Weekly Colonist

FRIDAY, MARCH 23rd, 1888.

THE PROVINCIAL LEGISLATURE.

Proceedings of the Second Session of the Fifth Parliament.

THIRTY-FIRST DAY.

WEDNESDAY, March 14, 1888.

Mr. Speaker took the chair at 2:10 o'clock.

Prayers were offered by the Rev. Mr. McLeod.

PETITIONS.

Ma. Bole presented a petition from Samuel Greer with reference to securing a private bill.

Col. Baker presented a petition from A. Farwell and others in reference to lands in Kootenay district.

Mr. Martin presented a petition from residents of Grand Prairie, Yale district.

The petition of the municipality of Victoria in regard to securing legislation for locating lines of Humboldt street was read and received, and referred to the select committee on orders.

REPORTS.

Mr. Higgins presented the report of the select committee appointed inquire into the claims of Donald McKenzie for certain land in Esquimalt district. Received and ordered to be printed.

PRIVILEGE.

Hon. Theodore Davie desired to answer some of the malicious and untruthful attacks made upon him by a portion of the opposition press in relation to his position as a member of the government, supervising the attorney-general's office. Hon. members already understood that he had accepted and held a seat in the cabinet supervising the attorney-general's department gratuitously and for a temporary purpose only. He had previously informed the house that in his professional capacity he had been retained in some criminal cases by Indians to act as their counsel before he had entered the cabinet; that his intention was to discharge the duties of these retainers unless released by his clients, and that whilst exercising general supervision, in these particular cases the duties of the department (if the Attorney-General had not resumed control in the meantime) would be left to the deputy, or entrusted to other hands. For this fair and open statement he had been attacked as "representing at the same time the Queen and the criminal," as "taking a double retainer," and in similar terms. These terms inferred that he had represented both Queen and criminal in some particular case—the fact on the contrary being that in particular cases where former engagements intervened he had proposed to take no hand whatever in the prosecution. Mr. McCreight was attorney-general in 1872—previous to his appointment he had been Dr. Trimble's counsel in a petition of right against the crown. The case came on for trial during Mr. McCreight's term of office. That gentleman, however, although still attorney-general, argued Dr. Trimble's case and Mr. Robertson was appointed to conduct the case for the Crown.

Mr. Beaven—But that was not a criminal case.

Hon. Mr. Davie—Wherein exists the difference in principle? The interests of the crown representing society are equally involved in either a civil or criminal case, and if it is allowable in pursuance of a previous retainer to act against the crown in a civil case equally is it so in a criminal one. The argument of the opposition is that the gentleman in charge of the department has access to all the Crown's papers. True enough, but it does not by any means follow that he is going to abuse his position. For instance, in the case quoted it was never hinted that the attorney-general would abuse the privilege which he could have had of making himself master of the case for the Crown.

The *Times* of March 16, had ventured to say "that there was not a lawyer of any standing in the province who would justify his (Mr. Davie's) conduct." He (Mr. Davie) on the other hand would challenge the opposition to bring forward a single lawyer of any reputation who would attempt to condemn his (Mr. Davie's) conduct. He would leave it to the only lawyer in the opposition, Mr. Bole, who he should ask to give his views. He had too high an opinion of Mr. Bole's acumen as a lawyer to think that he would controvert the opinions he was about to read. Fortunately there was at present an eminent constitutional lawyer now temporarily residing in the province, whose opinion would rank second to none in the Dominion—he referred to Mr. Stephen Richards, Q.C., whose opinion he (Mr. Davie) had secured, and which, concurred in by another eminent Queen's Counsel, he would now read:

VICTORIA, 17th March, 1888.

DEAR SIR:—I understand the fact to be that the Attorney-General is at present unable personally to attend to his duties owing to illness, and that you have been requested by him and also by the government to assume supervision of the office and department during his absence, which you have consented to do—that the arrangement is merely a temporary one to meet the exigency of the case, and that your services are to be rendered gratuitously.

I understand further that previously to all this you had been retained for the defence in two cases in which several persons are charged with capital offences, and that you had acted as counsel for one of them on his trial at the last assizes and are still under the original retainers to conduct his defence and the defences of the others at their trials which are expected to take place at the next sittings of the court.

The view I take of your position, from a professional stand point, is as follows:

1. I think you are bound by your retainers and should act as counsel at the coming trials for the parties on whose behalf your services had been previously secured.

2. I think it would be implied that your supervision of the department during the Attorney-General's absence was not to extend in any way to any case to prosecution in which you were previously under a retainer binding you to act for the defence; and that the management and direction of all matters in any way connected with such a case, so far as they devolved upon the Attorney-General or his department, were to be entrusted to some one other than yourself.

I can see no inconsistency or anything unprofessional in your acting in the supervision of the department in any matter outside these cases in which you had been retained.

Yours very truly,
S. RICHARDS.

I concur,
M. W. TYRWHITT DRAKE.

To HON. THEODORE DAVIE, Q. C., Victoria.

Mr. Davie continuing said that he would now ask Mr. Bole to state his views—

Mr. Beaven said that a question of privilege was not debatable, and Mr. Davie had brought the matter up in this shape so that there should be no answer to his remarks.

Hon. Mr. Davie said that he was anxious to hear what the Opposition had to say, and he would guarantee that no point of order would be raised on the government side of the house against any one speaking.

Mr. Speaker decided that there was nothing before the House, and the point was therefore not debatable.

In order that a chance might be given hon. members to speak on the point, Mr. Allen moved that the house at its rising stands adjourned until 2 o'clock to-morrow.

Mr. Speaker ruled that this would not meet the case.

Hon. Mr. Robson moved that the house do now adjourn.

Mr. Speaker at first said that there was something now for debate, but on second thought considered that nothing was before the house to debate inasmuch it was a question of privilege only.

Hon. Mr. Robson suggested that as it was private members day, the decision had better be deferred for the present.

PUBLIC SCHOOL ACT.

Hon. Mr. Robson asked leave to introduce a bill intituled "an act to amend the 'public school act, 1885,' and amending acts."

Leave granted, bill read a first time; second reading on Friday.

COUNTY COURT JUDGES.

Mr. Higgins moved, seconded by Mr McLeese—That an address be presented to his honor asking for a return of copies of all papers, of whatsoever nature, connected with the appointment of additional county court judges for this province.

Carried.

CLAIM OF JAMES MORRISON.

Mr. Bole moved, seconded by Mr. Orr—That a select committee, consisting of Messrs. McLeese, Allen, Thomson, John, and the mover, be appointed to investigate the claims of James Morrison to be recouped for certain losses sustained by that gentleman in connection with the tax sale to him of Lots 29, 30, and 32, block 1 north, range 1 east, New Westminster district, and certain legal proceedings taken consequent thereon, with power to call for and examine persons, books and papers, and report thereon to this house.

Carried.

KOOTENAY R. AND N. CO.

Col. Baker in moving the second reading of the Kootenay railway and Navigation company, said that the promoters of the former Kootenay bill were deserving of at least some consideration, for they had spent some hundred thousand dollars in Kootenay and had forfeited $25,000. The objectionable features in the former bill were eliminated from the present, for it did not lock up any portion of the lands, timber or minerals of the province. Kootenay district was favorably situated as regards waterways, but unfortunately they were separated from each other by a rugged chain of mountains, and the promoters of the present bill proposed to connect these two great waterways by means of a line of railway. Recently there had been some rich mineral deposits discovered in the neighborhood of Kootenay lake, and it was also the intention of the promoters to construct a branch line to these mines. The mineral wealth of the country was great, but without capital and highways, they would lie dormant for many years to come. The proposed railway would be of great value to his district, and he thought the bill incorporating the company should pass. He had much pleasure in moving the second reading of the bill.

Mr. Higgins asked if this bill was all that was required. The first copy laid on members' desks contained clauses granting 300,000 acres of land.

Col. Baker said it was not within the power of the railway committee to report a bill to the house containing any grant of land. The government would bring forward any proposals to that end.

Hon. Mr. Robson said a land grant was pre-supposed. His grant of land was given the company it would be brought before the house in the usual way by a message from the Lieutenant-Governor. He could not state whether even one acre of land would be asked for. The bill should be treated as it present stood.

Hon. Mr. Humphreys said if it was understood that he did not pledge himself to support anything that might follow, he would not oppose the second reading. It was by measures of this kind that the country would be opened up, and he would like to see more of them.

Hon. Mr. Dunsmuir thought that if the honorable member from Comox pursued his present course, he would in time turn out a respectable legislator. It did his heart good to see it. He (Mr. D.) intended voting for the second reading of the bill.

Mr. Allen took the same position as the hon. member for Comox. He had bitterly opposed the last Kootenay bill, and results had determined that he was right. However, he intended voting for the second reading of the bill in its present shape.

Mr. Beaven thought that the course followed of inserting a clause requiring a deposit should be followed in this instance. The promoters of the bill were deserving of a large amount of consideration, for they had spent large sums of money in Kootenay district and had forfeited a large deposit. However, he thought a deposit should be required. He also thought the clause prohibiting the employment of Chinese should also be inporated in the measure. There had been many propositions to build railways and none were built. The president of the council, to his credit, was the only man who had secured a charter and built a line. Of course he got three dollars for spending one, and had not exactly followed specifications. Still he built the line. He thought the private bills committee should report bills to the house in a more business-like manner than they had. They should bring down bills so that they would require little alteration afterwards. He would like to see the business of the house carried on in a business-like manner.

Mr. Higgins thought the present a worse bill than the old Kootenay measure. He did not approve of first placing in the bill clauses asking for 300,000 acres in land script, and then its presentation in the present form. He thought it an effort to deceive the house. He would have to oppose the second reading.

Hon. Mr. Robson said that the honorable member for Esquimalt was evidently laboring under a mistake. There was no deceit in the matter. At present no land grant had been decided upon by the government. But should there be one brought before the house it would be done in the usual way by a message. It would then be competent for the house to reduce the amount of the grant or to vote it out altogether. There was no trickery about the procedure at all.

Hon. Mr. Vernon said the measure was simply one for a charter at present. The honorable leader of the opposition had said no railways were built, and the reason for it was probably because no inducement was offered.

The second reading was carried. Mr. Higgins voting against.

House went into committee, Mr. Duck in the chair.

Committee reported the bill complete with amendments. Report to be considered Friday.

NICOLA MINING BILL.

House went into committee on the Nicola Mining Co.'s Incorporation bill, Mr. Mason in the chair.

Committee reported the bill complete with amendments. To be considered Friday.

CROW'S NEST RAILWAY.

Col. Baker said the object of the bill was to open up the coal mines in Kootenay district. No land grant was asked for, as the promoters of the company considered the expenditure would be repaid by the coal sales. The coal seams at the present were lying idle, and as there was the prospect of large smelting works being erected in the country through which the railway was to pass, and an influx of population, it was necessary that a railway should be built and the mines opened up.

Mr. Higgins complimented the hon. introducer of the bill. He would be glad to support the measure.

Mr. Beaven said it was impossible to read the bill a second time now, as there was an appropriation for right of way and station grounds.

Mr. Speaker decided that the bill could not be read unless the appropriation referred to was assented to by the government. If the clause were printed in italics then it might have been considered.

After some discussion on the point, the hon. gentleman obtained the consent of the house to withdraw the motion, and the bill was referred back to committee.

House adjourned.

NOTICE OF MOTION.

Mr. Grant to move that a respectful address be presented to His Honor, the Lieutenant-Governor, requesting him to cause to be sent down to this house copies of all orders in council, papers and correspondence connected with the claim of Messrs. Kinnipie & Morris, for payment of the amount due to them as engineers of the dry dock, and with respect to the claim of Mr. William Bennett, for payment of the salary due to him as engineer of the dry dock in this province.

Mr. Beaven gave notice that he would move that the Chinese clauses be incorporated in the Kootenay Railway and Navigation Company's bill.

NOTICE OF QUESTION.

Mr. Orr to ask the Minister of Finance—Has any portion of the wild land tax been collected by the government on wild lands situated within any municipality?

THIRTY-SECOND DAY.

THURSDAY, March 22.

Mr. Speaker took the chair at 2:10 o'clock.

Prayers were offered by the Rev. Mr. McLeod.

PRIVILEGE.

Hon. Mr. Dunsmuir said in a newspaper published on the mainland, known as the Vancouver *News-Advertiser*, there was a flare heading, "Dunsmuir slanders the the Knights of Labor and Coal Miners in his remarks." He slandered no one when he stated that the agitation was gotten up by the Knights of Labor, unless truth was slander.

PETITIONS.

Mr. Orr presented a petition from inhabitants of Stave river and neighborhood.

The petition from residents of Grand Prairie was declared out of order, as it asked for a sum to be placed on the estimates.

The petition from Samuel Greer, asking for a private bill without introducing it with the usual formality, was received and referred to the committee on standing orders.

The petition of A. Farwell and others holding crown grants of land from the province stated that they had held the lands cited till 5th November, 1887, when their possesaion was disputed by the attorney-general for Canada, and before the supreme court of Canada the case was decided against them, Mr. Justice Ritchie dissenting. In Yale district certain residents had acquired crown grants for lands in the railway belt after that date, which had not been disputed. The petitioners therefore prayed that the legislature would take note of their position and aid them in securing peaceable possession of their lands. They felt sure that an appeal to the privy council would result in a reversal of the decision of the supreme court of Canada.

Col. Baker moved that the report be received and printed.

Mr. Beaven said he could not see what redress they could expect from the house. He knew for a fact that at the time the then Chief Commissioner gave crown grants for some of the lands in question, they were under reserve on the Kootenay bill. He could not see how the house could offer any redress, though there was no doubt it was hard on individuals.

Col. Baker said the petition was simply for the purpose of bringing the matter before the house. A resolution would be introduced afterwards with reference to the matter.

Mr. Beaven said the land claimed by by the petitioners was reserved at the time by the Kootenay bill, and if not it was reserved under the twenty mile grant for railway purposes.

Hon. Mr. Davie said the Kootenay Act did not include the land claimed. But it was a more serious question whether it was not reserved in the railway belt. One judge of the supreme court had decided that was not, but this decision had been reversed by the supreme court. The petitioners now desired that the matter be brought before the privy council of England for a final decision. Until the resolution came before the house he would defer full discussion.

Mr. Semlin asked that the resolution be deferred until the papers relating to the claim of Geo. Murdock were brought down, as he thought the latter claimed a portion of the land referred to.

Col. Baker consented and the report was received and ordered to be printed.

A long petition was read from Henry Hunter, of Hunterville, seven miles below Hope, which claimed that the land he had paid taxes on for 21 years had been cut down to 80 acres from 160 acres, and asked that steps be taken to secure to him the land he had improved and occupied during that time. The petition also set forth that the widow of Andrew Lorenzetto, who had occupied and paid taxes on one hundred and sixty acres for twenty years, was also injured in a similar manner, her land cut down to eighty acres, and the lands and works department had refused to give her a crown grant until certain monies other than that for purchase was paid. It was trusted that the legislature would take into consideration the hardship of the case, and take action and secure redress.

Petition received and ordered to be printed.

REPORTS.

Col. Baker presented a report from the committee on standing orders recommending that Victoria city be permitted to petition for a private bill. Received and adopted.

Mr. Fry presented a report from the railway committee containing the amended bill of the Crow's Nest Railway Company. Received.

VICTORIA CITY BILL.

Mr. Duck presented the petition for a private bill from the city of Victoria.

LICENSE ACT.

Mr. Speaker read a message from his honor the lieutenant-governor, consenting to the introduction of an act to amend the license act.

Hon. Mr. Robson moved, seconded by Mr. John—That this house do immediately resolve itself into a committee of the whole to consider the desirableness of reporting to the house "an act respecting the sale of intoxicating liquors, and the issue of licenses therefor."

Carried.

House went into committee, Mr. Fry in the chair.

On the motion being put,

Hon. Mr. Davie said that he intended opposing the bill as he did not think a measure, that was probably taken from one in operation in a thickly populated province, was workable in a sparsely populated province such as British Columbia.

Mr. Beaven was surprised to see the acting attorney-general opposing a bill introduced by his chief. It had the sanction of the house and it was a peculiar course to pursue.

Hon. Mr. Robson was astonished that hon. gentleman opposed the bill at the present stage. Opposition to the measure should in justice be deferred until it came up for a second reading.

Hon. Mr. Humphreys thought opposition to the bill at its present stage was a back-handed slap at his honor the lieutenant-governor. In common justice it should be allowed to come up for a second reading and beaten on its merits.

Hon. Mr. Davie said if it was an incorrect course to oppose it now he would waive objection.

Mr. Beaven said the course pursued by the acting attorney-general was not incorrect. He could discuss the bill now if he so desired.

Hon. Mr. Robson said as a mere matter of courtesy the bill should be allowed to come to a second reading and then be discussed on its merits. It was the usual course and should be followed.

The bill was reported to the house, read a first time; second reading on Friday.

ASSESSMENT ACT.

Mr. Speaker read a message from His Honor the Lieutenant-Governor consenting to the introduction of an assessment act.

Hon. Mr. Turner asked leave to introduce "an act to assess, levy, and collect taxes on property and income."

Leave granted; read a first time, second reading on Friday.

THE LORD'S DAY.

Mr. Bell asked leave to introduce a bill intituled "an act for the better observance of the Lord's Day, commonly called Sunday."

Leave granted; bill read a first time; second reading on Monday.

GRANVILLE SQUATTERS.

Mr. Martin presented a report of the select committee appointed to inquire into claims of squatters on Granville town lots, also a minority report.

After some discussion on the proper way for the report to be brought in, where the chairman dissented, it was decided that he could sign stating his dissent.

Mr. Martin, as chairman of the committee, thought the latter had exceeded its powers and Mr. Speaker would declare their report out of order. While not differing from the conclusions arrived at by the committee, he had prepared a minority report which he thought was in order.

The majority and minority reports were read.

Mr. Speaker said that both reports had omitted one of the most important points instructed by the resolution. The reports did not state what persons, having made substantial improvements, had been refused permission to purchase their lots. The majority report he considered in order.

The report was referred back to the committee.

EXECUTION CREDITORS.

The Hon. Theo. Davie asked leave to introduce a bill intituled "an Act to abolish priority among Execution Creditors."

Leave granted; bill read a first time; second reading on Monday.

THE TEASER.

Hon. Mr. Humphreys moved, seconded by Mr. McLeese, that a select committee be appointed to inquire into the manner in which the seizure and arrest of the British steamer Teaser and her crew was effected at Fort Tongas, Alaska Territory, in November, 1885, by certain persons from British Columbia; also the names of such persons and their connection, if any, with the crown, and the connection, if any, of the said seizure and arrest with the alleged murder of Henry Moore and others on the schooner Sea Bird, in June, 1886; with power to call for persons and papers, and report to this house.

The hon. mover said he introduced the resolution to gather more light in respect to the seizure of the boat. He knew nothing whatever about the matter, but he understood that the seizure of the Teaser was a forerunner of the murder of Henry Moore and others on the Sea Bird. Some of the Indians who were employed to detain the former were said to be concerned in the murder. A party had been fitted out armed with repeating rifles and other weapons, and proceeded to Fort Tongas, Alaska, where they boarded the Teaser, chased the captain and owner and crew under arrest and brought the Teaser to Victoria, on a warrant charging piracy. An international crime had been committed, and yet no action had been taken by either party. Some of the owners of the Teaser had sent this armed party to arrest the Teaser which had gone on a legitimate voyage, and committed this act of piracy, which led up to the murder of the crew of the Seabird; and more, the plunder secured from this murder was used by these Indians as a fee to retain certain lawyers for their defence. He would suggest that the committe consist of Messrs. McLeese, Semlin, Fry, Anderson and the mover.

Hon. Mr. Robson said that he would be no objection to the resolution. It was desirable after the wild statements of the hon. introducer that an inquiry should be made in order to prove that those statements were wildly inaccurate, and he thought that the hon. gentleman would confess when the facts were elicited, that he had been badly "stuffed." The facts of the case were that the steamer was mortgaged to a large amount, and in order to cheat the mortgagee, the commander of the Teaser went to Seattle and cleared for Petropolovski. The mortgagee learning of these proceedings, secured advice, and sent a party in pursuit of the steamer with instructions to arrest her in whatever waters they might find her. She was discovered at Port Tongas and brought back to Victoria. The unfortunate man Henry Moore and others, the pirates who had ran away with the steamer, had not stood their trial, but had cleared out and met their death at the hands of the Indians. There was no connection whatever between the detention of the Teaser and the murder of the crew of the Seabird and when the inquiry was made even the mover would be compelled to acknowledge that his statements were unfounded.

The resolution carried; committee to consist of Messrs. Baker, Anderson, Fry, McLeese and Humphreys.

BINDING TENDERS.

Mr. Beaven moved, seconded by Mr. Semlin—That an order of the house be granted for a return showing the tenders invited and received, and the contract awarded, for the binding of the journals and sessional papers, and other departmental work of a similar character, for the years 1886 and 1887.

The hon. mover said from the public accounts it appeared that no tenders had been asked for since 1886. He thought it would be in the interests of the public that the information should be granted. In the binding of the revised statutes he thought tenders should be invited and no favoritism shown.

Carried.

COMPANIES ACT AMENDMENT.

Hon. T. Davie asked leave to introduce a bill intituled "an act to further amend the 'Companies Act, 1878.'"

Leave granted; bill read a first time; second reading Monday.

M'NAMEE AND CO.'S CLAIM.

Mr. Anderson moved, seconded by Mr. Higgins, that the house do immediately resolve itself into committee of the whole to consider the petition of F. B. McNamee & Co.

The honorable mover said that he moved in this matter in order to obtain information in regard to the claims of McNamee & Co., of which John Nicholson was the chief claimant.

Mr. Beaven said that work was suspended for months before the government took over the dock.

Hon. Mr. Davie said that was correct, for the government of that day had not a pound of cement on hand.

Mr. Beaven said that this statement was incorrect.

House went into committee; Mr. Ladner in the chair.

Mr. Anderson moved, seconded by Mr. Higgins, that in the opinion of this committee the Government should take into consideration the advisability of appointing a commission under the public aid act, 1872, to inquire into the claims of F. B. McNames & Co.

Mr. Beaven said that F. B. McNamee & Co. had got a good thing out of their petition to the Dominion Government, but they had no claim on the province. He believed John Nicholson to be an innocent sufferer in the matter. F. B. McNamee & Co. had no claim for consideration though there were creditors in the province who had. The province had received $50,000 more than was expended upon the dock. The Government was establishing a dangerous precedent in allowing this procedure.

Hon Mr. Davie said that he did not think that a committee of the house suggesting that a commission be appointed was improper. The hon. leader of the opposition the other day had suggested a commission on very slight grounds to inquire into irregularities in the late Victoria election. He thought the petition of F. B. McNamee & Co. was worthy of consideration, and he only trusted that the contention of the leader of the opposition that McNamee & Co. had no claim, was correct.

Mr. Beaven said that the government was allowing their supporters to tell them how to do their duty.

Mr. Anderson said the government had nothing wnatever to do in the matter. He had been asked by Mr. Nicholson for some time past to bring in the petition, and he had done so. There was no one who would deny that Mr. Nicholson's claim was unpaid, and through no fault of his own he was to-day a poor man.

Hon. Mr. Dunsmuir said that he was surprised that the hon. leader of the Opposition should suggest that the government needed some one to tell them their duty. If that hon. gentleman when directing the dry dock construction, had had some one beside him to tell him his duty, the present petition would not have been necessary. The dry dock business was the worst muddle he had ever known. Mr. Nicholson had a claim and should be paid. He supposed this government would have to pay this old debt of Mr. Beaven's government as they had to pay that of the plenipotentiary to England, Mr. Amor DeCosmos.

Mr. Beaven said that if the government knew the claims were due, why did not they bring down a proposition themselves, instead of suggesting to the member for Saanich to bring this petition into the house.

Hon. Mr. Robson said the hon. leader of the opposition was decidedly unfair in his attempt to place the member for Saanich in a wrong light. That hon. gentleman had been importuned by one of his constituents to bring the matter forward and had done so, and he had only followed the course pursued almost every session. The hon. member had merely exercised his right as a private member and introduced the petition. He was surprised at the action of the hon. leader of the opposition in endeavoring continually to curtail the privileges of private members.

After considerable further discussion, the resolution was reported to the house and received.

PHILIP WOOLLACOTT.

Mr. Fry moved, seconded by Mr. Duck—That a select committee be appointed to enquire and report to the house what reasons existed for the dismissal of Philip Woollacott from the public service in or about the year 1878.

The hon. mover said as Mr. Woollacott was an applicant again for government service, it was desirable that the reasons which caused his dismissal from office should become known.

The resolution carried, and Messrs. Duck, Ladner, Anderson, Mason and Fry were appointed the committee.

QUESTIONS.

Mr. Higgins asked the Minister of Finance: Is the tax on personal property imposed for Provincial purposes within the corporate limits of the city of Vancouver; and if not, why not?

Ans.—No; the matter will be the subject of legislation this session.

Mr. Higgins asked the Acting Attorney General: Has the government represented to the Dominion government the necessity for stationing one of the County Court judges on Vancouver Island? If so, what answer, has been received?

Ans.—Yes; no further assurance has been given than that two additional county court judges will be stationed on the mainland.

House adjourned.

LONGER HOURS.

TO THE EDITOR:—A discussion relating to the public schools appears to be at hand. Allow me to suggest that *physical training should be made a part of the school curriculum*, particularly of those schools having a large number of pupils. In carrying out this recommendation, benefit to the country as well as to the individual should be held in view. It will be admitted, that sooner or later Canada will have to defend herself, particularly if she is ambitious to become one of the nations upon the earth. Her system of education then ought to be in part military, and perhaps naval, leaving out just now one of great importance, industrial teaching, a subject too long for this note. With this object in view, let elementary military exercises—single stick, the use of defensive weapons, in short "drill" and so forth—be compulsory. It may be necessary to have a teacher for this purpose. In Victoria this can easily be obtained, and no one will be able to say it is introducing sectarianism. Let the boys organize cricket, baseball, or other parties. Physically such things will do them and the country a great deal of good, and induce the pupils to carry themselves upright instead of as at present—slouching and slovenly. Morally, too, it will do them good, as it will teach them to command their temper and to conduct themselves toward each other in a "gentlemanly" (excuse the term) manner, and pay more respect, outside the schoolroom, to their teachers also. Anyone may follow out the idea. Let education be for the benefit of the country as well as the individual—that is to say make it more generally advantageous to both for their present and their future.

Of course the young ladies are not to be omitted. Calisthenics for them, and teach them how to be nice, and to do ordinary labor. Matrons can speak with more authority about this.

The question of "long" or "short" hours others may discuss, but if "school hours" be increased in number, let part of the increase at all events be devoted to physical training. Too much brain work is bad. Muscle and intellect must be fostered, if it be intended to make boys capable by and bye of defending their country, and earning their own living in a province where more muscle than brain is required for this purpose. J. H.

Nova Scotia News.

"I had Scrofula on my neck very bad for two years, had tried all remedies and doctors, but did not get any help until I got a bottle of your Burdock Blood Bitters which cured me of it entirely." Jas. Cochrane, Fox River, Cumberland Co., N. S. tu-th-sat-dw

CABLE NEWS.

The Emperor's Health Improving—Mourning Emblems Removed from Public Buildings.

Memorial Services in Honor of the Late Emperor's Birthday—An Anonymous Circular.

Lord Hartington Willing to Extend Local Self Government to Ireland.

Progressing Favorably.

LONDON, March 22.—The bill for the conversion of the consols passed its third reading in the House of Commons to-day, and in the House of Lords it passed the first reading.

Criticising the Bill.

The *St. James' Gazette* continues its onslaught on Ritchie's local government bill. In referring to Lord Hartington's speech of last night at Carlisle, it asserts that it is glaringly evident that even before the Parnellites put Ritchie's bill to any great use it gives them the vantage ground where none previously existed, and that they may be expected to use this to its fullest extent. While Lord Hartington declared that he had no objection to the widest extension of the principle of local self government, even to include Ireland, yet he did object strenuously to the principle involved in granting a parliament to Dublin.

Parliamentary Notes.

In the House of Commons this evening when the criminal evidence bill was taken up, Timothy Healy moved to exclude Ireland from its operation. This induced a long discussion and finally W. H. Smith, the Conservative leader moved that the cloture rule be applied. Parnell and Morley and others protested against the decision being stopped, but the speaker applied the cloture. Mr. Smith then fixed the next stage for the 12th of April.

Parnell complained that this was too soon after the holidays.

Arrested for Stealing Money.

Alexander Carrette, member of the national liberal club, has been arrested on the charge of stealing money from overcoats which are left by members in the cloak room. He appears to have a friend though, who vouches for his character in the shape of an alleged New York correspondent by the name of R. H. Noah. The latter said he knew the prisoner and that he was of good social and financial position. The prisoner was remanded for examination.

An Anonymous Circular.

The *Freeman's Journal*, of Dublin, prints to-day a dispatch from Rome which says that a vicious anonymous document has been circulated among the cardinals and officials of the society of the propaganda, which misrepresents the Irish land question and which is calculated to do the cause a vast deal of harm. The *Journal* also says that the document can be traced directly to an English faction at Rome.

Coffins Floating About.

Floods are reported to be terrible at Croaka and Chaba. Coffins have been washed out of the cemetery and are floating about the roads and fields. Portions of Agram are submerged. Near Laszlomis, in Hungary, six villages are inundated.

Memorial Service.

BERLIN, March 22.—A memorial service in honor of the anniversary of the late Emperor William's birthday, which was held in the chapel of Charlottenberg palace began at 11 o'clock this morning. Emperor Frederick was present and remained throughout the service. He was dressed in full uniform with a military cloak about him, and wore his helmet and sword, and was decorated with all his orders. He appeared very well and looked every inch the Emperor. He sat alone in front of the imperial pew, the second form was empty, but the third form was occupied by three *aids* of the Emperor and Drs. McKenzie, Hovell, and Wegener. Prayers had been taken to have the chapel well warmed, which was crowded with officers and attendants of the palace. After the service, which was exceedingly impressive, Emperor Frederick thanked Chaplain Sebrader for his beautiful sermon. The Empress Victoria also attended the service.

Prince Alexander of Hesse from Russian Kalugs regiment which arrived yesterday was received to-day by the Emperor Frederick. The deputation was detained by a heavy snow storm.

Condition Hopeful.

The Emperor's condition is such that his physicians are very hopeful for him.

Removing the Mourning.

All mourning emblems are being taken from the public buildings.

Snow and Floods.

The river Oder is flooded, and the government have been obliged to move the guns from the fortress at Kustrin and close numerous factories. Heavy snow storms continue, and interrupt railway traffic.

Denying False Reports.

Mr. Mackenzie has written a letter to a prominent physician in which he denies having said anything derogatory about Dr. Bramann's performing the operation of tracheotomy upon the Emperor Frederick. He says: "What you have heard concerning my conduct when the operation was performed is untrue. I controlled the Prince's pulse and was the first to congratulate Dr. Bramann upon his success. The operation was performed at my urgent request. It must be self evident that I cannot have made any remark minimizing its importance."

Loyal to the Powers.

SOFIA, March 22.—In an interview today Natchovitch, minister of finance, declared it was not the intention of the government to proclaim independence in Bulgaria, but that the principality would remain loyal to the European powers.

Boulanger Placed on Trial.

PARIS, March 22.—Gen. Ferrier will preside at the council which will sit to-morrow to inquire into the Boulanger affair. Boulanger has been disregarding army discipline and is summoned to appear.

Floods in Russia.

ODESSA, March 22.—The floods are playing havoc here. The Dnieper river has overflowed the banks. Villages have been deserted by the frightened inhabitants and are isolated. Roads for miles about the streams are impassible except for rafts. The Sebastapol railway is completely submerged and traffic over it has ceased.

The situation throughout Hungary is appalling owing to the floods. Dykes at Belkes are rapidly giving way, and the town is doomed. Fifty more houses have collapsed since last reports, and many more ruined. At Zemplin the floating ice has destroyed many houses, and all the country stores of corn and food are lost.

Children Cry for Pitcher's Castoria.

DONALD DOINGS.

[Correspondence of THE COLONIST.]

On the 10th of March, twenty citizens of Donald sat down to a good dinner at the C. P. R. railway station, given in honor (not by the C.P.R.) of the silver wedding of their Royal Highnesses the Prince and Princess of Wales. Appropriate toasts and songs were given by all present and the party broke up just before midnight. The whole of the proceedings were reported in the Calgary *Tribune*, but in such a manner that our worthy sheriff says he is waiting for a card to attend the reporter's funeral.

Archibald McIntyre, who was taken down with smallpox, is doing well. The citizens return their thanks to the C. P. R., W. H. Lilly, J. P., and Sheriff Redgrave for the prompt manner the case was attended to. It appears he came over from Seattle on the Olympian to Victoria about the 10th of January and remained in the Occidental hotel till the 8th of February, then on the Louise to Vancouver, and arrived at Donald on the 3rd of March. On the 7th it was found that he had smallpox! Does it not behove quarantine authorities at Victoria to look out sharply.

The last ten days have been very changeable and the inhabitants have felt the cold more than in the depth of the winter. Snow is fast disappearing.

For about the first time the traders complain of dull times—no men coming in for the C.P.R., but men, carpenters and officials, discharged—and this in the face of a great amount of work, which certainly ought to be done to make the road safe, especially in canyons and at slides which are constantly occurring to the danger of the travelling public.

We are sorry to hear of our honored C.P.R. official's (Mr. Lovelock) services being dispensed with, and the removal of another old face from amongst us, Mr. Rae. It seems always the case that the best men go first.

We have two fine little churches here, Episcopal and Presbyterian—but, there are not enough people here to fill one and I hear the different preachers have agreed to look one up (turn about) to give the other a chance, although I am afraid there is not enough charity amongst them for that inovation. In the good old times Mr. Powell allowed the court room to them and we had good services, good singing, and good fellowship—but now things seem divided.

The man John Murphy, who was arrested ten days ago at Moberly by Sheriff Redgrave for stabbing a man named Johnson with a dinner fork, received today sentence to three months' imprisonment. The man who was hurt is well. W. H. Lilly, and G. E. Manuel, J. P.'s, occupied the bench.

No more news to-day—I see the sheriff in sight—and I am trembling for my three dollars—out with it boys.

MULTUM IN.

ALBERNI MATTERS.

The Settlers Agitating for Road Communication with Comox—Petition to Hon. Mr. Dunsmuir and the Chief Commissioner.

A public meeting of the settlers of Alberni was held at the Landing on the 17th inst., to take into consideration the best means to adopt in order to secure connection with the outer world. Mr. R. Pinkerton was appointed chairman and Mr. G. A. Huff secretary. The meeting was addressed by several of the settlers, after which the following petition was drawn up and adopted, a copy thereof to be presented to the Hon. Robert Dunsmuir and to Hon. Forbes Geo. Vernon, chief commissioner of lands and works.

ALBERNI, B.C., March 17th, 1888.

The Hon. R. Dunsmuir, Victoria:—

SIR:—We the undersigned settlers of Alberni have heard with great satisfaction of the opening of the coal mines at Comox, of the large output of coal contemplated, and the consequent employment of a great number of miners. On more than one occasion we have drawn the attention of the Government to our remote and isolated situation in this large valley among the mountains at the head of Barclay Sound and to the fact that the products of the place are practically land-locked for want of reliable communication with existing markets. So far we have appealed in vain for the establishment of stated steamboat service. Difficulties no doubt stand in the way of creating and maintaining any purely artificial means of transportation. The distance (140 miles) between Alberni and Victoria and the all but entire absence of settlement along the west coast between the two points would tend to prevent any steamboat service from becoming sufficiently remunerative for a considerable period. At the same time, as we came and settled here, encouraged by the representations of government officials; as we are virtually helpless without government assistance, and as we were led to believe that a way to market for our produce would be provided when the occasion demanded, to the government we naturally and properly look to implement these representations by tangible actions and provide some desirable outlet for the productions of the district. The present untoward state of affairs has already materially retarded the progress of the settlement and unless a remedy is speedily forthcoming the district generally will suffer serious and it may be irreparable injury.

Whatever objections may be urged against granting a subsidy which would be required to be renewed from year to year, no objection can possibly be made by any fair-minded person to extending the Beaver creek road to Comox mines. By this means two large and promising settlements would be connected and a steady market for the productions of the whole district brought within reach. (The 115 settlers here, as above stated, are in the meantime without a market.) We, therefore, pray in the strongest manner that a road from Alberni to Comox mines be opened up immediately, and that a preliminary exploration with this object in view be made before vegetation has advanced so far as to prevent a thorough and satisfactory examination of the various possible passes being made.

Signed by seventy voters of the district.

Before the meeting adjourned a vote of thanks was proposed and passed to the Rev. A. Dunn for his untiring energy and zeal on behalf of the welfare of the settlement.

The secretary of the meeting, Mr. G. A. Huff, was appointed a delegate to proceed to Victoria and present the petition to the gentlemen named.

LOCAL BRIEFS.

Mr. R. T. Williams has commenced the compilation of a provincial directory for 1889.

Messrs. L. Mong Kow and U. Chee Ping arrived at the Windsor from Victoria, B.C. They intend starting in business here.—Montreal *Gazette* (16th inst).

Van Volkenburgh Bros. have received a large number of corn-fed cattle, and steaks and roasts are now obtainable of a character to delight the palate of all lovers of roast beef.

The usual weekly drill of No. 2 battery will be held at the drill shed this evening at 8 o'clock. The time has been changed from Thursday evening, and all members are requested to be on hand punctually at the hour named.

Children Cry for Pitcher's Castoria.

AMERICAN NEWS.

Floods Throughout the United States Causing Great Damage—The Prize Ring.

Railroad Track Six Feet Under Water—Bridges and Dams Washed Away.

An Escaped Convict Shot—Effect of the Recent Blizzard—Legal Suit Dismissed.

The Recent Blizzard.

NEW YORK, March 22.—The steamship Elder, which arrived here to-day from Bremen and Southampton, reports a tempestuous passage. Her commander says the blizzard which swept New York Monday week struck London the same day and worked sad havoc among the shipping in the English channel. The Italian bark Bernade, from Alicante for Cardiff, was wrecked on the Annet Island. The crew launched a boat, but it, having become entangled in the tackle, capsized and all but the captain were lost, he having swum ashore. The bark Lady Dufferin was wrecked off Lizard, but her crew was rescued. The