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The Victoria Times.

TWICE-A-WEEK EDITION.

38 VICTORIA, B. C. FRIDAY, APRIL 26, 1907. No. 54.

HIGH-HANDED ACTION OF GOVERNMENT

Voted Down Every Effort to Investigate the Point Grey Land Deal--- Little Light Given

(From Thursday's Daily.)

Last night the opposition in the legislature in no uncertain way made their position plain with respect to the present Land Act amending bill.

All that an opposition could do was done by them in protesting against the sanction of an amendment to an act which would alienate a quarter interest in the acreage sold in the vicinity of Vancouver, and which by statute should be retained by the crown without full information being given by the government on the point and simply in order to sanction what at best was supposed to be a vague understanding given in a round-about-way by the government at the time of the sale.

As the Socialist leader said last night, the government side would evidently bear down all propositions from the opposition by "brute force," and this was demonstrated by the action of the administration last night.

When the opposition were refused the information which it was essential a legislature should have before lending sanction to a bill, Mr. Oliver asked for a committee to investigate the whole transaction. By "brute force" this was voted down, and the government made an attempt to get the business completed without any information being given out, other than the contradictory scraps conveyed by members of the government and members on the Conservative side.

Then Mr. Oliver had recourse to points of order. By this means the attention of the House was called to the most unusual proceeding which had been taken by the government. Still the government was determined to give no information, but insisted upon the House taking it for granted that the violation of the statutes by them in the case of the sale of these lands was in the public interests, and must be accepted as correct.

It was a unique situation to see a government pretending to be constitutional which had gone outside the statutes and done what was not authorized by them, asking the legislature to sanction this by legislation which was to be retroactive without any definite information on the subject. The opposition members, although as anxious as those on the other side to get to their homes and bring the session to a close, could not neglect the duties of their office by sanctioning any such high-handed course, and to their credit they pressed their objections to their own inconvenience.

The result of this was that prorogation was not reached as expected, and His Honor, who had been requested to be prepared to come down to the House, was not called upon to perform that act. The Speaker asked time to consider the point raised, and the House adjourned at a quarter to one o'clock until to-day.

Upon resuming the sitting last night, Hon. Mr. Fulton moved the third reading of the Land Act amendment bill.

Mr. Oliver moved that the order for the third reading of the bill be discharged, and the bill be referred to a select committee of five members of this House, with instructions to enquire into the terms and conditions upon which the lands referred to in the bill (Point Grey and Hastings townsite) were sold, with power to call for persons, papers, documents, telegrams and to take evidence under oath, and to report their findings and the evidence to the House.

Mr. McPhillips wanted an authority for this proceeding. He contended that it was out of order before Mr. Oliver had a chance to move the motion.

Mr. Oliver, proceeding to move it, said he thought the member for the Islands was rather premature.

Mr. McPhillips said that the only motion could be to recommit the bill for material amendment. If the member for Delta desired to criticise the government, why did he not introduce a resolution and debate it in the proper way.

Mr. Oliver contended that he was in order, and was supported by the rules.

Mr. Bowser said this did not apply, as a two days' notice of motion was required, and quoted a rule of the B. C. House to cover this.

Mr. Oliver said Mr. Bowser was very ingenious, in that he failed to read the whole rule, and amid the laughter of the House Mr. Oliver continued the reading of the rule to show that this did not apply after a bill was introduced.

Mr. Macdonald thought the rules of the House covered this point without any further reference to May.

Mr. McPhillips contended that Mr. Oliver should have taken the courageous way, and have introduced a resolution of want of confidence in the government. He said that this proposal was not on any principle connected with the bill, and quoted a definite instance from May in support of it. He said this proposal of Mr. Oliver's was simply to have a committee appointed with a roving commission to find if any "adventurers, male or female," had been in it.

Mr. Hawthornthwaite wanted to know the date of the ruling quoted by Mr. McPhillips.

Mr. McPhillips said it was 1854.

Mr. Hawthornthwaite thought this was too ancient for even a Tory.

The Speaker decided the resolution was in order.

Mr. Oliver then proceeded to speak to the resolution. He said he would go into the history of section 10.

Section 32 of the Land Act contained the following:

"All crown grants hereafter issued of lands, the right to which was acquired subsequent to the 17th day of April, 1896, shall contain a provision that in the event of any lands thereby granted being divided into town lots, one-fourth of all the blocks of lots shall be reconveyed to the crown. The blocks to be so reconveyed to the crown shall be ascertained as follows: The Chief Commissioner of Lands and Works shall first select one block and the owner three, and so on in turn, the Chief Commissioner selecting one and the owner three of the unchosen blocks until the division is made. Such crown grant shall be in the form No. 7 in the schedule hereto."

This was re-enacted by section 10, with the following additional provision:

"Provided, however, that the Lieutenant-Governor in Council may provide that, when any lots, blocks of lots or lands belonging to the crown in or near any city or townsite are to be sold by public auction, such lots, blocks of lots or lands shall not be subject to the provisions of this section. It is further provided that the provisions of this section shall not apply to the lands of the crown in the townsite of Hastings and at Point Grey, sold by public auction before the first day of January, 1907, and the right of the crown to a reservation of one-fourth of all the blocks of lots of said lands is hereby released and abandoned in cases in which crown grants have issued containing said reservations."

Mr. Oliver said that this objectionable feature of the section was not in the bill, as introduced by message of His Honor the Lieut.-Governor. Notice of it was given one day previous to being introduced, and brought up at 12 o'clock Monday night.

If the government did this and gave instructions the government went outside the Land Act, and really defied the statutes. If they did so no force was to be given to it. What was there to show that the government gave these instructions to the auctioneers? He had a catalogue of the lands sold and no mention was made of it.

In the dying days of the session, when many members had gone home, this amendment was introduced.

But this was to apply to the lands sold in Hastings townsite and Point Grey lands. There were out of the 3,600 acres sold at the auction a very large portion sold in other parts in Kitsalano, North Vancouver and at Seymour Creek. Why did the provision releasing this one-quarter interest belonging to the Crown not apply to these lands? In 1904, however, there were 684 acres sold in the Hastings townsite. The government agreed to relinquish its claim to the quarter interest in this also. It had been stated to the House that the auctioneer had given assurances in 1904 that this quarter interest was to be waived. There should be more information on this subject. If the auctioneer did give the assurance that the right to the quarter interest was waived by the government the legislature was bound to keep faith with the purchasers. But the House was entitled to full information and should not be obliged to take the mere word of any one alone for this.

The government had thrown away more than could be raised by taxation from all sources. He did not want to break faith with the purchasers of the land. All he wanted was information before taking this stand. There were peculiar features about the bill which called for full explanation before the House should pass it.

An "Explanation."

Hon. Mr. Fulton said that the principle incorporated in section 32 of the Land Act was that the province of British Columbia should not give up to any person what was not intended to be given up when a transfer of land was made. The government proposed to make provision for sharing in the increased values of lands which might be sold, not for townsite purposes, but but not known to be for that purpose. It was never intended to make this apply to lands which the province might subdivide itself. It was a mistake that no provision was made by which this should not apply where the government sold town lots. The result was that there was but one rule by which these blocks could be sold. Auc-

...s had taken place in the prov... it was understood that the ...ation should not apply, and ...own grants were isued containing no such reservation. In 1904 town lots were sold in Hastings townsite without this reservation. On May 1st, 1906, Mr. Fulton said that he as provincial secretary took objection to the issuing of Crown grants without this reservation, as not being according to the act and he refused to sign any further Crown grants without this reservation. It was understood that the act would be amended. It was intended that this amendment should be made to cover all the lands sold at the auction and not the Hastings and Point Grey lands alone. The omission of these other parts had been an oversight and he did not propose to amend it at this late date of the present session. He would ask the amendment next session. It was unreasonable to expect the province to retain a quarter interest in its town lots offered for sale where there were only small lots. On November 4th, instructions had been given by the department to the auctioneer to announce that the reservation would be released. It would be repudiation to make these purchasers deliver up one-quarter. He believed that at the sale of lands in Hastings townsite in 1904 the same instructions were given.

He could see no good purpose in pressing for an investigation.

Flagrant Breach.

Stuart Henderson thought it strange to hear the attorney-general defend a flagrant breach of the Land Act of the day by the government. There was no use passing a Land Act tying the hands of the chief commissioner of lands and works if the latter could go and with malice aforthought act in defiance of that law. This section of the act had been on the statutes for years and no change made. The first time that the provision in the statute became of value to the province, the minister goes and defies the act.

(Continued on page 5.)

ANGERS RESIDENTS OF SPRING RIDGE

Removal of Gravel From Pits In That District Proposed by the City Council

(From Thursday's Daily.)

Contrary to the expressed wish of the Spring Ridge residents it is said that the city council are preparing to take a quantity of gravel from the Spring Ridge pits variously estimated at from 4,000 to 18,000 cubic yards. The C. P. R. say the latter amount will be required to fill in the flats to the level of the street, while the council think only 4,000 will be required to fulfill the city's contract. But the gravel is to come from that portion of property bounded by Princess, Chambers, North Pembroke and Ridge roads. There is a small pit there out of which gravel has been taken. It is now proposed to take out the rest and bring the level of this portion of Spring Ridge down about twenty feet. This will as the mayor says start the scheme for purchase of the whole of that portion of Spring Ridge which it is desired to obtain for the "improvement of that part of the city." This, say those interested, will be all right if the city gets options on all the property concerned. Up to the present options on less than half of it have been secured. These have cost about $60,000 to date. The rest cannot be obtained for less and perhaps not at all.

As some of the residents put it, they were not "wise" to the mayor's little scheme for the despoliation of their borough. Had they been, there had been a different tale to tell. Now that it is proposed to scoop out the lots indicated, thus making another "hole" in the place and depreciating a portion of the property to such an extent that it will be practically valueless, they are decidedly sore.

"It's another scheme of the mayor's," said one, "to compel us to fall into his trap."

It is reported that the city engineer and a member of the streets, bridges and sewers committee have been seen inspecting the ground in question and earnestly laying out plans for its despoliation. The residents feel that this is going too far, and there will likely be a strong petition against the scheme. Anyhow, as one of them phrased it, it is impossible to carry out the scheme without a by-law being submitted to the people, and that would never pass.

Meantime it is a shame to destroy the value of property without being sure of the completion of the scheme.

TROUBLE ENDED.

Several Persons Were Injured During the Rioting at Castries, British West Indies.

St. Thomas, B. W. I., April 25.—Advices received here to-day from Castries, Island of St. Lucia, British West Indies, where there was a report of serious riotings, indicate that trouble is ended.

Discontented laborers and porters created serious disturbances at Castries during the afternoon of April 23rd, and business was suspended there yesterday. During the rioting several persons, including the manager of the Colonial bank, were injured.

The Governor of the Windward Islands, Sir Robt. Llewellyn, was at Castries yesterday and went through the town and personally inquired into the cause of the disorders.

CONCLUSIONS AT CONFERENCE

COPY OF DOCUMENT RECEIVED BY CANNERS

Results of Recent Meeting of Delegations From Here and New Westminster at Ottawa.

(From Thursday's Daily.)

The B. C. Canners' Association have received a copy of the conclusions reached at Ottawa last March between the delegation from the association and the department of marine and Fisheries and the Westminster delegation.

The following is the document:

1. Salmon hatchery, Stuart lake, Fraser river; promised by minister. Salmon hatchery, Nechacco river, Fraser river; strongly urged. Salmon hatchery, Quesnelle lake, Fraser river; strongly urged. Salmon hatchery, Babine lake, Skeena river; promised by minister. Salmon hatchery, Lakelse river, Skeena river; enlargement urged. Construction of Babine lake and Stewart lake hatcheries to be commenced as soon as possible, and if possible, these two hatcheries to be operated this year. Recommended that four of the above named five hatcheries, namely, Stuart lake hatchery, Nechacco river district hatchery, Quesnelle lake hatchery and Lakelse hatchery be made uniform moderate capacity of ten million, and it is most strongly urged that all of these hatcheries be authorized and proceeded with at earliest possible date.

2. Extend weekly close time during sockeye fishing (July 1st to August 25th) in "off" years to forty-eight hours (6 a.m. Saturday to 6 a.m. Monday), east of (or "above") Westminster bridge, Fraser river.

3. Issue licenses to fish between Mission bridge and Westminster bridge only, to persons who, being British subjects, are actual residents in the city of New Westminster or along the Fraser river east of (or "above") Westminster bridge, and such licenses to be issued only to such persons (above described) who are known to the fisheries department as bona fide fishermen who hold licenses and fished in the Fraser river prior to January 1st, 1907, and who have been residents either in the city of New Westminster, or along the Fraser river east of (or "above") Westminster bridge prior to the said date. The license when issued to be solely and only used by such licensee, for his sole individual use, and to be strictly non-transferable in any way or for any period of time. The words "License valid between New Westminster bridge and Mission bridge" shall be conspicuously stamped across the face of each such license. Such license shall also be valid west of (or "below") Westminster bridge. The holder of such special license shall, for violation of the close time between Westminster bridge and Mission bridge, have his name struck off the list of those eligible to fish between the said bridges, in addition to incurring the usual penalty or fine provided in the Fisheries Act and regulations under it.

4. Additional patrol boats and officers urged on the Fraser river. In addition to the "Georgia" and "Swan," four additional launches (two of which to patrol the waters above Westminster bridge), are urgently requested and should be provided immediately.

5. Require trap owners to effectually close the entrance to salmon traps by means of a small meshed apron during the weekly close time.

6. Minimum fine for trap violations to be $250.

7. Amend clause 19, B. C. Regulations, March 3rd, 1894, as follows: "No license shall be granted to any company, firm, fisherman or person, unless each member of such company, firm, fisherman or person is a British subject, and such company firm, fisherman or person must be the actual owners or proprietors of the business, nets, boats, and fishing gear for which the licenses are granted, and all salmon caught shall be frozen, canned, salted, cured or smoked in the province of British Columbia before being exported."

8. No one shall can salmon imported from any place outside the province of British Columbia into that division or district known as the New Westminster district, and any raw or fresh salmon so imported for the purpose of being canned in the district named shall be liable to seizure and confiscation.

9. The completion of the Skeena river snag boat and its operation this season is urgently requested.

10. The provision of a diver and of necessary gear to the government dredger "Sampson" in order to remove the present partial ineffectiveness of its work is requested.

NEW WARSHIP FOR THE SPANISH NAVY

Several Vessels Will be Built in England-- Drydocks to be Constructed

Madrid, April 25.—In the matter of Spain's naval increase it is understood that the government has decided upon the construction of six battleships of the Lord Nelson type, six fast cruisers and several torpedo boat destroyers.

Three of the battleships will be built at Ferrol by British firms, and the remainder of the warships in England.

Furthermore, the construction of drydocks capable of caring for a vessel of 20,000 tons will be undertaken at Cadiz, Ferrol and Cartagena.

CHINESE BOY SAVES LIVES OF THREE

Fire Believed to Have been of Incendiary Origin Fisguard Street To-day---Mysterious Circumstances

(From Thursday's Daily.)

Breaking through a wooden wall, a brave young Chinaman, Leon Loo, eldest son of Loo Gee Wing, a wealthy Chinese property owner residing on Fisguard street, at great risk of his life, saved his mother, brother and cousin from a horrible death by fire which broke out about 4 o'clock this morning. According to the belief of Leon Loo, the fire was of incendiary origin. An attempt was made, he claims, some time ago by the same people to blow up the house.

According to Chief Watson who, with the fire brigade, responded to the alarm shortly after 4 o'clock this morning, there was something mysterious about the affair. One of those who so narrowly escaped was a boy heavily shackled. Other bystanders alleged that a woman in chains was also hurried from the house, placed in a cab and driven away.

Assistant Chief McDowell saved the life of an old man, whom he dragged from the upper story of the building down a ladder in an unconscious condition.

When the fire brigade arrived on the scene they found the rear part of the building enveloped in flames and a dense smoke streaming from the windows. After a hard struggle the fire was quenched, but not before the rear portion of the edifice was entirely consumed, about $1,000 worth of damage being done. This is fully covered by insurance.

Leon Loo informed a Times reporter that one of the windows of the kitchen, which was on the level with the adjoining roofs was left open last night, and he thought that it was across the roofs and through this window that the fire bugs had crept.

About 4 o'clock this morning, the Celestial continued, he was awakened by smoke and the cries of his mother, who was in the adjoining room. Unable to get to her door on account of the flames, he had to break a hole in the wall through which he carried her out in safety. Returning he carried down his cousin, Boyd Dick, who was in shackles at the time on account of recent misbehavior, and was thus rendered helpless. The house was now full of smoke, and his brother, Claud Loo, was still left in the burning building. Rushing up the stairs again he seized Claud Loo and started carrying him down. He fell twice, and after his second fall dragged the insensible body down by his feet.

MAY PROSECUTE GRAFTERS.

Criminal Proceedings Will Probably Be Instituted by State of Pennsylvania.

Harrisburg, Pa., April 25.—As a result of the investigation by the legislative committee into the expenditure of $9,000,000 for furnishings and decorations for the new state capitol, criminal proceedings probably will be instituted by the state against certain persons who have prominently figured in the construction.

The commission has been investigating into the charges of extravagance, overcharges, duplication in payments of bills and fraud for nearly two months, and has yet to take the testimony of many important persons who have knowledge of the subject under investigation.

Among those to be examined is former Gov. Pennypacker.

Whether civil suits can be brought has not been determined, but members of the commission are convinced that it has been demonstrated that the charges upon which criminal action can be brought are as follows:

Substitution of inferior materials in violation of specifications.

Overcharging the state for materials, the value of which it was stipulated was to be fixed by the market prices, as well as charging these same prices for articles which are by no means what they were represented to be.

Conspiracy in the preparation of specifications and the awarding of the contracts.

Falsification of accounts and methods which would tend to deceive state officials in making of payments for contracts and commissions.

KILLED ON TRAIN.

Pugilist and Companion Held on Suspicion of Having Caused Death of Unknown Man.

London, April 25.—"Pedlar" Palmer, the ex-champion bantamweight English pugilist, and another man, were arrested at the Purley railroad station yesterday on suspicion of having caused the death of an unknown man, whose body was found in the carriage of a train coming from Epsom after the race in which Palmer and his companion had ridden. The man apparently was killed by heavy blows. Other passengers heard the sounds of a violent quarrel coming from the carriage occupied by the party.

Palmer Remanded.

London, April 25.—"Pedlar" Palmer, the English pugilist, who with another man was arrested yesterday on suspicion of having caused the death of an unknown man, whose body was found in a railroad carriage from Epsom after the races, was charged at the Croydon police court this morning with murder. After a passenger on the train had testified that he saw Palmer strike the deceased several blows because he refused to stop singing, the prisoner was remanded.

KOREAN CONSPIRACY.

Japanese Authorities Took Prompt Action and Placed the Ringleaders in Prison.

Tokio, April 25.—Another threatened rising in Korea is believed to have been nipped in the bud by the prompt action of the Japanese administration.

The plans for the proposed outbreak were reported to have been of a comprehensive character, but owing to the timely discovery of the conspiracy, enabling the authorities to arrest the ringleaders and take steps to over-awe their followers, all danger is believed to have been averted.

ICE-BREAKER AT WORK.

Fort William, Ont., April 25.—The ice-breaker is now making a channel out into the lake. Navigation is expected to open in four or five days.

HUDSON'S BAY LAND PLACED ON MARKET

Constance Cove Farm in Esquimalt and North Dairy Farm to be Subdivided

(From Thursday's Daily.)

Keeping pace with the development of this city and its environs, the Hudson's Bay Company has decided to subdivide the Constance Cove farm, approximating 350 acres. The property immediately adjoins the Victoria West section of the city and extends to Esquimalt harbor, while on the other side it is bounded by the Gorge. This is the area now leased by the Victoria Transfer Company as pasture lands.

The utilization of Esquimalt harbor for industrial purposes must of necessity make this portion of the city very desirable for residential purposes. In view of possible developments in the neighborhood of Esquimalt this would seem to be a very opportune time for the company to take this step. The subdividing of the farm is a pressing need, as the result of the growth of this city and demand for lots. Portions previously subdivided by the company in this vicinity have been in great demand during the past few months, and a large quantity of land there has in consequence been sold.

The farm will be surveyed into one-acre lots. When this is done the lands will be put on the market and the area extending from near Lampson street to a point beyond the Marine hospital will be available for residential purposes.

The lands are beautifully situated, commanding a splendid prospect of the Olympics and in the other direction of the nearer Sooke hills.

But this is not the only subdivision which the Hudson's Bay Company has decided to make. The North Dairy farm, within two miles of the postoffice and adjoining the pumping station, and extending to about 200 acres, will be cut up into five-acre blocks. Lying within the best fruit growing area of the district this will enlarge to a corresponding extent the lands available for this purpose. These lands are second to none for the purposes intended. The adaptability of it for fruit growing has been proved by the results which attended the orchard set out by R. M. Palmer, and which is regarded as unexcelled by any other in the province of British Columbia. Mr. Palmer's orchard adjoins the farm which is to be subdivided, and in fact was really a part of the original area. Mr. Palmer has done the pioneer work in that district in the matter of orchard planting. For a long time persons desiring to enter horticulture have cast envious eyes upon the North Dairy farm as the location in which they desired to select a plot for planting. They have been precluded from doing this up to the present owing to the fact that it was not for sale. The opening for purchase in suitable sized lots will be followed undoubtedly by the entire area being snapped up.

The lands in this farm have the city water supply passing directly in front of it which is of inestimable advantage to those who may purchase lands there, as it will ensure a supply of water for irrigation in instances where this may be found necessary for small fruits.

The decision of the Hudson's Bay Company to subdivide some of its valuable holdings about the city is gratifying indeed to residents of Victoria.

There has been a disposition in the past to criticise the company for not subdividing its property on the ground that it has had a tendency to retard settlement and development in the city and vicinity.

It is, however, now shown that the company fully appreciates the present conditions and is prepared to do all it possibly can in the development of this city. It is well known that C. C. Chipman, the chief commissioner of the Hudson's Bay Company, has always taken a deep interest in Victoria, and it is only reasonable to presume that the policy now adopted has been taken on his initiative.

There is now a demand for the property and with business instincts the management has decided to take its share in providing for those who are rapidly seeking this city and its environs as a place of residence.

Acting as the trustees for the company, the management of the Hudson's Bay Company were obliged to do the best possible for the corporation in the matter of lands held in this vicinity. Until a market was assured therefore the subdivisions were not made.

Development in this section of the province has followed so quickly within the past few months that an imperative demand was made for more residential lots and fruit areas. The Hudson's Bay Company has come to the relief in this matter, and by its action in making provision for the subdivision of the Uplands farm, and now by the decision to open up Constance Cove farm and of the North Dairy farm provision is made for a large number of settlers.

The subdividing of the two farms is in the hands of Gore & McGregor of this city.

IS FAR-REACHING IN ITS SCOPE

AGREEMENT BETWEEN BRITAIN AND SPAIN

The Meeting of King Edward and King Alfonso Has Important Results.

New York, April 25.—A dispatch from Madrid says: "The Correspondencia De la Espana says it has diplomatic authority for stating that the effect of the meeting of King Alfonso and King Edward at Cartagena was the perfection of a far-reaching understanding for the purposes of war and peace.

"It would have been considered in the last century, according to the paper, an alliance, but in modern diplomatic language it is an entente cordiale. Everything concerning Morocco was ratified, everything in reference to the general European situation was discussed, and the basis was formulated of an agreement, which is now in the hands of the diplomatists."

FOUR MEN DROWNED.

Launch Was Carried Over Falls and All the Occupants Lost Their Lives.

Raleigh, N. C., April 25.—Swept over the falls, four men were drowned in Cape Fear river, at Buckhorn Falls, thirty miles from Raleigh. The dead are: Hans Thorson, of St. Paul, general foreman of a construction company erecting a power plant; E. B. Brady, of Moncure, assistant foreman; two negro laborers.

The men were coming down the river in a launch, which was caught in the current and carried over the falls.

Thorson was to have been married here Sunday, and his fiancee, Miss Thelma Lindgren, was to have left St. Paul on Tuesday to join him here.