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# Provincial Legislature

## Songhees Reserve Bill Passes Second Reading on Party Vote.

## Education Act Considered in the Committee of the Whole.

## Bill to Amend the Game Act Introduced—Warden Appointed.

Wednesday, March 8, 1905.  
THE House assembled at 2 o'clock and after prayers by Rev. J. P. Hicks, the following was the order of business:

### Petitions.

A number of petitions presented on a previous day asking for amendments to the game laws were received.

### Game Laws.

Hon. Mr. Fuller introduced a bill to amend the Game and Fish Act, already introduced, the bill provides for the appointment of a warden, who shall give his entire time to the enforcement of the game, forestry and fishing interests of the province, conduct prosecutions and see that all laws having reference to game, forestry and fish are enforced. It shall be the duty also of every constable and peace officer within the province of British Columbia to enforce the laws for the protection of animals, game, birds, song birds, wild fowl, trout and forests within their respective districts.

### Game Warden.

The provincial game and forest warden shall, annually, on the 31st day of December in each year, submit a report to the Attorney-General of his operations during the preceding year.

### Game Warden's Appointment.

It is said that the appointment of Mr. Williams of Vancouver as warden is recommended for the position of warden by all the game protection societies, and will be confirmed in a few days.

### Questions.

Mr. Murphy asked: 1. Is there a clause in all mining leases that no Chinese be employed in the working of same? 2. If not, since what date has such a clause been inserted in all leases issued since said date? 3. Does the employment of Chinese in the working of a lease containing such a clause constitute an offence? 4. If the answer to No. 3 be yes, what proof and procedure is necessary to secure a conviction? 5. How many (a) hydraulic, (b) creek, (c) dredging leases have been cancelled in Cariboo district during the year 1904? 6. How many of the same leases mentioned in question 5 herof are still in existence in Cariboo district? 7. Is it the intention of the government to issue mining leases at reduced rates? 8. What reason had the government for asking G. E. Stephenson, clerk of the mining commission, to resign from his position? 9. What became of this reason, later on, when he was reinstated?

Hon. Mr. McBride replied: 1. No. 2. 30th May, 1902; yes. 3. Yes, under section 99, Placer Mining Act. 4. The recommendation of the gold commissioner and action by the Minister of Mines under section 99 of the Placer Mining Act. 5. (a) 60, (b) 53, (c) 17; 6. (a) 147, (b) 169; (c) 14; 7. No; 8. Despatch and economy in the collection of revenues; 9. The reason still held good.

### Mr. Murphy asked:

1. Was an order in council passed in the matter of the provincial executive fixing the assessment of certain lands in the province at a fixed value? 2. If the answer be yes, in such order did the lands in force, and what land does it affect?

Hon. Mr. Tatlow replied: 1. An order in council was approved on May 3, 1903, fixing the assessed value of lands granted to the Columbia & Kootenay Railway Co. at \$1 per acre (excepting townships) to the same company, and agrees to open up these lands for sale at government prices. 2. Yes; the lands mentioned in the above answer.

### Mr. Munro asked:

What amount of coal was supplied to Matsqui pumps during the years 1903 and 1904 respectively, and what was the cost per ton each year?

Hon. Mr. Green replied: 1903, 751,500 tons; 1904, 371,900 tons; 1903, \$4.50 per ton; 1904, \$4.50 per ton.

### Mr. Green asked:

Will the government consider the British Canadian Fire Insurance Co. and the bill respecting the Brunette & Smith Co. Ltd. bills? The bills are now slated for third reading.

Upon consideration of the report on the bill for the prevention of frauds upon the assessment of lands, amendments were made by the Attorney-General and further consideration of the report was adjourned.

### Bill.

The House went into committee on the school bill, Mr. Macgowan in the chair.

Mr. Evans offered an amendment designed to enable all districts attaining to the status as to population, etc., entitling them to high school facilities, to commence the same under the act.

With respect to section 14, relating to "assisted schools," the Minister of Education explained in reply to a question by Mr. Williams that this section was exactly as it stood in the old act. Where necessary, within all persons assisted school the boundaries would be redefined to cover the point. It had never been the policy of the department to refuse to establish a school where necessary number of children was shown to be, and its necessity was established.

Some discussion fell upon section 47, which reads: It shall be the duty of the assessors of taxes, whether provincial or municipal, upon making up the assessment rolls for their respective districts, to call upon the trustees of every rural school district, which in whole or in part lies within the assessment or municipal district of such assessors, for a copy of the boundaries of the rural school district, and for a list of the names of the resident and non-resident, who own real estate in such district, and of all corporations, firms as aforesaid, and persons not being residents liable as aforesaid to be rated in respect of real or personal property or income in the district, together with the names of the property; which statement of names and property, and copy of boundaries, it shall be the duty of the trustees forthwith to give.

Mr. Brown thought the duties imposed upon the trustees too onerous. The Minister of Education said that trustees were in a much better position to supply the information asked for with reference to their districts than the assessors. The section, he said, was taken word for word from

the New Brunswick act, which had worked very satisfactorily there, and he would not only for other parts of Canada, but in other parts of the world.

Mr. Evans considered it would be difficult for the assessors to give the required information as to incomes.

The minister agreed to allow the section to stand over for closer consideration. Some other sections of the bill with respect to provincial aid, the division of school districts, election of trustees in city school districts, and their duties and powers, etc., were also stood over, as well as some other sections of the bill. About two-thirds of the bill, which embraces 118 sections, was passed without discussion.

The committee reported progress.

### Songhees Reserve.

Mr. J. A. Macdonald closed his remarks of the previous day in moving the amendment that the matter of disposing of the reserve lands should be reserved for the legislature.

The Premier said the bill had been introduced with a view to accelerate the settlement of the question in the public interests. He regretted that the subject should have been discussed by opposition members from a political point of view. Had these members approached him in a businesslike way their representations would have received fair consideration. Instead of doing this, however, they tried to confuse the subject by making political capital out of it. He regretted that members who professed to have the interests of the city at heart should act in such a weak and foolish fashion. In this connection he remarked that Mr. Oliver wanted the reserve land under the Land Act, without regard to the interests of Victoria.

Mr. Oliver denied that he had taken this position. He said that the bill, as amended, was a measure to give the city a better title to the land, and that he had received advice to oppose it. The members had taken independent action irrespective of instructions from the city council. He said that he had not explained the reasons for the bill. Why bring in a measure looking to the disposal of the lands before the withdrawal of the individual who effected it. He did not see why they should support a proposition to relinquish their control in the matter.

Mr. Henderson opposed the bill, contending that the government had not sufficiently taken the House into its confidence. The bill would remove the land from the Dominion government and place it in the hands of the city.

The Premier said the House knew all there was to know in the matter. There was nothing to conceal.

Mr. McEwen said the Songhees reserve matter had engaged attention from time to time for the past forty years, and there was nothing in the bill which promised a settlement of the question. He thought the government should give some idea as to what it would do with the lands when it got them. This should be stated in the bill. If the Premier knew what disposition was to be made of the lands he should inform the House. If he did not know, then there was no reason why the House should entrust the government with full control in the matter.

The Attorney-General disagreed with the suggestion that the Dominion government was all powerful in the matter. He said the Dominion government was the duty of the Dominion to see that the Indians were removed to another place, which the province had to provide. When the Indians were removed the lands reverted to the province and became subject to provincial jurisdiction, and he thought the House could entrust the government with the disposal of the lands.

Hon. Mr. Green emphasized the point that the local government had no authority to remove the Indians who were the wards of the Dominion government. When the Indians were removed, the lands belong to the province. He could not see why Victoria representatives should fear that the city would be unfairly dealt with in the matter, and he thought this opinion was in line with views expressed by Mr. C. H. Lugin in letters to the public press.

Mr. Oliver said that the position taken on his side of the House was that the lands should be dealt with by the legislature. The government lacked the confidence of a considerable section of the House, and for very good reason, for the government had disposed of certain public lands in connection with the asylum farm without legal authority. If the present bill passed the reserve lands might be turned over to Matsqui or be disposed of in some way, which would not be sanctioned by the House. He observed that the Attorney-General had been refused to determine rights against the C. P. R. on the waterfront of the city, and that the government had granted power to grant valuable waterfront to any corporation or to deal with it as they chose.

Mr. Oliver's amendment was then put and lost on a straight party vote, 21 to 16, the bill passing its second reading on a similar vote. Three government supporters were absent.

The bill to amend the Replevin Act passed its committee stage; also the bill to secure to the reserve the wages of deceased workmen.

Before the House adjourned, Mr. J. A. Macdonald asked for some further notice of a committee to look into the matter. Mr. J. A. Macdonald said this was not necessary, as no application had been made for petition of right by parties interested. Mr. J. A. Macdonald, who represented claimants in the matter, had advised that he intended to petition for a fiat, but had not done so.

Mr. Williams gave notice of a bill to amend the Provincial Elections Act.

Mr. Oliver on Friday next will move that an order of the House be granted that a return of copies of all correspondence between the government, or any member thereof, and any other person or persons in respect of the claim of Mr. Williams, be laid on the table, for compensation for services rendered.

A meeting of the mining committee is called for Friday to consider suggestions with reference to proposed amendments to the Placer and Mineral Acts. In this a very general impression prevails in parliamentary circles that the mining bill will not be disturbed during the present session of the House.

The House then adjourned.

There are other games being football and lacrosse that are rough and dangerous. At Maxville, Ontario, the other day a young man in a hockey game on ice was deliberately hit over the head by an opposing player and killed on the spot. The tragedy created a great sensation in Eastern hockey circles, and was directly attributed to foul play.

# KUROPATKIN BEATEN AND RACING FOR THE TIE PASS

## Battle of Mukden Has Proved Most Disastrous of the War to Russia's Hunted Army—Defeated at All Points.

# OYAMA ONE OF THE GREATEST STRATEGISTS

## Retiring Commander Again Afforded a Chance to Defend His Title As a Master of Successful Retreats.

### THE WAR AND WAR NEWS.

How the Correspondents Are Laboring to Make Plain the Facts.

It is only natural that the progress of the great tragedy now enacted in Manchuria should have an absorbing interest for the civilized world.

As the earthquakes and the volcano have taken their toll of human life, and as having a part in the working out of the scheme of the universe, so the awful conflict now raging in the east may be considered as one of those catastrophic events which attend the evolution of the race.

In view of the terrific spectacle, in the light of Christianity, a great and awful crime, there is inspiration rather than gloom for scepticism in the idea of ultimate good. It might seem that the ingenuity of the fiends had been exhausted to cast their spells of horror and lend infernal color to the spectacle.

It is well that the light of truth should penetrate the curtain. The tinsel and glamor of war's pictures have too long enaged the senses and distorted the conception. It is time that its coarse truths should be laid bare, and that the demon of destruction be made to confess his handwork. Though the blood which surrounds the harried soldiers, a man is seen taking notes. He is the messenger of truth—the mission of civilization—the war correspondent.

Near the capital of Belgium a temple to be erected. It will be dedicated to peace. The correspondent is building for that temple. He is excavating for the foundation of the great court which will be dedicated to truth throughout reason to work a crowning accomplishment for mankind.

In the dissemination of intelligence concerning the war, the correspondent has not been sparing of endeavor, and some marks of appreciation have already reached the paper of the correspondent. Insofar as the service has permitted, readers have been given opportunity of following closely the progress of the war. It is to be hoped that the service will be given to the close, which now seems near at hand. As has been done throughout, when circumstances warrant, special issues will be made for the information of the public, and no effort will be spared to make the news clear and intelligible to all who are following the progress of events.

### USELESS AT FORTY, DEAD AT SIXTY.

It is a pity that Dr. Osler's brilliant address at Baltimore was not associated with a more useful result than that a man's usefulness was at the decline at forty, and practically nil at sixty. In a very large measure Dr. Osler's address has been a success. He was asked how he reconciled his idea with the fact of his having published his first book at forty and other books thereafter. He replied: "No man ought to think of writing a book until he is forty. Up to that time he should be engaged upon more important work, and he should be creating what he intends to write about." How comes it then that at forty he commences the task of embarking his life's work upon a book? It is quite palpable that the writing of a book of that nature and the others which followed are not the result of the "Principles and Practice of Medicine," necessitated an amount of close and concentrated application which is judiciously attributed to him that "all men over sixty should be chloroformed," and the statement which has been seriously attributed to him that "all men over sixty should be chloroformed," and was used merely as an illustration of his own modified idea of what is the limit to a man's capability.

Of course, a man who has crossed the rubicon of life at twenty, by Dr. Osler, himself in that class, cannot be expected to give a disinterested opinion on the subject. No man over forty is willing to admit that his usefulness is past, and the older he gets the less likely he is to admit it. Such an assertion coming from a man so qualified to speak on the subject might have served to confirm the theory, but a man at 58 who "retires" to Oxford to occupy an important position cannot really be regarded as believing in his own teachings, otherwise he would refuse to add that institution with the dregs of his career.

It is probably true that a man becomes fully matured at or about the age of forty, and that thereafter he is less receptive to new ideas, less original and less progressive. Physically, at all events, between forty and fifty common age onward that the work of the body clogs the mind. There are, however, those who believe that the mental faculties do not decline until a considerable degree, upon the stock he has sprung from. There is no rule governing such matters. Some men are older, mentally and physically, at forty-five than others are at seventy-five. Cato it was, we believe, who studied Greek after he was eighty. Most men would regard it a great task after thirty.

From youth to thirty-five is the formative period. The foundation of a man's career is probably all laid in that time and his future determined. The man who has not by that time been mobilized to enter the disatisfied district of Georgia. It is commanded by Gen. Anshoff, who is noted for his drastic methods. The Georgians threaten that the first shot will be the signal for a revolution.

### READY FOR REVOLT.

Georgians Defy Tyrannical Russian With Threat of Revolution.

London, March 9.—Anarchy in open defiance of the authorities, according to the Daily Mail's correspondent at Batoum, is spreading in the western Caucasus. An expeditionary force has been mobilized to enter the disatisfied district of Georgia. It is commanded by Gen. Anshoff, who is noted for his drastic methods. The Georgians threaten that the first shot will be the signal for a revolution.

### AWAITING BILL OF COSTS.

The peace movement has admittedly a strong following even in the ministry, but no decision can be taken, at least until the extent of the reverse is known. More important still, however, is the effect on the internal affairs of Russia. Defeat is not unwelcome to the liberals, who argue that the gravest of the government's difficulties is as to the extent of the reforms which it may be forced to concede. At the present crisis the project of the reform rescript of March 8 has not been worked out. The strange spectacle thus is presented of men who claim to be patriotic Russians rejoicing over the defeat of their countrymen in foreign battlefields.

### WAR SUMMARY.

(By Associated Press.)

General Kuropatkin is giving ground before the armies of the Japanese, and yesterday he abandoned positions south and southwest of Mukden, burning such of his supplies as he could not carry with him. The Japanese artillery is thundering at the gates of Mukden, which position the Russians still hold, but which admittedly they are prepared to evacuate, changing their base to Tie pass, which is forty miles north of Mukden. So far as the retreat has progressed it has been orderly. What the Japanese may have in store for the weakened army on its retirement northward remains to be disclosed. There are reports that General Rennenkampf, the foremost cavalry general of the Russian army in Manchuria, has been cut off on the east from the main force, and Japanese troops in considerable numbers are said to be in the vicinity of Tie pass.

The retirement unquestionably cost the Russians dear in the matter of supplies and heavy guns.

Neither commanders or correspondents have yet estimated the number of killed and wounded in the eleven days' fighting. The Russian casualties in the fighting Tuesday on the left flank are said to have been fully 7,000.

Tokio, March 9.—Advices received here indicate that General Kuropatkin is badly beaten in the bloodiest battle of the present war.

Tokio, March 9.—(8 a. m.)—It is officially announced that the Russians began retreating yesterday morning. The Japanese armies are pursuing them.

# To Cajole Recalcitrants

## Sir Wilfrid Holds Levee of Quebec Faithful on Autonomy Act.

## The Finance Minister Worrying Over Subsidies to New Provinces.

## Better Terms to Other Provinces Looming Large on the Horizon.

From Our Ottawa Correspondent.

OTTAWA, Mar. 8.—The parliamentary holiday today was taken advantage of by the prime minister to endeavor to straighten out the existing difficulties with respect to that which is the Quebec wing to which Sir Wilfrid devoted his particular attention. He invited them to meet him at his residence this morning, and in response to the summons quite a number were present. It cannot be said that the object sought was achieved.

Before the meeting was made a day or two ago to the attitude of Mr. Bourassa on the school question. A proposed modification of the content of clause 1, it is said, was submitted to him, but Bourassa and some of his friends adopted a thoroughly uncompromising attitude.

They want the bill, the whole bill and nothing but the bill. Others of those present, it is reported, adopted a more moderate attitude, but on the whole the general opinion so far as being instrumental in whipping all the "Rouges" into line was not a marked success.

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### Mr. Fielding Worrying.

There is another feature of the bill which is worrying a section of the cabinet headed by Hon. Mr. Fielding, viz., the clause which will give the minister of finance a right to be very much aggrieved that the measure should have been brought down until three or four days before he reaches Ottawa from Europe. He claims that at least Sir Wilfrid might have held back for four days to give him an opportunity of considering the bearing of financial terms not simply for the proposed new provinces, but as they would likely affect the situation in the older provinces. It is said that the financial terms offered to Alberta and Saskatchewan are generous, but the question is how all the eastern provinces will be treated. Especially how will British Columbia (which has just sent in a powerful

### Case for Better Terms.

on the ground that she contributes three times more to the Dominion revenue than she gets out of it) swallow Sir Wilfrid's sop to the new territorial provinces? If she does not get consideration for her case, the only conclusion arrived at is that the prime minister threw out this financial bait to Alberta and Saskatchewan as a bribe to induce them to accept that it might cloud other important issues.

If the financial clauses go through in their present shape it is conceded that the government cannot delay much longer their earnest consideration of the older provinces' claims for better terms in addition to British Columbia. New Brunswick and Quebec have each formulated their case and this year, on the ground that they are entitled to be pretty much the same as it has been for some days, mistrust, misgiving and fear-burnings, and one seems to know what the outcome will be.

The report called to the London Chronicle that Sir William Mulock and Hon. Mr. Fielding have resigned is declared to be without foundation.

### News of the Capital.

Mr. McNamara, Canadian agent at Manchester, denies that there is a boycott in England against Canadian canned goods.

The greater portion of the Canadian exhibits for the Liege exposition will be shipped this week.

The Lord's Day Alliance will not ask parliament for legislation this session.

A deputation of railway magnates object to the clause in the railway act of last year that a majority of directors of the companies subsidized by the Dominion parliament must be British subjects.

It is stated that the British government will not stand over the treaty between Esquimaux and Halifax to the Dominion on July 1.

The interior department expects a great rush of European emigrants this spring.

The editor of the Toronto Citizen intended this as a blow at the fair sex, but it will probably be received as a compliment: "The only thing a woman can throw straight is a kiss."

of "Faust" in his eighty-first year. In fact, examples are so numerous that the statement of Dr. Osler can only be accepted as applicable in a limited sense in many cases, and as not necessarily true at all in many others.

There are too many instances of experience gained from comparative youth upward only begins to blossom into ripe maturity at forty, and it is from that age onward that the work of the body clogs the mind. There are, however, those who believe that the mental faculties do not decline until a considerable degree, upon the stock he has sprung from. There is no rule governing such matters. Some men are older, mentally and physically, at forty-five than others are at seventy-five. Cato it was, we believe, who studied Greek after he was eighty. Most men would regard it a great task after thirty.

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