THE VICTOR'A TIMES, FRIDAY, APRIL 10, 1896.

PROVINCIAL LEGISLATURE

6

FORTY-SIXTH DAY. Monday, April 6, 1896.

Mr. Speaker took the chair at 2 o'clock

QUESTION OF PROCEDURE. Mr. Hunter, speaking to a question of privilege, held that it was not competent to amend the premier's motion of Wednesday that the house do now admade journ. Under all the circumstances, he wanted to know whether the house was now properly in session.

Mr. Walkem held that Mr. Hunter was out of order in discussing the point ure. as he did

Mr. Speaker considered that the motion of Thursday was perfectly in order, but was not so sure that the house on Wednesday had power to govern what to build a ditch; that ditch had not the house should do on Thursday. There been finished yet, and therefore he was no question, however, as to the | thought it only right that the commithouse having control of all the procul- tee should insert the provision in this ure.

Mr. Forster presented a petition on behalf of Dr. Milne protesting against the passage of the bill incorporating the on a division in which several govern-New Westminster and Vancouver Short Railway Company. The petition was received, read and referred to the private bills committee.

Mr. Kitchen introduced an act for the protection of bees. Hon. Mr. Eberts introduced an act to amend the Small Debts Act, 1895. Both read a first time. Mr. Sword moved: That an order of the house be granted for a return show ing all particulars of the sum of \$3,714 entered in the public accounts as mileage paid to members for the year en:ling 30th June, 1895. Carried.

QUESTIONS BY MEMBERS. Mr. Helmcken asked the hon. the attorney-general: (1.) How many notices of refusal to register absolute fees the anti-Chinese clause. under the land registry act have seen sent out of the office of the Victoria on the Municipal clauses bill, Mr. Booth City Land Registry during the periol in the chair. Mr. Kitchen, who has from 1st November, 1894, to date? (2.) charge of the measure, was not in the How many notices of refusal to register house at the moment, and as soon as he mortgages or other incumbrances or entered, moved that the committee rise judgments have been sent out of the office of the Victoria City Land Registry Office from 1st November, 1894, to date? (3.) How many mortgages, charzes, or other incumbrances or judgments has the registrar at any time refused to had no more respect for himself and the cancel during the period from 1st Nov- dignity of his position than he had for ember, 1894, to date?

Hon. Mr. Eberts replied; (1.) 105; (2.) 100; (3.) No mortgages or judgments, but he has on many occasions, the number of which cannot be ascertained, refused to cancel charges.

Mr. Cotton asked the premier: Has the government received any communication from the Dominion government in regard to the question whether it 's in the interest of the Dominion for it to come within the provisions of the treaty concluded between Great Britain and Japan?

Hon. Mr. Turner asked that this le left over for a day, but he believed that no reply had yet been received to the government's query in the matter.

Mr. Walkem moved that an order of this house be granted for a return showing the number of leases of placer mining ground in the district of Ominica; the names of the holders of such leases, and, if a company, the number of lease they hold, and the names of the Such return to embrace all leases or and the house rose for recess.

Mr. Cotton hoped, for the sake of all Helmcken, was read a second time with- The Cariboo Gold Fields bill was ad- the county court of the said county, ton) considered that there were oncerned, that the matter would be out debate

nost positively contradicted. It would reading of his mechanics' lien act," put certainly be a very serious thing if it should turn out that the promoters of Mr. Speaker asked if a similar bill had this bill, having made such a contract, not been negatived already this session. should come before the house asking Hon. Mr. Eberts would have much for the privileges sought in this bill. In pleasure in voting for the second readng of the bill, although it was plain in the chair. any case he would vote against the bill that a great deal of it, its best features. unless it contained such a clause,

Mr. Forster felt that, whether the had been taken from a bill introduced hon. member for Comox said it for a by the third member for Victoria. M.: fact or not, such a contract might be Helmcken. Mr. Speaker asked for a little time to Hon. Mr. Eberts would not have it

thought for a moment that the governbill was in order, as he had some doubts ment, having a knowledge of such a on the question. contract, would introduce such a meas-Mr. Helmcken moved the second read-He hoped the committee would ing of the land registry bill, which was

take his word for it that such was not carried. the case. On request of Mr. Kellie the Tele-Mr. Stoddart believed that a contract phone & Telegraph Companies bill was had been let by these people to Chinese withdrawn, after which the house went into committee on the municipal elections and electors bill, which was reported complete with amendments. Mr. Speaker having ruled Mr. Macclause that it should not affect works pherson's mechanic's lien bill out of oz-

at present in progress. der on the grounds mentioned, the The resolution was put and carried house adjourned. ment members voted with the opposi tion. Those who voted for the amendment were: Messrs. Kitchen, Kennedy, Williams, Cotton, Sword, Hume, Forso'clock; prayers by Rev. J. H. Betts. ter, Macpherson, Kellie, Rithet, Rogers, Booth, Braden, Stoddart and Walkem. The succession duty bill was read a second time. Its provisions have already been published,

The revenue tax amendment bill was committed, Mr. Hunter in the chair, and was reported complete without amendments. The report on the Sandon water works

and the Lillooet and Fraser River Gold Fields bills was adopted, Mr. Forster giving notice that, on the third reading of the latter, he would move to insert Sheppard road into Nelson. The house then went into committee Lieut.-Governor, of 30th of March.

in the chair. and report progress, but; After some discussion it was decided Hon. Mr. Martin moved that the comconstructing a narrow, instead of a

mittee rise without reporting. Mr. Kitchen was surprised at the action of the chief commissioner. If he an important bill like that before the

committee, he could move that the committee rise without reporting for all Mr. Kitchen cared. Railway bill, which was read a first Mr. Rithet hoped that the chief comtime and referred to the railway comnissioner's amendment would not pass. mittee. Mr. Kitchen explained that the reaof the assessment act. Hon. Mr. Tur-

son he moved the committee rise and report progress was that the attorneygeneral had some important amendments to lay before the committee. Hon. Mr. Martin thereupon withdrew his amendment and the committee rose. The distress bill was then committed, Mr. Smith in the chair.

third line of the section, and by substi-Mr. Williams objected to allowing ontuting therefor the words "assessed vally one month's liability for rent where ue to be based on;" and by striking out there were goods held on the hire systhe words "according to," in the fourth tem, and moved that the system be line, and substituting therefor the words changed back to the period at present "as determined in case of dispute by " allowed, three months. This was car-These changes were made and the secried and the bill was reported complete tion now read: with amendments.

The Investment Loan Societies bill was committed, Mr. Sword in the chair. was committed, Mr. Sword in the chair, and the committee was still sitting at six o'clock, when progress was reported successors, the sums following, that is or of the judge appealed from." individual members of such company. six o'clock, when progress was reported

Mr. Macpherson moved the second

Hon. Mr. Martin asked that the committee for the schools lands sale be discharged, which was agreed to. The house then went into committee on the supreme court bill, Mr. Adams

> Hon. Mr. Eberts proposed the following amendments, which were adopted, and the bill was so reported:

13. Subject to the provision of section 20 of this act, sections 59, 60, 61, 62, look into the question of whether this 63, and 64 of the supreme court act and section 15 of the supreme court act amendment act, 1894, are hereby repealed, and rules 688, 688A, 689, 690, 690A, and 690B of the supreme court rules, 1890, are hereby repealed, and the tribunal heretofore called the divisional court of the supreme court of British Columbia is hereby abolished, and all power, jurisdiction, and authority by said repealed sections and rules of court, or by any other law, enactment, or rule of court conferred or purporting to be conferred on or heretofore lawfully exercised by the said tribunal is hereby transferred to and vested in the full court of the said supreme court. 14. Section 66 of the supreme court

act is hereby repealed, and the following is substituted therefore: "66. The judges of the supreme court shall have power to sit together in the

Mr. Hunter presented a report of the city of Victoria as a full court, and any private bills committee stating that the three shall constitute a quorum, and standing orders had not been complied such full court shall be held in every with in the case of the Vancouver and month except the months of August Westminster Short Line railway, and and September. Such monthly sittings recommending that the bill be referred shall commence on the first Monday of the month and continue until the busi-Hon. Mr. Martin presented a return ness before the court is disposed of conveying the correspondence between Provided that the said court may sit at government and the C. P. R. and any time for the purpose of disposing of the Nelson and Fort Sheppard regard- appeals from an intelocutory judgment, ing the entrance of the Nelson & Fort order, or decree. The judge whose decision is appealed from shall not take The house again went into commit- part in the hearing or determination of tee on the message of His Honor the the appeal."

15. Section 67 of the supreme court transmitting bill No. 36 intituled "an act is hereby amended by striking out act to incorporate the Ashcroft and all the words of the said section after Cariboo Railway Company," Mr. Booth the word "not," in the fifth line thereof. 16. Section 69 of the said act is here by amended by striking out the words

to give the company the privilege of "of the divisional court or," in the second line of said section. 17. Rule 673 of the supreme cour rules is hereby repealed, and the followbill reported to the house accordingly, ing substituted therefor:

"Notice of appeal to the full court from any final judgment or order or decree shall not be less than a fourteenday notice, and, if the judgment, order. or decree is made more than fourteen days before the sittings of the full court, shall be for the next sittings of the full court, but if the judgment, order, or decree is made within fourteen days of the sittings of such court, then for the second sittings next after such judgment, order, or decree; but on an appeal from an interlocutory judgment, order, or decree the appellant shall give forty-eight hours' notice of such appeal, and shall duly set down the same for hearing for a day not more than twelve days from the time when the judgment, order, or decree appealed from is signed. entered, or otherwise perfected, or, in case of refusal, from the date of such refusal: and the appeal last mentioned shall be brought, by giving notice of appeal, within eight days from the time of signing, entry, perfection, or refusal, as

collected from every person, owning, the case may be; and such periods of managing, leasing or working a mine, eight or twelve days shall not be en-

upon such terms as to payment of costs many distinctions between mu theretofore incurred or other terms as ties and joint stock companies. He the judge making the order thinks fit, sidered that the man who lived and all proceedings shall thereupon be room and paid \$5 a month rental returned by the magistrate to the regis- in many respects quite as much ested in the good government

trar of the county court. Sections 5 and 6 are as follows:

city as the man who might pay 5. When a magistrate is paid by a per month in rentals. Certainly salary he shall not take for his own should have the right to expres benefit, directly or indirectly, any fee opinion and give his vote for emolument for the performance of whom he thought should govern his duties under this act, save the sal- regulate the affairs of the cit ary to which he may be entitled, but thought that any one who had the like sums and fees as would be by perience of the cities upon the law otherwise payable on proceedings in well knew that those who rented this court shall continue to be payable in the city were as a rule more and shall be received by him and ac- intelligent and respectable that counted for quarterly to the minister of who lived in shacks upon the finance, and shall form part of the con. front. He said that any one sidered the matter would see solidated revenue fund of this province. man who lived in a room was 6. Every magistrate receiving fees much entitled to vote at munic under the said act, whether commuted tions as the man who lived in or not, on or before the fifteenth day of The amendment was carried, January, April, July and October, in port adopted, and the bill read each year, transmit to the attorneytime and passed. general's department, a just, true and Mr. Helmcken moved the add faithful account of all fees paid or paythe report on the Distress bill. able to him in respect of his office durwas carried and the bill read ing the quarter ending with the precedtime and passed. ing month, and also a return showing The order to commit the Wages bil such particulars with reference to the was, on motion of Mr. Helmcken business of his office as the attorneycharged. general may require: (a.) The attorney-The Trustees' and Executors' general or the Lieut.-Governor in councommitted, Mr. Stoidart in th cil may require the return to state any and was reported | completa particulars, or to be made in any form amendments, the that may be thought proper, and such

the bill read a third time and return shall be made accordingly. The Land Registry Mr. Kitchen referred to the fact that ted, Mr. Adams in the chair, provision was made in the bill to apto magistrates receiving fixed sal- and the bill set down for third ply aries from the cities. In those cases, to-morrow. he thought the fees should not go into The house then adjourned. the consolidated revenue of the province, but into the city treasury.

Mr. Cotton understood that the only objection to the present act was the Mr. Speaker took the chair at principle of magistrates in receipt of o'clock, prayers being read by Rev. M salaries getting the fees of small debts Barber. court cases as well. No doubt in com-Mr. Booth presented a report of the mittee provisions could be made to meet railway committee stating that the the views of the member for Chilliwack. have considered the New Westminst The bill was read a second time.

& Vancouver Short Line Railway co ANTI-CHINESE pany amendment act, find the preambl The Antler Creek Mining Company's proved and report the bill complete with bill was committed, Mr. Sword in the amendments. chair, and was reported complete with The committee also recommend the ina few minor amendments in addition sertion of the following section: to the insertion of Mr. Forster's anti-Daniel J. Munn, B. W. Shiles & Co Chinese clause. . Major, all of New Westminster, an The Lightning Creek Gold Gravels Thos. Dunn and R. G. Tatlow, of Van

Company's bill was also committed, Mr. couver, together with such other person Kitchen in the chair, and was reported and corporations as shall become complete with amendments. holders in the company, are constitu The anti-Chinese clause inserted in a body corporate and politic by the name

these bills by Mr. Forster, is as follows: of the New Westminster & Vancouver "The lease or leases hereby authorized Short Line Railway Company. shall contain a covenant on the part of the company that the said company or Mr. Forster asked the hon. the chie its agents will not employ a Chinese or commissioner of lands and works: Has Japanese person in, about, or on the any application been made, verbally property demised, or in any part therein writing, to the government by the E of, or on the work in connection there-& N. R. R. Cos or by any person actin with, under a sufficient penalty to enin their behalf, for any grant or conce force the observant of the covenant." sion of land in lieu of lands alleged to be The Sandon water works bill was taken up by settlers within the E. & M read a third time and passed. R. R. reserve, or for any other reas

The Investment and Loan Societies or purpose whatsoever? If yes, when and by whom? For what purpose? () bill was also put through the same what grounds is the application groun stage. ed? In what locality are the lands ask

TO DISFRANCHISE LODGERS. Mr. Kitchen moved the adoption of

the report on the municipal elections Dominion government on Aug. 13th and electors bill, when, Mr. McGregor 1895, and by the E. & N. Railway con moved to amend section 1 by inserting pany on Feb. 19th, 1896; to make up the after the word "tenement," on the second line of the "Householder" clause, 19th, 1883, within the island ra extent of lands alienated up to the words "or any part or portion of a belt." The app age. dwelling or tenement." provisions of the settlement hill, 47 Vi In explaining this motion Mr. Mcch: 14. The lands asked for are sit Gregor pointed out that the act at presed between the Seymour Narrows and ent before the house aimed at disfranline drawn east and west half way chising several thousand voters throughtween that place and the mouth of out the province, and would affect sev-Courtenay river. eral hundred persons in his own district Mr. Williams asked the hon, the at alone. In 1894 the franchise was extended without a dissenting voice, by torney-general: What has been done b the house to lodgers, and there had the wishes of this house relative to rethe government towards carrying been no complaint heard of it since or during the general election. In fact, as as expressed in the resolution of dent supreme court judge at Vanc now proposed, even many married men house on 12th March, 1896. would be prevented from voting, and it Hon. Mr. Eberts replied that th could not be denied that they have as ute in council transmitting the much right, while paying as much rention to the hon. the secretary tal, to vote on municipal offices as the for Canada was forwarded by th man who pail \$5 a month for living in governor on March 24th. No a a small shack. edgement has yet been received Mr. Kitchen could not agree with Ottawa. this. He looked upon a municipal cor-GAME PROTECTION BILL poration in much the same light as a Hon. Mr. Martin believed that joint stock company in the affairs of members did not give this bill which none but those interested should consideration. He differed have a voice. There was already a very president of the council that the liberal franchise allowed. bill drawn up in the interests Mr. Forster spoke strongly in favor of gun clubs, and would now ask th the amendment proposed by Mr. Mcposed to the bill at first to re-Gregor, holding that the man who pays their decision and allow the \$5 a month for a room and lives decen+committed. ly, has just as much right to vote on On suggestion of Mr. Speaker, municipal affairs as the man who paid oved by Hon. Mr. Martin to hav the same amount and lived in a shack. I bill placed on the orders of the da Messrs. Rogers and Booth spoke second reading so as to again gi against the amendment. some status in the house. Major Mutter said that the logical This was agreed to and the bill place conclusion of the course proposed by on the orders for the second reading this bill was to place the voting power morrow. in the hands of property owners or those BILLS ADVANCED. who have a house by the year, and un-The Lillooet & Fraser river gold field less it was carried out to that extent bill was read a third time, after all he would vote for the amendment. successful effort on the part of Mr. Mr. Walkem thought that, under this ster to have the anti-Chinese-claus bill, all a man had to do to qualify for serted. The vote was a close one, 1a vote was to be isolated, have a shingle 13 over his head and pay five dollars a The report on the Antler Creek month. It was just as right that the ing Co.'s bill was adopted and man who paid ten dollars a month for finally passed; the Lightning Cro a room should have a vote as the man Gravels Co. bill read a third ti who paid the same amount for a house. assessment bill read a third th It does not stand to reason that the man drainage, dyking and irrigation h who pays ten, fifteen or twenty dollars succession duty bill read a third a month for a room, and whose vocation the report on the placer mining keeps him in the city, should not have supreme court bill adopted and just as good a voice in the city as the read a third time.

person or any led to posse rt thereof, m e same in the er, and after with all n or person me to him improvements or the portion appear, from the section shall claim or actio commenced prior ct coming into fo be continued in t this act had not 1 Kennedy present of the Inder Templars prote of the license Received and read e house then wer the small debts am rden in the chair. orted complete with e report was adopted wn for third reading Hon. Mr. Martin pre the lieutenant-go ng a bill respecting a he Columbia & Koote any. The message ittee of the whole chair, and the bill the house and read LAND BI Hon. Mr. Martin ding of the land which, he said, was to ord for word, the p Id land act, which em ment to sell crown he bill would comme embers of the house. It being six o'clock, he chair, after Mr. E luced a bill to amen ien act.

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FORTY-EL HTH DAY.

The report was received.

ed for situated?

Wednesday, April 8, 1896.

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AFTER RE Mr. Semlin moved th he debate on the Lan

greed to. Hon. Mr. Turner mentary estimates, ith in the usual man Hon. Mr. Turner ssage, transmitting age dairying, which w mitte of the whole rted to the house Hon. Mr. Turn ts provisions. Mr. Semlin, while f a good one, hoped taken as a preced He was not in f industries, but wo rticular measure as Mr. Kitchen did not was bolstering up e was any loss at rne by those formin the government wa Mr. Hunter though at the house should atter wih a clear un sition, which was iral industries of the

very depressed con Hon. Mr. Martin replied: Yes; by th essary for the gov the rescue. Whil enterprise undertake, still the en other industri As a matter of not necessary to ar from the province nter would suppor kely to do incalcula vince. Messrs. Smith, Kide ers, Mutter, Cott ams made speeche which was read once committed. Mr

leases to 31st December, 1895. Carried The house went into committee of the whole on the message of His Honor the Lieutenant-Governor of 30th March, transmitting for reconsideration bill No. 36/ intituled "An Act to incorporate the Ashcroft and Cariboo Railroad Company." Mr. Booth in the chair.

The amendments proposed by His Honor for the consideration of the committee were: To insert between the words "standard" and "gauge," in the second line of section 2, the words "or To add at the end of section 10 the following: "Provided, that failure to construct the whole of the works authorized by this Act within such time limit shall not operate so as to cause a forfeiture, or in any manner affect the terms of the charter, or the powers, rights and privileges hereby conferred, as to the part constructed within such period, but the same shall be deemed to the work authorized by this act." And to add to section 13 the following: "and may amalgamate or sell to any other company formed for a like purpose as the said company, their franchise, rights and privileges acquired under their charter.

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

The house then went into committee on the Cariboo Gold Fields bill, Captain | eat. Mr. Pooley did not believe in Irving in the chair. There was considerable discussion on the question of inserting the anti-Chinese clause in this bill, which was moved by Mr. Forster, was not fair to say that farmers should the ministers opposing the proposition strongly

Mr. Walkem, coming from a district which felt so strongly on this subject, said his views could readily be understood: still he liked consistency in the matter, and he spoke of members of the house who were always anxious to pose in the house and in public as anti-Chinese, yet were employing them in many ways in their private affairs. He would vote for the insertion of the clause.

Hon. Mr. Pooley said he had always been consistent in this direction, having at all times voted against the insertion of the anti-Chinese clause. This company, he said, was asking for no especial or extra privileges, and it would be unjust, after the promoters had spent a large sum of money without any re-

strictions, to now impose those restrictions. Hon. Mr. Eberts also objected to the clause being inserted.

Mr. Hunter had heard that the promoters of this bill had made a contract in Victoria to employ Chinese labor on that work for ten years, and he asked, if that were true, what effect the insertion in the bill of such a clause

would have on the contract. Hon. Mr. Eberts said that if such contract existed he knew nothing about it; he did not know that the member for Comox (Mr. Hunter) had any business to make such a suggestion, as it really tended to poison the minds of the members of the legislature. From the way in which it came from the hon. member, one would imagine that he did not believe what he said. It was a very

dangerous suggestion to make, although Mr. Eberts firmly believed that such his intention to re-introduce it. was not the fact.

AFTER RECESS. The house went into committee again after recess. The bill was reported omplete with one or two verbal amendments of a trifling character.

GAME PROTECTION ACT. Hon. Mr. Martin moved the second

reading of the game protection act, the provisions of which he explained at ength and which have already been made public. He referred to the interest which is always taken in this matter and the necessity which exists for a proper game protection act. Mr. Martin also spoke of the importance of game to the country as an attraction and actual profit. The bill had been recommended by several game protection associations whose membership was made up of men who were interested in the proper preservation of game, and who took a great deal of interest in it, many of them altogethr apart from the question of sport. He therefore hoped the house would give the measure careful consideration.

Hon. Mr. Pooley could not support this bill, as it virtually made a game preserve of the province in the interests of those who belonged to gun clubs. Then again it was not fair to say to a

man who did not go hunting that he should not be able to have any game to stopping the selling of game.

Mr. Walkem spoke of the damage done by pheasants to grain fields. It be compelled to raise flocks of birds for the amusement of those who go shoot-

ing. On the other hand he was in favor of protecting the wild birds, such as grouse, which he would like to see protected for three or four years.

Mr. Booth, as a farmer, objected to anyone having the right to dictate to him what he should do with what he raised on his own property. It cost as much to raise a flock of pheasants as it did a flock of chickens. The only way to protect the birds was to stop the sale of them altogether. Mr. Booth had always held, too, that farmers should be allowed to kill deer for their own use at any time.

Mr. Smith concurred in what was said y the hon. president of the council in the matter of buying and selling game, Mr. Helmcken promised to move in fault by the commissioners the direction of obtaining for Indians

their own subsistence. Mr. Mutter was also opposed to the ale of game. Hon. Mr. Eberts spoke in favor of the protection of game, which should be looked upon as a source of profit to the ountry.

Mr. Williams, in view of the lateness f the session, suggested that the bill be postponed till next session, although the bill has been one of the first on the order paper. The question was put, and the second reading lost on a vote of 13 for and 14

gainst. Hon, Mr. Martin, however believes that the bill has not received proper consideration and has given notice of

The trustees and executors' bill, Mr.

to say :- One per cent, on the assessed value of all ore or mineral-bearing sub- heard by the full court by reason of the stances, raised, gotten or gained from absence of one or more of the judges any lands in the province, the assessed value to be based on the ore or mineral bearing substance at the mine, as de- stand adjourned until the next sitting termined in case of dispute by smelter, of the court at which such quorum can reduction, or refinery works returns, as be obtained. the case may be: Provided that no ore

FORTY-SEVENTH DAY.

broad gauge road if they saw fit. The

other amendments were added and the

after which the bill was put through the

Mr. Kennedy introduced the Van-

couver and Westminster Short Line

On the calling for the third reading-

ner moved that the order for the third

reading be discharged and the bill re-

committed, with instructions to the com-

mittee to consider the amendment of

section 8 by striking out the words "es-

timate of assessed value to be," in the

S. There shall be assessed, levied and

back for amendment.

final stages.

Mr. Speaker took the chair at 2

Tuesday, April 7, 1896.

nor mineral bearing substances shall be missed merely by reason of the fact that taxed which are not sold or removed it has been brought as an interlocutory from the mining premises. The third reading was set down for

to-morrow. On motion to adopt the report of the

drainage, dyking and irrigation bill, Mr. Sword moved some amendments to section 14, which reads as follows:

The commissioners may fix by resolution the remuneration to be received by themselves, but such remuneration shall not exceed five dollars per day for each commissioner when actually employed in official business, nor fifty cents per

nour for portions of a day when so employed. Mr. Sword moved to amend section 14 by adding after the word "day," on third line, the words "of six hours," and by adding to the end of the section the words: "Such remuneration shall not exceed ten dollars to each commissioner nor twenty-five dollars to the whole body of commissioners in any one month, unless the payment of same is sunctioned by a majority of proprietors

present at a meeting called to sanction such payment." This was adopted.

Hon. Mr. Eberts moved the following amendment, which was also accepted, and the bill adopted on report:

"18. The Lieut.-Governor in council may from time to time appoint a civil engineer, or other properly qualified per-

son or persons, whose duty it shall be to inspect and examine at such season of the year as may be specified by the order in council, or at such other times as the chief commissioner of lands and works may direct, any dykes for the erection of which bonds have been issued by any commissioners, and interest thereon guaranteed by the Lieut.-Governor in council; and any repairs or precautionary measures which such engineer or other person may consider urgent, shall be carried out forthwith by the commissioners, and at their expense; and in case of de. 10 extreme urgency, such engineer or other the right to take game at any time for persons shall have power, on behalf of the commissioners, to carry out the said repairs or measures and shall forthwith notify the commissioners and the chief plain that the intention of the bill 's commissioner of lands and works of any expenditure in the premises. The remuneration and expenses of such engineer or other person shall be borne by the commissioners of the dyking district in respect of which they were incurred. or shall be divided between two or more beards of commissioners in such shares as the Lieut.-Governor in council may determine.

"19. All dyking assessments due or to become due, shall bear interest from the time when the same are due and payable, at the rate of six per cent. shall be collectable as the original assessment."

appeal cannot be necessary to form a quorum for the purposje of such appeal, the same shall

19. No appeal shall be defeated or disand not as a final appeal, but any such appeal may be heard and determined by the court at the sitting for which it was set down or may be adjourned, to be diaposed of at a regular or special sitting of the court, on such terms as to costs, amendment of the notice of appeal and otherwise, as to the court may seem

20. Nothing in this act contained shall in any way affect any appeal now or hereafter to be brought from any judgment, order, or decree pronounced, made, or given in the said supreme court prior to the passing of this act, but all such appeals and all matters relating or incidental thereto shall be proceeded with and determined in the same way

as if this act had not been passed. And to add to section 12 the following words: "Provided, however, that this section

shall not affect any pending litigation in which the validity of any of the said rules has been called into question." The house next went into adjourned committee on the Mineral bill, Mr. Hunter in the chair, and the bill was still under discussion at six o'clock when the committee rose and the house adjourned for recess.

AFTER RECESS.

The house went into committee on the succession duty act, Mr. Huff in the chair. The bill was reported compiete without amendments and the report adopted.

Hon. Mr. Martin proceeded to move the second reading of the new land bill when

Mr. Sword, on a point of order, objected to the second reading of a bill that had only "been laid on members' desks this afternoon. The second reading, was, therefore,

postponed. SMALL DEBTS BILL

Hon. Mr. Eberts was about to move the second reading of the bill amending the small debts act, 1895, when Mr. Kennedy entered a similar objection. but subsequently withdrew it. The attorney-general went on to judge of the county court of the county where the defendant resides that the

tramp, for instance, who has resided in The house then went into comm the city for a year paying five dollars a on the mineral bill, Mr. Hunter in th nonth for a shack. chair.

Mr. Helmcken said he would vote for One of the most important the amendment proposed by Mr. Mcments made to the bill while in Gregor, and he referred to the large tee was that offered by the att number of persons that the bill in its general dealing with claim present shape would disfranchise. Mr. This amendment provides that Helmcken believed that the passage of any person shall claim an adve such a provision would have the effect of any kind either to the po of raising an agitation similar to that the mineral claim referred to caused by the city ocmmissioners bill, plication for a certificate of which the house would no doubt recolments, or any part theref, or o lect. He really thought that the amenderals contained therein, he shall ment should be supported by every sixty days after notice in the member of the house. Columbia Gazette, unless otherw

Mr. Cotton said he thought that some dered by the court upon cause the members had confused two shown, commence an action in things in their remarks-the voting for preme court to determine the money by-laws and the voting for men of the right of possession, or to fill the muncipal offices. There was enforce his said claim, and sha quite a difference between the two pro- copy of the writ in such actic positions. Only owners of property have the mining recorder of the di a right to vote on money by-laws. He which the claim is situated. did not agree with Mr. Kitchen, who twenty days from the commence case is a fit one to be tried in the coun- appeared to have taken the shoes of the the action, and shall prosecute such action or so prose comment moved from the small debts court into as joint stock companies. He (Mr. Cot- it shall be deemed to be a waiver of

meries should b luced from ten to The commitee, after al clauses, rose and Mr. Forster moved the act to amend t n act and amendin was intended to election laws n th those of the Do igé suggested was the mark on the h great many people hallot is not see ot could be traced difference whether e traced or not so knew that it was n. That the ballo beyond dispute. ral cases on the rein an attempt date voters on th ement that the In conclusi ed. was no reason uld not adopt the ecy of the ballot bill received its Mr. Kellie moved the Bee bill, which Martin, Mr. Walk erfering with the preventing spra ng was lost by a

The house then adjo

In committee the rad

NEW LEGIS The bill introduced ourage dairying shall be lawful nor in council unappropriated r ys of the provinc anv or associat duly incorporate ecting, or acquir managing and ope ince, a creamery he co-operative defined, and ements laid dov egulations framed exceeding fifteen one company that the aggr shall not at an thousand dollars company shall ed upon the co-c sion is made b by-laws for secu who are members ciation a share of any in proportio by them, after upon the capita per cent. per also be made cers in the

ry is operated rs of the company niting the numbe

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to take away from stipendary magistrates those fees which heretofore they have received on the commencement of actions in the small debts court,

and shall receive instead such salaries as the Lieut.-Governor in council shall from time to time designate. Section 2 provides that: In case the debt claimed in an action brought in a small debts

court amounts to twenty-five dollars or upwards, and in case it appears to the

order so directs, the action may be re- ing municipalities in the same manner

per annum, and the interest thereon ty court, and in case the said judge by former leader of the opposition in treat- with real