

PROCEEDINGS OF THE LEGISLATURE

A DULL DAY IN THE HALLS OF PARLIAMENT

Cavalier Treatment Accorded Mr. Curtis's Municipal Bill—Workmen's Compensation Bill Completed.

Press Gallery, May 15th.

It need occasion no surprise if the government execute a movement of a tactical nature within the next two or three days which will relieve it of some of the embarrassment of the past week. There was a long caucus to-day, and there is another slated for to-morrow, and these prolonged deliberations are certainly having an influence on the course of the ministry in the House. There is an evident revival of the old terms of intimacy between the government forces and the Martine wing, which were somewhat disturbed during the earlier part of the week. One of the ministers did not hesitate to say to-day that a line of policy in regard to railways had been decided upon this morning, but while that may be partially true there are signs which indicate that it will not be confirmed until to-morrow's caucus.

An incident occurred during this afternoon which may throw some light on the position. A deputation from the Esquimalt district waited on Mr. Hayward and presented him with a petition signed by about two hundred and fifty ratepayers of the old riding asking him to oppose the bill. The deputation were as insistent as the larger one which waited on Mr. McPhillips last week, and pressed Mr. Hayward for a statement. They pointed out to him that under the terms of his manifesto of last year he was obligated to oppose land grant to railways. Mr. Hayward replied: "I have not yet said that I would support a land grant to railways."

This observation would scarcely have been made had he been aware that he would be required to do so. At least, it gave color to another rumor about the corridors this afternoon, namely, that at their caucus the government met Mr. Martin's demands and decided to cut land subsidies out of their railway bill.

Capt. Tatlow drew attention to a report he had received from Ottawa in which the opinion of the Minister of Justice in relation to the disallowance of British Columbia legislation was contained, although the Attorney-General had stated he had received no such report.

Workmen's Compensation.

The Workmen's Compensation bill was committed to Mr. Kild in the chair.

Mr. McPhillips moved to strike out section 6, and substitute the following:

"Where any employer becomes liable under this act to pay compensation in respect of any accident, and is entitled to any sum from insurers in respect of the amount due to a workman under such liability, the employer shall be deemed to be a company, and the employer becoming bankrupt, making an assignment for the benefit of his creditors, or making a composition or arrangement with his creditors, or if the employer is a company, the company having commenced to be wound up, such workman shall have a first charge upon the sum aforesaid for the amount so due, and the judge of the Supreme court may direct the insurers to pay such sum into any chartered bank of Canada in the name of the registrar of any such court, and order the same to be invested or applied in accordance with the provisions of the first schedule hereto with reference to the investment in any chartered bank of Canada of any sum allotted as compensation, and those provisions shall apply accordingly."

This passed.

Mr. Hunter moved to amend section 8 by striking out the definition of "mine" and substituting the following:

"Mine" means—
"A mine to which the 'Inspection of Metalliferous Mines Act, 1897,' and amending acts, and the 'Coal Mines Regulation Act, 1897,' and amending acts apply, except as hereinafter stated, that is to say: This act shall not apply to a prospect that is being developed or to a mine that has not a regular output of metalliferous product, or of coal, unless more than twenty-five men are employed in the development of such prospect or mine."

Mr. Curtis moved to amend section 8 by striking out the definition of "mine" and substituting the following:

"(a) A mine to which the 'Inspection of Metalliferous Mines Act, 1897,' and amending acts apply, except as hereinafter stated, that is to say: This act shall not apply to a prospect that is being developed or to a mine that has not a regular output of metalliferous product, or of coal, unless more than twenty-five men are employed in the development of such prospect or mine."

On this point Mr. Martin objected to any discrimination in such a matter.

Mr. Curtis held that this would strike at the prospecting industry, from which at least a third of the mining revenue was derived.

Mr. Martin said this was exactly the argument used by the deputation which waited on him from Vancouver, they holding that the bill would strike at the small industries. Where was the line to be drawn? He would rather see the principle tried on the small capitalists first rather than to the large one.

Mr. Curtis held this to be an indication of how fast the senior member for Vancouver was progressing in his desire to shield the rich man.

Mr. Martin said the member for Rossland was seeking to protect the company "boosters," the last man whom he should protect.

Mr. Martin moved that "Mines" means mines to which the Coal Mines Regulation, Mineral Act and Place Mining Act apply, thus making no exceptions at all.

This carried in preference to the other two.

Mr. McInnes moved that section 2 be reconsidered. [This was carried.]

He then moved that the words "or neglect" be added after the word "misconduct" in sub-section c, which reads as follows:

"If it is proved that the injury to a workman is attributable to the serious and wilful misconduct of that workman, any compensation claimed in respect of that injury shall be disallowed." Mr. Hawthorthwaite said this would sap the principle of the bill, as inviting litigation. It was an easy matter for employers to prove neglect. If machinery were out of order the owners would be sure to attribute this to workmen's negligence. The English act upon which this bill was based had been found to exactly carry out the spirit of the act, but this would imperil it.

Mr. Martin held just the contrary. The jury's sympathy was always with the workman as against the employer, and it was difficult to prove to them negligence. A man should certainly be required to bear the consequences of his own act. His own experience was that bills in the English House were very badly drawn.

Mr. McInnes, after some discussion, altered his amendment to read serious neglect.

Mr. E. C. Smith said no workman would wilfully endanger his life in order to collect damages, hence the senselessness of the amendment.

The amendment carried.

Mr. Neill moved that the word "solely" be inserted before the word "attributable."

Mr. Curtis held that if this amendment did not pass, if the employer was guilty as well as the employee of neglect, the employee would not get a dollar.

This amendment was carried.

Mr. Hawthorthwaite moved a number of amendments, providing \$1,500 instead of \$3,000 as a maximum compensation when a workman left dependents; providing a sum not exceeding \$1,500 for his injuries, and substituting a Supreme court judge for County court judge, as arbitrator. All these passed.

Mr. McPhillips moved to strike out section 7 of the first schedule, and substitute the following:

"7. Any sum which is agreed to or ordered by the committee or arbitrator to be invested may be invested, in whole or in part, in the savings department of any chartered bank of Canada by the registrar of the Supreme court in his name as registrar."

Mr. Hawthorthwaite moved that sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 be struck out and the following inserted:

"8. The Lieutenant-Governor in Council shall have the power to make, issue and from time to time vary rules, regulations and forms for carrying out the provisions of this act and schedules thereto, and such regulations shall be deemed part of this act."

Mr. Martin, with a broad smile, said this conflicted with his platform.

Mr. McPhillips commented on the levity with which Mr. Martin treated his platform. It had 22 planks, every one of which he had broken. Personally he didn't think it wise to leave matters to the Governor in Council, as that, practically, would put it in the hands of the senior member for Vancouver. He thought in this instance, however, that it was wise to leave the matter to the Governor in Council.

The Attorney-General said if Mr. McPhillips had so little faith in the government, he was strangely inconsistent in entrusting him with the carrying out of this act.

Mr. McPhillips said the government would not be in power many days, and the bill didn't come into force for a year.

Mr. Curtis said the House gave similar power to the Governor in Council on the Redistribution bill.

The amendment was withdrawn.

It was also amended providing that it be brought into force on May 1st, 1903, instead of January, 1903.

Progress was reported.

Coal Mines Regulations.

The report of the act amending Coal Mines Regulation Act was adopted and read a third time.

The same course was taken with Mr. E. C. Smith's bill amending the same act.

The Wills Act.

The Wills Act was committed, with Mr. McInnes in the chair. It was reported complete without amendment. It was reported read a third time and finally passed.

Municipal Clauses Act.

Mr. Curtis moved the second reading of the Municipal Clauses Act. In Victoria the mayor had to be worth \$1,000 and the aldermen \$500; in Nanaimo the mayor had to be worth \$500 and the aldermen \$250.

His bill made the qualifications for all cities the same, namely, \$500 for mayor and aldermen, or a taxpayer or license payer to the extent of \$20. It was of the nature of a large merchant who rented his property should be disqualified.

The bill also disqualified the holder of a liquor license from holding these positions. This was the case in Vancouver. The license clause was also modified to relieve peddlars of dairy products, while another allowed the council to accept a lower license sum than was set by the statute.

The bill further provided that police commissioners should be appointed by the city and none of them by the government.

Mr. McInnes supported Mr. Houston's motion.

Mr. McPhillips said it was rather singular that no bill was found with the senior member for Vancouver for doing the same thing.

Mr. McInnes replied that Mr. Martin had done the Vancouver the courtesy of consulting them, although his suggestions had not been entertained.

Mr. McPhillips denied the right of any committee to advise a bill.

Mr. Martin said it had been found in large cities that when the police board was directly in the power of the council it became an issue at elections, especially with reference to liquor legislation.

He proposed the appointment of members of the board by the government, thus putting the officer outside the immediate influence of the council.

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struck out on the motion of Mr. Hall, and a new section similar to that introduced into the Pacific Northern & Omineca Railway Bill was inserted in its place on the motion of Mr. Curtis.

Workmen's Compensation Act.

The bill introduced an act respecting compensation to workmen for accidental injuries suffered in the course of their employment was reported on the motion of Mr. Hawthorthwaite, and the third reading fixed for the next sitting of the House.

Bills of Sale Amendment Act.

The bill to amend the Bills of Sale Act was further considered in committee, with Mr. Tatlow in the chair.

On the motions of Mr. McPhillips, who introduced the bill, the following clauses were added:

"3. (1) In the case of a mortgage or conveyance of personal chattels of any company incorporated by or under any act of the province of British Columbia, or company licensed or registered under the Companies Act, 1887, made to a bondholder or bondholders, or to a trustee or trustees, for the purpose of securing the bonds or debentures of such company, if instead of the affidavit of bona fides required by sections 28 and 29 of this act, it shall be sufficient for the purposes of this act if an affidavit be filed as thereby required, made by the mortgagee or one of the mortgagees, to the effect that the said mortgage or conveyance was executed in good faith and for the express purpose of securing the payment of the bonds or debentures referred to therein, and not for the purpose of protecting the personal chattels mentioned therein against the creditors of the mortgagee, or of preventing the creditors of such mortgagee from obtaining payment of any claim against them."

"(2) Any such mortgage may be renewed in the manner and with the effect provided by section 16 and subsequent sections of this act, upon the filing of a statement by the mortgagee, or one of the mortgagees, exhibiting the interest of the mortgagee or mortgagees in the property claimed by virtue of the said mortgage, and showing the amount of the bond or debenture debt which the same was made to secure, and showing the payments on account thereof which, to the best of the information and belief of the person making such statement, have been made, or of which he is aware or has been informed, together with an affidavit of the person making such statement, that the statement is true to the best of his knowledge, information and belief, and that the mortgage has not been kept on foot for any fraudulent purpose, and such statement shall be filed instead of the statement required by said section 16 of this act."

"(3) If any mortgage as aforesaid be made to an incorporated company, the several affidavits and statements herein mentioned may be made by the president, vice-president, manager or assistant manager of such mortgage company, or any other officer of the company authorized for such purpose."

Mr. McPhillips gave notice that on report he would move the insertion of another clause, which he would then report complete with amendments.

Trades' Unions.

The adjourned debate on the second reading of the bill respecting trades' unions and kindred associations was resumed.

Mr. Martin said he could not believe that Mr. Curtis was sincere in putting forward the bill, which was of an outrageous character. It provided that trade unions should not be held responsible at law for damages done by the representatives of the unions. He was not prepared to admit—as was provided in his own bill—that a union should be held responsible for any unauthorized acts of an officer of the union, but the bill before the House went much further than that. Under the provisions of the bill it would be possible for a union to hire men to threaten and to conspire to do injury to the property of the employers without rendering the union liable for damages. He charged the government as most outrageous, and protested against the proposed discrimination in favor of unions—against allowing them privileges not accorded to other associations.

On motion of Mr. Hawthorthwaite the debate was adjourned.

Adjournment.

Hon. Mr. Dunsinville moved that the House at its rising should stand adjourned until 2 o'clock on Monday next.

Mr. McPhillips said that he was bound to protest against the delay caused by the government in the public business of the legislature. There was no reason for the adjournment. If the government would make a statement that they wished to adjourn in order to prepare new legislation in the interests of the country, the opposition might be willing to consent to the adjournment. But, as it was, he felt compelled to protest.

The motion was carried by 20 votes to 16.

Songhee Reserve.

Mr. Helmcken asked the Attorney-General whether the Songhee Indian reserve question had yet been settled.

The Attorney-General said that negotiations were proceeding satisfactorily, but that the government had not yet settled upon a new reserve for the Indians in the place of the Songhee reserve. The Indians had, however, consented to move.

On the motion of the Premier the House adjourned at 5.30 p.m.

NUMBER OF ENTRIES FOR COMING REGATTA

Army and Navy Races Will Undoubtedly Be Keenly Contested—Many Crews Entered.

Secretary Moresby has received a large number of entries for the regatta which takes place at the Gorge next Saturday. The races for the army and navy have brought out the very best crews among the soldiers and sailors, and a great deal of interest is being manifested in these events.

In the race for service cutters and eight-oared jolly boats open to army and navy the following have entered: Two crews from the Grafton, two from the Pheasant, one each from the Virago, Shearwater and Royal Artillery, and two from the Royal Engineers.

For the cutter race, open to the army,

The Vancouver and Westminster Railway.

The Vancouver and Westminster Railway Act Amendment Bill was further considered in committee, with Mr. Murphy in the chair, and passed that stage, to be reported at the next sitting of the House.

Victoria and Seymour Narrows Railway.

The bill to incorporate the Victoria and Seymour Narrows Railway Company was further considered in committee, Mr. Fulton in the chair.

The alien labor exclusion clause, was

struck out on the motion of Mr. Hall, and a new section similar to that introduced into the Pacific Northern & Omineca Railway Bill was inserted in its place on the motion of Mr. Curtis.

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a crew from the Royal Garrison Artillery and two from the Royal Engineers have entered. In race number 9, for service cutters and eight-oared jolly boats, the list of competitors so far includes two crews from the Grafton, one each from the Pheasant and Virago. Race number 12, for service five-oared whalers and four-oared gigs, will be contested by two crews from the Grafton, two from the Pheasant, two from the Virago, and two from the Royal Garrison Artillery. Two crews from the Grafton and two from the Pheasant will compete in the service five-oared whalers, while the Grafton, Pheasant and Shearwater will be represented in race 15 for service dinghies and skiff dinghies.

The following entries have so far been received for the school boys double scull race: Bost' Central school, A. B. Sargison, Arnold Morley and Henry G. Argus (coxswain); Collegiate school, Arthur Newcombe (bow), Harold Marshall (stroke), D'Arcy Martin (coxswain). Colors: light and dark blue. Two representatives from the High school will also enter, but so far their names have not been received by the secretary.

Messrs. H. Lawrie, J. Blitchford and Miss M. Blitchford have entered for the double dingy with lady coxswain.

For the cutter race, open to the army,

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