt, \$1,738.42; tobacco, \$1,764.63; liquors, \$749.70; liquor licenses, \$75; inspection of petroleum, \$40.30, and rent of land, \$1.

Among those who attended the funeral of the late R. B. Andrews yesterday were a large number of Odd Fellows and also many old timers who had for years past known and respected the deceased. At the house and at the cemetery Rev. Solomon Cleaver officiated. The pall-bearers were John Bullen, George Winn, William McDowell, Isaac Walsh, N. Shakespeare and D. Spencer.

The esteem in which the late Mrs. Work was held and the sympathy felt for the family in their bereavement were well expressed by the large attendance at the funeral yesterday. At St. John's church the impressive services for the dead were conducted by Rev. Percival Jenks, who also officiated at the grave. A prayer service was sung by a surpliced choir and funeral marches were played on the organ by Mr. Bridgman. Many lovely flowers and wreaths were also sent by sympathizing friends. The pall-bearers were Messrs. D. R. Harris, A. W. Jones, H. Dallin, Helmecken, M. P. P. J. W. McKay, Capt. Lewis, H. Hall, B. W. Pearce and Alex. Munro. At the cemetery the body was placed beside those of her two sons, David and John.

Last evening's temperance concert, for which the members of Perseverance lodge provided the programme, proved notably successful. The attendance was the most numerous on record, and the concert the best of the series. Rev. Richard Bushell, of Seattle, a brother of Rev. Jonas Bushell, acted as chairman, and the programme, which was most effectively carried out, was as follows: Violin solo, Mr. Collins; song, Rev. P. J. I. Van Millingen; recitation, Miss Arthur; song, Mr. Frith; address, Ald. Macmillan; song, Miss Robertson; song, Mr. J. G. Brown; song, Mr. Blackie; instrumental duet, Messrs. Russell and Wriglesworth; song, Mrs. Gregson; recitation, Miss White; club swinging, Messrs. Wriglesworth, Hill and Mellich; duet, Mrs. Gregson and Mr. J. G. Brown.

SCOTLAND FOR EVER.

The Champions of the Thistle Again Vanquish the Wearers of the Rose—Winners at the Golf Links.

The teams representing Scotland and England, which played Association football on the Caledonia grounds yesterday afternoon, were unevenly matched and the game was a specimen of the worst. The view was not as interesting as it might otherwise have been. Scotland possessed much the stronger team and took the game with ease.

A DRAWN BATTLE. Yesterday's match on the Canteen grounds between the Victoria K. P. G. club and eleven captained by Mr. H. Chance resulted in a draw, bad playing, through the wet condition of the field, being the feature of the game.

GOLF. THE MEDAL HANDICAP. The result of the fifth monthly handicap match of the Victoria Golf Club is as follows:

Table with 3 columns: Name, Score, Hcp. Result. Includes C. C. Worsted, D. H. Van Millingen, J. Carmichael, Oliver, Combe, Dunsmuir, Stahlschmidt, W. F. Burton, S. F. Morley, James Anderson, C. M. Roberts, W. V. Langens, N. P. Snowden.

ARMING THE "QUADRA."

When the Dominion steamer Quadra goes into commission again in the spring she will be fitted out, it is expected, more like the fishery cruisers which the marine and fisheries department maintain on the Pacific coast. Hitherto the government steamer has been altogether unarmed, a condition that is undesirable should she be required for police duty anywhere along the coast.

A short time ago cutters and a Hotchkiss rifle were sent out by the department from Ottawa, and the crew of eight men are to be instructed in their use. Besides this, it is understood that a nine-pounder rifle muzzle-loading gun, similar to those used by Canadian field batteries, is to be mounted on a pivot on the Quadra's deck. This gun could be used if necessary for signalling and bringing to vessels suspected of smuggling and would, it is expected, overawe them if they felt disposed to offer any resistance to arrest. Such an equipment has at times been found necessary in the East, especially a short time ago, when the whiskey smugglers on the Lower St. Lawrence were giving the authorities considerable trouble. Hitherto in British Columbia waters there has not been anything similar to the armament vessel for use when the war ships were away from port.

"Are you fond of tea?" she inquired of the man. As she poured out the golden-brew; "Of course," he replied, "but to tell you the truth, I'm very much fonder of U."

The saddest instance of misplaced confidence on record is that of a man who rescued another from a watery grave, only to find that instead of his long-lost brother it was a person to whom he owed a \$5 note.

"Why man, all your shopgirls are quitted! Can't you manage to obtain a prettier set?" "I have got these as a protection against shoplifters. The scamps will never know where the girls are looking!"

A SET OF ROGUES.

BY FRANK BARRETT.

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CHAPTER III.

We pulled our pipes from our mouths, Dawson and I, and stretched our ears, very eager to know what this business was the don had to propound, and he, after drawing two or three mouthfuls of smoke, which he expelled through his nostrils in a most surprising unnatural manner, says in excellent good English, but speaking mighty slow and giving every letter its worth:

"What do you go to do tomorrow?" "The Lord only know," answers Jack, and Don Sanchez, lifting his eyebrows as if he considers this no answer at all, continues: "We cannot go hence without our stage things, and if we could I see not how we are to act our play, now that our villain is gone, with a plague to him! I doubt but we must sell all that we have for the few shillings he will fetch to get us out of this hobble."

"With our landlord's permission," remarks Don Sanchez dryly. "Permission!" cries Dawson in a passion. "I ask no man's permission to do what I please with my own."

"Suppose he claims these things in payment of the money you owe him. What then?" asks the don.

"We never thought of that, Kit," says Dawson, turning me in alarm. "But 'tis well enough he has, for I observed he was careless enough whether we found our thief or not. That's it, sure enough. We have naught to hope. All's lost!"

With that he drops his elbows on his knees and stares into the fire with a most desponding countenance, being in that stage of liquor when a man must either laugh or weep.

"Come, Jack," says I. "You are not used to yield like this. Let us make the best of a bad lot and face the worst like men. Though we trudge hence with nothing but the rags on our backs, we shall be no worse off tomorrow than we were this morning."

"Why, that's true enough!" cries he, plucking up his courage. "Let the thiefing rascal take our poor nag and our things for his payment, and much good may it do him. We will wipe this out of our memory the moment we leave his cursed inn behind us."

It seemed to me that this would not greatly advance us, and maybe Don Sanchez thought the same, for he presently asks:

"And what then?" "Why, senor," replies Dawson, "we will face each new buffet as it comes and make a good fight of it till we have a man's money to die one."

"You think only of yourselves," says the don very quietly. "And pray, saving your senor's presence, who else should we think of?"

"The child above," answers the don a little more sternly than he had yet spoken. "Is a young creature like that to bear the buffets you are so bold to meet? A young girl like that, who has the wind and rain but such a chance offers—make no provision for the time when she is left alone to protect her against the evils that lie in the path of friendless maids?"

"God forgive me," says Jack humbly. "And then we could say nothing for thinking what might befall Moll if we should be parted, but sat there un-der the keener eye of Don Sanchez looking helplessly into the fire. And there was no sound until Jack's pipe, slipping from his hand, fell and broke in pieces upon the hearth. Then, rousing himself and turning to Don Sanchez, he says:

"The Lord help her, senor, if we find no good friend to lend us a few shillings for our present wants."

"God friends are few," says the don, "and they will lend us no better security for repayment than chance. For my own part I would as soon fling straws to a drowning man as attempt to save you and that child from ruin by setting you on your feet today only to fall again tomorrow."

"If that be so, senor," says I, "you had some larger view in mind than that of giving temporary relief to our misery when you give us a supper and Moll a bed for the night."

Don Sanchez assented with a grave inclination of his head, and going to the door, opened it sharply, listened awhile, and then, closing it softly, returned and stood before us with folded arms. Then, in a low voice, not to be heard beyond the room, he questioned us very particularly as to our relations with other men, the length of time we had been wandering about the country, and especially about the tractability of Moll. And, being satisfied with our replies—above all, with Jack's saying that Moll would jump out of window at his bidding, without a thought to the consequences—he says:

"There's a comedy we might play to some advantage if you were minded to take the parts I give you and act them as I direct."

"With all my heart," cried Dawson. "I'll play any part you choose, and as to the directing, you're welcome to that, for I've had my fill of it. If you can make terms with our landlord, those things in the yard shall be yours, and for our payment I'm willing to trust to your honor's generosity."

"As regards payment," says the don, "I can speak precisely. We shall gain £50,000 by our performance."

"Fifty thousand pounds," says Jack, "as if in doubt whether he had heard aright. Don Sanchez bent his head without stirring a line in his face.

Dawson took up his tankard slowly and looked in it to make sure that he was none the worse for drink. Then, after emptying it to steady his wits, he says again:

"Fifty thousand pounds." "The Lord only know, if not more, and that there be no jealousies among us it shall be divided fairly among us—as much for your friend as for you, for the child as for me."

"Pray God that part be no more than I can compass," says Jack devoutly. "You may learn it in a few hours—at least your first act."

"And mine?" says I, entering for the first time into the dialogue. The don hunched his shoulders, lifting his eyebrows and sending two streams of smoke from his nose.

"I scarce know what part to give you yet," says he. "To be honest, you are not wanted at all in the play."

"Nay, but you must write him a part," says Dawson stoutly, "if it be but to bring in a letter. That I am determined on. Kit stood by us in ill fortune, and he shall share better, or I'll have none of it, nor Moll either. I'll answer for her."

"There must be no discontent among us," says the don, meaning thereby, as I think, that he had included me in his stratagem for fear I might mar it from envy. "The girl's part is that which gives me most concern, and had I not faith in my own judgment."

"Set your mind at ease on that score," cried Jack. "I warrant our Moll shall learn her part in a couple of days or so."

"If she learn it in a twelvemonth, 'twill be time enough."

"A twelvemonth," said Jack, going to his tankard again for understanding. "Well, all's as one, so that we can get something in advance of our payment to keep us through such a prodigious study."

"I will charge myself with your expenses," says Don Sanchez, and then, turning to me, he asks if I have any objection to urge.

"I take it, senor, that you speak in metaphor, or a stratagem for getting hold of a fortune that doesn't belong to us."

Don Sanchez calmly assented, as if this had been the most innocent design in the world.

"Hang me," cries Dawson, "if I thought it was anything but a whimsey of your honor's."

"I should like to know if we may carry out this stratagem honestly," says I.

"Aye," cries Jack. "I'll not for cutting throats or breaking of bones, for any money."

"I can tell you no more than this," says the don. "The fortune we may take is now in the hands of a man who has no more right to it than we have."

"If that's so," says Jack. "I'm with you, senor. For I'd as lief bustle a thief out of his gains as say my prayers any day, and hieer."

"Still," says I, "the money must of right belong to some one."

"We will say that the money belongs to a child of the same age as Moll." "Then it comes to this, senor," says I bluntly. "We are to rob that child of £50,000."

"When you speak of robbing," says the don, drawing himself up with much dignity, "you forget that I am to play a part in this stratagem—I, Don Sanchez del Castello de Castellana."

"Fie, Kit, hant you any manners?" cries Jack. "What's all this talk of a child? Hasn't the senor told us we are but to bustle a cheat?"

"But I would know what is to become of this child if we take her fortune, though it be withheld from her by another," says I, being obstinate and persistent in my liquor.

"I shall prove to your conviction," says the don, "that the child will be no worse off if we take this money than if we leave it in the hands of this rascally steward. But I see," adds he contemptuously,

"that for all your brotherly love 'tis no such matter to you whether poor little Mollly comes to her ruin, as every mad man who goes to the stage or is set beyond the reach of temptation and the goading of want."

"Aye, and be hanged to you, Kit!" cries Dawson.

"Tell me, Mr. Poet," continues Don Sanchez, "do you consider that steward who defrauds that child of a fortune is more unfeeling than you, who for a sickly quail of conscience would let slip this chance of making Moll an honest woman?"

"Aye, answer that, Kit," adds Jack, striking his mug on the table. "I'll answer you tomorrow morning, senor," says I. "And whether I fall in with the scheme or not is all as one, since my help is not needed, for if it be to Mr's goode I'll bid you farewell, and you shall see me never again."

"Spoken like a man," says Don Sanchez, "and a wise one to boot. An enterprise of this nature is not to be undertaken without reflection, like the smoking of a pipe. If you put your foot forward, it must be with the understanding that you cannot go back. I must have that assurance, for I must be hundreds of pounds out of pocket ere I can get any return for it."

"Have no fear of me or of Moll turning tail at a scarecrow. We are no poets." "Reflect upon it. Argue it, out with your friend here, whose scruples do not dislike me, and let me know your de-

termination when the last word is said. Business carries me to London tomorrow, and you shall meet me at night, and we will close the business—aye or nay—so ere supper."

With that he opens the door and gives us our coats, the most noble in the world; but, not offering to give us a bed, we are forced to go out of doors and grope our way through the snow to the cart shed, and seek a shelter there from the wind, which was all the keener and more bitter for our leaving a good fire. And I believe the shrewd Spaniard had put us to this pinch as a forerunner of the misery we must endure if we rejected his design, and so to shape our inclinations to his.

Happily the landlord, coming out with a lantern, and finding us by the chattering of our teeth, was moved by the consideration shown us by Don Sanchez to relax his severity, and so, unlocking the stable door, he bade us go up into the loft, which we did, blessing him as if he had been the best Christian in the world. And then, having buried ourselves in hay, Jack Dawson and I fell to arguing the matter in question, I sticking to my scruples (partly from vanity), and he stoutly holding 't'other side, and I, being warmed by my own eloquence, and he not less heated by liquor (having taken the best part of the last bowl to his share), we ran it pretty high, so that at one point Jack was for lighting a candle ere he had in his pocket and fighting it out like men.

But little by little we cooled down, and toward morning, each giving way something, we came to the conclusion that we would have Don Sanchez show us the steward that we might know the truth of his story (which I misdoubted, seeing that it was but a roughish kind of game at best; that he would have us take part in), and that if we found all things as he represented them then we would accept his offer. And also we resolved to be down betimes and let him know our determination before he set out for London, to the end that we might not be left fasting all the day.

But herein we miscalculated the potency of liquor and a comfortable bed of hay, for 'twas 9 o'clock before either of us winked an eye, and when we got down we learned that Don Sanchez had been gone a full hour, and so no prospect of breaking our fast till nightfall.

Presently comes Moll, all fresh and pink, from the house, and falls to extending upon the joy of sleeping-twixt clean sheets in a feather bed and could speak of nothing else, saying she would give all the world to sleep so well every day of her life.

"Eh," whispers her father in my ear, "you see how luxuries so tempt the poor child and what kind of a bed she is like to be in if our hopes miscarry."

On which, still holding to my scruples, I says to Moll:

"Tis easy to say you would give the world, Moll, but I know full well you would give nothing for all the comfort possible that was not your own."

"Nay," says she, crossing her hands on her breast and casting up her eyes with the look of a saint; "what are all the fruits of the earth to her who cannot take them with an easy conscience? Honesty is dearer to me than the bread of life."

Then, as Jack and I are looking at each other ruefully in the face at this dash to our knavish project, she bursts into a merry peal of laughter, like a set of Christmas bells chiming, whereupon, we turning about to find the cause of her merriment, she pulls another demure face, and, slowly lifting her skirt, shows us a white napkin tied about her waist, stuffed with a dozen delicacies she had fished from Don Sanchez's table in coming down from her room.

[To be continued.]

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Vertical advertisement for 'PAIN EXPELLER' and 'COCOA SUPPER' with various health claims and contact information for 'W. CHURCH, M.A.' and 'LONDON, ONTARIO'.

Large vertical advertisement for 'The Steele, Briggs Seed Co.' featuring a 'Seed Catalogue' and 'Roller Flour Mill' products, including 'Best Family Flour', 'Superfine Flour', and 'Whole Wheat Meal'.