

the death of Mr. Alexander Duncanson, and the President of the Council, in view of the circumstances, varied his decision to hold a night sitting.

Mr. Henderson presented the returns asked for by the senior member for Victoria, the correspondence touching the question of the jurisdiction of Judge Bole.

The House adjourned shortly after 6 p.m.

Victoria, Feb. 2, 1900.

Mr. Speaker took the chair at 2 p.m. Prayers by the Rev. Dr. Wilson. The attendance of the public was good, and on several occasions they joined in the applause at the patriotic sentiments expressed by some of the speakers on the floor of the House. The order paper showed that it would be a day of routine work, and this anticipation was fulfilled. There were no lengthy or important speeches, but the House got through a good deal of useful work before rising. The most important measures considered were the Liquor License Amendment Bill, the Supreme Court Bill, and the New Westminster Relief Bill. The adjourned debate on the second reading of the Coal Mines Regulation Bill goes over to next week, when it is expected it will lead to further oratorical efforts on the part of the opposition.

Petitions.

Mr. J. M. Martin presented the following petition: The petition of the undersigned, residents of the city of Greenwood, in the district of Yale, province of British Columbia, humbly sheweth:

Whereas by the Inspection of Metalliferous Mines Act, 1899, it is enacted that "no person shall be employed underground in any metalliferous mine for more than eight hours in every 24 hours";

And whereas we have learned that your hon. House is to be asked during the present session of the Legislature to amend the said act, and to repeal the said restrictions of working hours in metalliferous mines;

And whereas in the opinion of your petitioners eight hours are sufficient for miners to work underground on account of the well of the artificial, and had air breathed while working underground, the dangerous nature of the calling and the fact that a slight mishap of a miner working underground, not only endangers his own life but also the lives of many others, as the fact that the work is of such an arduous nature under the conditions it is performed in, that a man would do as much and as good work in eight hours as he would in a shift of a longer time.

We therefore, your petitioners, desire to state that we consider that any such amendment is "objectionable" to increase the hours of the working of a miner, and would not be in the interest of the said body of the community, or of the country as a whole.

We therefore humbly request your hon. House to make no such amendment to the Metalliferous Mines Act and amending acts.

And as in duty bound your petitioners will ever pray, etc.

The Premier presented a petition from a number of residents of the city of Victoria, asking that no alterations be made in the eight-hour law. This was ruled out of order by the Speaker, because it was addressed to the Lieutenant-Governor, instead of to the House.

Reports.

Mr. Green presented the report of the select standing committee on private bills and standing orders, recommending that the time limit for private bills be extended five days from Feb. 2nd, and that the rules be suspended accordingly. The report was received, the rules suspended and the report adopted.

Mr. Macpherson, for the standing committee on railways, submitted the Rock Bay & Salmon Arm Railway Company Bill with amendments. Received.

Mr. Kidd reported for the standing committee on printing, recommending that certain returns called for by the House be printed. Received and adopted.

Motions.

Mr. Kellie asked leave to introduce a bill entitled "An Act to regulate the Length of Hair that may be worn by Employees in Metalliferous and other Mines."

Considerable amusement was shown by the members and spectators in the gallery when this bill was announced. Leave was duly granted, but on a vote of aye and no it was apparently lost. Mr. Kellie demanded a count, and on the following division won his point:

For—Robertson, Olifford, McBride, Higgins, Irving, Henderson, Wells, Prentice, Macpherson, B. Smith, J. M. Martin, Tisdall, Deane, Hume, Kellie, Kidd, Helgesen, Green, Munro and Neil—20.

Against—Pooley, Booth, Baker, Turner, A. W. Smith, Bryden, Ellison and McPhillips—8.

Municipal Election Bill.

Upon the motion of Mr. McBride, a bill to amend the Municipal Elections Act was introduced and received its first reading, being set for second reading at the next sitting of the House.

Mr. Booth moved, seconded by Mr. Higgins, the following resolution:

That an order of the House be granted for a return of all papers connected with the action of the Licensing Court for North Victoria in refusing to continue the license to the Mayne Island hotel, in particular the petition against the house, the report of the inspector, and the reasons given by the commissioners for its refusal. Adopted.

Mr. Turner moved, seconded by Col. Baker, the following resolution:

That an order of the House be granted for a return of all correspondence between the government, or any member thereof, and the Abercrombie & Cariboo Railway Company, or any member thereof, or any other party, in relation to the repeal of the land grant by chap. 61, 1890, either before or subsequent to the passage of that repeal act. Adopted.

"We Are British."

Mr. Irving moved, seconded by Mr. Price Ellison, the following resolution: That British Columbia is British, and we desire the home government and the

government of Canada to know that we are an integral part of the British Empire, and can be depended upon to assist, both by men and means, to uphold our Empire. That the present just war must be fought to a finish at whatever cost.

Capt. Irving's rising to move the resolution was greeted with applause. He said in support of it he had brought it forward in entire confidence of the feeling of the House and people. The people throughout the country were offering their services to the Empire, and he hoped a resolution of this kind would have some effect in informing the authorities, and also to let the other nations of Europe know that if they stepped in and attempted to interfere in this war the colonial possessions would stand by Great Britain. (Applause.)

Colonel Baker thought the resolution emphasized the strong feeling which was going out to the Mother Country from the Dominion of Canada and from all parts of the British Empire. The House could do no better than pass unanimously the motion now before it. He was particularly pleased with the clause of motion, which said this war must be fought to a finish. When one took up the papers and read of the many reverses the British army had met with, one could see that those reverses had not disheartened our troops, but had made them all the more determined to carry out the idea expressed in the last part of this resolution. The British troops could not be beaten; they would always come out right in the end. (Applause.) Though the Empire was called on to expend many valuable lives and much money to attain the object for which this terrible war was being waged, it would only serve to bind all parts of the Empire still more firmly together. A united nation which could show to the world how great was the strength of Great Britain.

The resolution was adopted unanimously.

Public Bills.

The Attorney-General, in moving the second reading of the Liquor License Act, 1899, Amendment Bill, explained the amendments which he proposed to make. The first amendment was to section 12 of said act, which is amended by inserting after the words "Finance Minister" in the third line thereof, the words "or government agent," and by inserting after the words "Finance Minister" in the sixth line thereof, the words "or government agent (as the case may be)."

Mr. Henderson pointed out that it was found necessary to provide in this bill that the applications in rural districts by persons who wish licenses may now be made to either the Finance Minister or to the local government agent. Last year all those applications had to be made to the Finance Minister, but this amendment would give the people a chance to deal directly with the government agent, which would be more convenient for them.

Another important amendment was to section 13 of the old bill, now section 7, in the new. It is as follows:

"In case any person wishes to apply for license at any other time than as above provided, he may send to the Finance Minister or government agent his application as above provided. Upon receipt of the application and the Finance Minister's or government agent's receipt by the chief inspector, he shall calculate the expense of calling, the board together, of advertising, and of inspection, and he shall notify the applicant that his application will not be considered until the amount so estimated has been sent to the Finance Minister or government agent. On this being done the chief inspector shall arrange for the advertising of the application, the inspection of the premises and the calling together of the board at as early a date as possible to consider the application; provided that in case more than one application be made at the same time to the same board the expense shall be divided pro rata among the applicants."

Still another was the amendment to sub-section 57, which is as follows:

"Special licenses may be granted by the superintendent of provincial police to any person for the sale of liquor on any steamer. Such licenses shall authorize the sale of liquor on such steamer only to the passengers and crew of said steamer and to said passengers and crew only when the steamer is not at any port. The fee for such license shall be at the rate of \$100 per annum, but license may be issued for six months, and shall expire on the 30th day of June, or the 31st day of December."

It had also been found advisable to change the time when advertisements shall be published. Section 13 of chap. 39 of the statutes of 1899, being the "Liquor License Act, 1899," is amended by striking out the word "fourteen," in the tenth line thereof, and substituting therefor the word "seven."

Mr. Henderson drew particular attention to the amendment to the section dealing with commercial travellers' licenses. The amendments which follow had been found necessary:

"78. The superintendent of police may issue licenses empowering commercial travellers and commercial agents to take orders in British Columbia for liquor to be imported into British Columbia to all orders given by persons who do not hold wholesale licenses under this act:

"2. The fee for such license shall be two hundred dollars, and such license shall be in force for one year from the date thereof:

"3. During the currency of such license the superintendent of police may allow the said license to be transferred to any person approved by him, upon payment of a fee of five dollars:

"4. Any commercial traveller or commercial agent, who solicits or takes any order or orders in British Columbia for liquors to be supplied from outside the province of British Columbia to a person in British Columbia who does not hold a wholesale license under this act, without having obtained a license under this section, shall be subject to prosecution under the provisions of this act, and be liable to a penalty of not less than one hundred dollars and not more than two hundred dollars for each offence, and in default of payment of said penalty to be imprisoned for a term of not less than one month and not more than three months, in the discretion of the convicting magistrate."

Mr. Jos. Martin said some of those changes proposed seemed to him to be of very considerable importance. In regard to the shortening of the time for advertising from 14 to 7 days, he thought

this altogether too short. Not perhaps as regarded the city, but in the rural district. Anywhere else the act might beneficially stand. The object of this act is practically local option. In the country, of course, no one knows who is provided for in the act as published.

Under the act the neighbors and people interested in stopping the sale of liquor had time to arrange a deputation to go to the commissioners and protest. The time then was 14 days, and that, in his opinion, was short enough. The general public are not given by this act ten dollars (being a hotel) being planted in their midst. He was inclined to think 14 days too short to give the people of a province, with the magnificent distances British Columbia could boast of, a fair chance. As to section 18, payment for applying out of time, he thought ten dollars fitted enough to give the government for the expense and trouble to which it was put, and it was only right that the applicant should expect to pay for it. As to section 9, the hearing of applications, he could not see that the applicant who desired a new license, or the person who sought a license for the first time were in any different position. There is an idea prevalent in this province that a man who has been running a hotel for some years should have it again, no matter how badly he had been running it. He was not in favor of that idea. Those men should be strictly on their good behavior, and should not have their license renewed unless they have demonstrated their fitness to hold it during the year. Regarding the new man, there is nothing to examine him about. Mr. Henderson explained that if there were any charge against the holder of a license he could be called up.

Mr. Martin said the proper way is to have the license holders there every time, and the charge should be made before the commissioners there and then. The man who gets a renewal is more likely to be required than the new man, who is applying for the first time for a license. Turning to section 14 (re-enacted, 57), Mr. Martin declared that the House had no power to legislate for steamers on the high seas. If he were the owner of a steamer he would laugh at anyone who would attempt to take a license fee from him for selling liquor on the high seas. He would be glad to see the wording changed to "British Columbia waters," instead of "inland waters." With respect to the commercial travellers and wholesale licenses, he thought the Attorney-General was wrong in a misconception as to wholesale licenses.

Mr. J. M. Martin could not agree with the last speaker in his contention as to the appearance of applicants. Why should a man have to go back year after year to apply for renewals? The fact of his holding the license as much as says he is a fit and proper person to hold a license.

Mr. Booth was rather in sympathy with most of the amendments, but objected to cutting down the time. As this act applied particularly to rural districts, he thought it should be left as it was, in this matter. It was the duty of the commissioners to public any charge against the house.

Mr. Higgins was in favor of the bill, but thought it did not go far enough. The fact that no complaints had been made against a man should be enough to entitle him to a renewal. Many people to comply with the provision of the bill would be business men traveling many miles. One man who had held a license for 30 years had to go twice a year to prove that he was the person mentioned in the license. He suggested that the chief inspector should be the umpire in such cases. He would vote for the section if the reading of the bill were to be modified in committee.

Mr. Deane said this bill would be greatly appreciated in the interior, and gave instances of the bad working of the old act. He thought the government might improve the bill by striking out sub-section 4 of the old act, which says that a man should regularly apply to get a certificate of character. The clause relating to the licenses on steamers plying on inland waters was very important. Its enforcement would do a great deal to put down the sale of liquor to Indians, along the Northern Coast, and prevent business being done by men who do not contribute anything to the revenue of the country.

A Rebuke.

Mr. Speaker felt called upon at this juncture to protest against the whispering and talking which was going on, to the annoyance of those who wanted to hear the speeches. He asked members addressing the House to speak a little louder.

Mr. Pooley said that one of the most important things the license holders have to deal with is the provision requiring them to prove they are 21 years of age, producing every six months an affidavit to that effect, and also to produce bonds. It was not desirable to exact all this from persons who had been carrying on business during the six months. The men who hold those licenses are well known to the public, and are seen every day in pursuit of their calling. The new man is the person who ought to be investigated. He hoped this matter would be altered.

Mr. Eberst was glad to know that the government had at length realized that the people of British Columbia have some strength. He was glad to know the protests from all parts of the province had compelled the government to reduce the license fees. He was sure the people of British Columbia would write down and thank the Attorney-General for taking off ten dollars, but they will not thank him for making them swear year after year that they are not felons, 21 years of age, and never been convicted of a felony. Mr. Eberst then went over much the same ground traversed by the preceding speaker, speaking very sarcastically at the expense of the government, and telling a funny story about the actions of the board of licensing commissioners of Esquimalt, who were in the habit of calling in any old stranger who happened to be mooching around the village and getting him to act as chairman of the board. He concluded by declaring that the bill as it now stands on the statute books is a rotten bill.

Mr. A. W. Smith drew attention to some inequalities in the license fee, some paying \$100 and others \$200. He thought \$100 was too much for rural districts.

Mr. Wells thought the amendments proposed would be satisfactory to those interested and to the country at large.

He himself had brought down a petition and had been instrumental in doing several of the important changes contemplated in the present bill. He believed the government, as at acting in place of the Minister of Finance in taking charge of monies deposited by intending licensees would also give very general satisfaction. He agreed with Mr. Joseph Martin that 14 days' publication of application was little enough in country districts, and he was of the opinion that the Attorney-General when the bill was in committee should consider the advisability of leaving the time fourteen days. The abolition of the \$10 fee would be generally acceptable, but he thought that a deposit only should be required, sufficient to cover possible contingencies, the money to be returned if not required for expenses. He disagreed with Mr. Joseph Martin's remarks that licensees had no vested rights.

Mr. Martin claimed that Mr. Wells had misunderstood him in this connection. He had meant, not that there should be no property right in equity, but that the law did not recognize and vested right in a license.

Mr. Wells thought that protection should be afforded to home wholesalers, even though they paid their license fees to the cities instead of directly to the provincial treasury. The principle of the section was undeniably right, and should be maintained.

Mr. Turner pointed out that the liquor license fee goes to the city where the trade is done, and not to the province, though they are to all intents and purposes provincial licensees. He advocated the changing of the words "inland waters" to "British Columbia waters" in the bill.

The bill was read a second time. Third reading next sitting of the House.

Supreme Court Bill.

The House then went into committee of the whole on the Supreme Court bill, Mr. Prentice in the chair.

Mr. Joseph Martin proposed the following amendment to section 2:

2. Section 74 of chapter 56 of the Revised Statutes, being the Supreme Court Act, as enacted by section 15 of chapter 20 of the statutes of 1899, is hereby repealed and the following section substituted therefor: 74. The Full court shall sit at the City of Victoria on the first Monday in February, May and November, and such sitting may continue until the Friday of the week following each said Monday. The Full court shall sit at the City of Vancouver on the third Tuesday in February, May and November, and such sitting may continue until the Friday of the week following each said Tuesday. Provided, however, that the Full court sitting either at Victoria or Vancouver may be adjourned to any day after the term for the sitting above provided for.

He explained that heretofore there had been too many Full court sittings and not enough time to try the Kootenay cases. Mr. Helmsken strongly advocated the appointment of a Supreme Court judge specially for the Kootenays; the suitors there ought to have the privilege of a Supreme Court judge; it would save them much time and expense.

On the motion of Mr. Jos. Martin section 3 and 4 of the bill were struck out. The following amendment proposed by Mr. McPhillips was adopted:

3. The party appealing shall before the filing of the praecipe for hearing the appeal, procure the settlement of the appeal book by the district registrar of the court from which the appeal is brought, to certify on one of the copies of the appeal book filed that the same has been duly settled, and the respondent in the appeal shall be entitled to have delivered to him by the party appealing at or before the filing of the praecipe one copy of the appeal book so settled as aforesaid.

Mr. McPhillips asked the Attorney-General to consider a proposal that there be four sittings a year for the Kootenay country, two of these to be criminal and two civil. Under the present arrangement there was a good deal of inconvenience in the upper country. Mr. Jos. Martin approved of this suggestion, and Mr. Henderson agreed to give it due consideration.

Small Debts Bill.

The House went into committee on the Small Debts bill, Mr. Munro in the chair. The following are the amendments proposed:

When you get to the roof use our famous Eastlake Shingles Galvanized or Painted.

They look well and last well—are Fire, Lightning and Rust proof—and are quicker laid than others, because of their patent telescopic side lock. Be sure of enduring protection by getting genuine Eastlakes, they never fail.

Write us for full information. Metallic Roofing Co. Limited TORONTO.

A. B. FRASER, SR., SELLING AGENT, VICTORIA.

"Yes, I got the idea for this doily in the Corticelli Magazine."

"You know you can work lovely designs from the instruction you get in it."

"It tells about hundreds of pretty things and has beautifully colored plates to illustrate them."

"It costs only 25 cents a year and is issued quarterly."

THE CORTICELLI SILK CO., 91 Richmond Street, ST. JOHNS, P.Q.

ments proposed by the Attorney-General:

10. It shall not be lawful for any magistrate who sits in any Small Debts Court, either personally or through his clerk, or other employee, or by any one on his behalf, to undertake the collection of any account or claim which may be sued for in such court.

11. Any debt due or accruing due to a mechanic, laborer, servant, clerk or employee for wages or salary shall be exempt from seizure or attachment under the provisions of this act to the extent of the sum of forty dollars. In case at the time of the process taking effect upon garnishee, there is less than one month's salary or wages due to such mechanic, workman, laborer, servant, clerk or employee, the extent of the exemption shall be at the rate of forty dollars per month, for the time such salary or wages are due or accruing due.

The committee rose, reported progress and asked leave to sit again.

New Westminster Relief Bill.

Mr. Cotton said there was very little to explain in regard to this bill, which was now on its second reading. During the last session a bill called an act for the relief of the New Westminster municipality was passed through the House. It dealt with the financial condition of the city brought about by the disastrous fire in 1898. Amongst other measures of relief was one extending the time during which the corporation might allow a discount to tax payers who paid up arrears of taxes. The result of that had been, he was informed by the corporation, very satisfactory to them. They had received a large amount of taxes they probably would not have received had not this been granted. But in consequence of the heavy losses sustained by the taxpayers through the fire and the interruption to business, some had not been able to take advantage of the extension last year. Now if the period in which the discount is allowed is extended it will enable the corporation to get in a large amount of taxes, as the ratepayers have no money to pay at the present time. He would therefore ask the House to forward this bill.

Westminster Flourishing.

Mr. McBride was happy to inform the House that New Westminster was in a much better position, both as regards finances and business, than it had been for years past. The signs of a new era were pointed to a very good future. (Hear, hear.) Many things had happened since the fire to prove New Westminster's people were justified in their confidence in their town. Those who were responsible for this legislation now before the House had carefully viewed the situation. By granting this indulgence to the people of that town, the legislature was helping them to get along, helping to make New Westminster second to no city in the province of British Columbia. (Applause.)

Mr. Henderson congratulated the member for Dewdney on his remarks, which he fully endorsed and supplemented. This act of the legislature would be appreciated by the people of New Westminster. Bill read a second time.

Vancouver City Petition.

Mr. Tisdale presented the following petition, signed by Mayor Gorden and City Clerk MacGuigan, of Vancouver: The humble petition of the corporation of the city of Vancouver sheweth:

That on the 7th day of November, 1899, your petitioners caused to be inserted in three newspapers circulating in the city of Vancouver, a notice which reads as follows: "Public notice is hereby given that an application will be made at the approaching session of the legislature of the province of British Columbia to amend and consolidate the Vancouver Incorporation Act, 1886, and Amending Act;

That such notice was continuously advertised in the said papers until the 5th day of December, 1899. That the council of the said corporation at as early a date as it conveniently could so decided that it would be desirable in the interests of the city that certain amendments should be made to the said act of incorporation. That on so deciding a notice was inserted on the 5th day of December, 1899, in three newspapers published and circulating in the said city setting out specifically the amendments that it was the intention of your petitioners to apply for. That such notice was continuously advertised in the said papers from the said 5th day of December, 1899, to the 23rd day of January, 1900.

That eight days before the opening of the present session of your hon. House a printed copy of the bill, a copy of the petition to be presented to your hon.

House, together with the notices published to that date were duly filed with the clerk of the House.

That the petition for leave to introduce the bill was considered for the first time by a committee of your hon. House on the 23rd day of January, 1900.

That the notices containing the proposed amendment were duly published and continued for a period of six weeks during the interval of time between the close of the next preceding session and the consideration of the petition.

That your petitioners believe that in so publishing and advertising the notices as aforesaid that they had complied with the rules of your hon. House.

That on the 23rd day of January, 1900, your select standing committee on private bills and standing orders considered the said petition and reported as follows:

"With regard to petition 4, Vancouver City Amendment bill, your committee beg leave to report that the standing orders have not been complied with, as up to the 26th December, 1899, the term had not expired for the publication of the notice; but owing to the subject matter being presumably in the public interest and the petition being otherwise in order your committee recommend the suspension of the rules so as to admit of the bill being introduced subject to the payment of double fees."

Your petitioners have therefore paid double fees.

Your petitioners submit that they have made a bona fide attempt to comply with the rules of your honorable House, and if they have failed to do so it is because of their having placed a certain construction on the said rules; which construction, owing as they respectfully submit, to the said rules being ambiguous is capable of being placed on them.

Your petitioners, some had your honorable body may be pleased to order that the double fee paid by your petitioners may be refunded.

(Signed) JAMES GARDEN, Mayor.

THOS. F. MCGUIGAN, City Clerk.

The South African Contingent.

Mr. Helmsken enquired of the Premier whether anything had been done with regard to the contingent for South Africa, and referring to the action of Mayor Hayward in the matter.

The Premier replied that after consideration it was thought it would not be consistent to wire the Dominion government that we could do something of which we have no evidence we can do. He thought the government acted quite properly in not wiring.

Mr. Henderson presented a return asked for by Mr. Booth, all the papers connected with the action of the licensing court of North Victoria in refusing to continue the license to Mayne Island Hotel.

PLUM PUDDINGS AND MINCE PIES often have bad effects upon the small boy who over indulges in them. Pain-Killer as a household medicine for all such ills is unequalled. Avoid substitutes, there is but one Pain-Killer, Perry Davis'. 25c and 50c.

Train No. 14, a fast east bound express on the Erie road, collided with a freight in the suburbs of Akron yesterday. Engineer Diday was killed.

KENDALL'S SPAVIN CURE

WORTH \$50 A BOTTLE To This Man.

It may be worth a like sum or even more to you.

Frank, Barrie Co., N. D., March 19, 1898.

Dear Sirs—I have used your Kendall's Spavin Cure and think it good. I have cured a Spavin on my last mare, and I would not take \$125 for her which I offered for \$75 before. I will be pleased to have your book and recipe for this liniment sent, as I read on the carton.

Truly yours, FRANK SMITH.

Hartington, P. O., Ontario, Mac. 6, '98.

Dr. B. J. Kendall.

Dear Sirs—Enclosed please find a two-cent stamp for your valuable Horse Book. I have used one but all the papers your Kendall's Spavin Cure without one failure in years, and consider it the best Liniment for man or beast in the market. Please send me the book as you direct in the bottle, for home use.

It is an absolutely reliable remedy for Spavins, Splints, Chaps, Ringbones, etc. Removes the blemish and leaves no scar. Price, \$1.00 per bottle. As a Liniment for family use it has no equal. Ask your druggist for KENDALL'S SPAVIN CURE, also "A Treatise on the Horse," the book free, or address

DR. B. J. KENDALL, CO., ENOSBURG FALLS, VT.