

PROVINCIAL LEGISLATURE.

Dr. Walkem Wants Representation on the Alaska Boundary Commission.

Mr. Speaker Rules That Mr. Kitchen's Anti-Chinese Clause is Out of Order.

FIFTY-SIXTH DAY.

Monday, Feb. 18. The speaker took the chair at two o'clock.

Hon. J. H. Turner presented a petition from the W. C. T. U. regarding the appointment of police matrons in the jail. Out of order. Should have gone to the lieutenant-governor in council.

Hon. Mr. Turner introduced a bill to amend the contagious diseases act. Read a first time.

Mr. Helmecken introduced a bill respecting distress for rent. Read a first time.

Mr. Semlin moved for a return showing at what point actual construction was commenced on the Canadian Western Central railway, as stated in the preamble to bill No. 91, an act respecting the Canadian Western Central railway. What was the nature of this work? And what was the amount of money actually expended in this work? Adopted without discussion.

Dr. Walkem moved that whereas a commission has been appointed by the Dominion government, acting conjointly with a commission appointed by the government of the United States, for the purpose of delimiting the boundary line between the territory of Alaska and that of the Dominion of Canada, and whereas owing to the contiguity of the territory in dispute, the interests of the province of British Columbia are materially affected by the settlement to be arrived at; and whereas the government of the province of British Columbia have in the past taken active steps in bringing about the measures adopted by the Dominion government for the location of the line of demarcation and its early and expeditious termination; and have repeatedly brought to the attention of the authorities at Ottawa the great importance of obtaining all the territory rightfully that of Canada within the terms and meaning of the treaty governing the same; therefore be it enacted, that a respectful address be presented from this house to his honor the lieutenant-governor praying that he will be pleased to move his excellency the governor-general to consider the great desirability of British Columbia being directly represented in the negotiations for the settlement of the boundary line between Canada and the territory of Alaska, and that no effort may be spared to secure for this province all that was originally contemplated under the terms of the treaty of Great Britain with Russia.

The mover spoke very briefly in support of the motion.

Hon. Mr. Turner reviewed what the provincial government had done in regard to the case.

Mr. Hunter, who in 1877 defined the boundary for the Dominion government, said the Dominion government had since that time known of the difference of opinion regarding the boundary between the Dominion and the province. Portland canal was not mentioned in the original treaty, but it was mentioned in the American version.

Motion adopted.

On consideration of the report on the Canada Western bill Mr. Sword moved to repeal section 8 of the Canada Western subsidy act, 1889, and substitute the following:

"8. The lands acquired by the company shall not be subject to taxation, unless and until the same are used for other than railway purposes, or leased, occupied, sold or alienated, or until the lapse of a period of five years after the same are acquired, whichever shall happen first; but after the expiration of such five years the company may select such lands as they wish to retain, which shall then be subject to taxation, and such lands as they do not wish to retain shall be open to pre-emption or purchase under the liberal provisions as the lands of the province, the company receiving the proceeds of the same; and the capital stock and all property other than the land aforesaid shall be exempt from provincial and municipal taxation until the expiration of ten years from the completion of the railway, or ten years from the date fixed by statute for such completion, whichever may first happen."

The speaker ruled the amendment out of order, as it dealt with revenue and taxation.

Mr. Kitchen moved the usual anti-Chinese and anti-Japanese clause.

Hon. Mr. Davie asked if the clause was in order. It, he contended, would impair the company's franchise.

Mr. Semlin contended that the bill brought down was a government measure and any member could propose an amendment to it.

The speaker ruled the amendment out of order, holding that it was outside the scope of the bill.

Mr. Semlin appealed from the ruling and asked the speaker to give the ruling in writing.

The speaker gave the following ruling:

"The amendment of the hon. member for Chilliwack to bill No. 91 goes beyond the subject matter of the bill as introduced and disclosed on the second reading. May, p. 406, says: 'When the bill as amended by the committee is considered the entire bill is open to consideration, and new clauses may be added and amendments made. According to former usage the amendments might be wholly irrelevant to the subject matter of the bill. This vicious practice was in 1888 rendered impossible by standing order No. 41, which prescribes that no amendment may be proposed to a bill on consideration which could not have been proposed in committee without an instruction from the house.' The amendment of the hon. member for Chilliwack

could not have been moved in committee of the whole without an instruction from the house, and is therefore not admissible on report.

"D. W. HIGGINS, Speaker.

Hon. Mr. Davie submitted a message from the lieutenant-governor enclosing amendments to the companies act. Referred to committee of the whole and reported to the house.

The house went into committee on Col. Baker's bill to amend the coal mines regulation act. Reported complete, bill read a third time and passed.

The house went into committee on the Dominion lands bill. Reported complete, read a third time and passed.

On consideration of the report on the mineral bill, Hon. Col. Baker's amendments to relieve holders of claims on the island railway belt from forfeiture were taken up. The amendment was lost, Messrs. McGregor, Walkem and Kellicott voting with the opposition against it.

Hon. Col. Baker moved to strike out sub-section 3 of section 23 and insert the following:

"The owner of a mineral claim shall be entitled to all surface rights, including the use of all timber thereon, for mining or building purposes, so long as he holds the said claim for the purpose of developing the minerals contained therein, but no longer."

Mr. Hume moved to strike out clause 13, which would prevent an alien from holding a mineral claim. He pointed out that many Americans held claims in Kootenay.

The clause was struck out after some discussion.

Further consideration for the report was postponed.

Mr. Kitchen rose to a question of privilege. He was given to understand that the architect and several interested parties had copies of the evidence in the parliament buildings inquiry, and he would like to know when members would have copies.

Hon. Mr. Davie did not think the evidence should be distributed, as there was at least one error in it. If it is to be distributed it should be until the evidence now being taken by the committee is printed.

Mr. Sword pointed out that the house had ordered the evidence to be printed. Mr. Cotton did not think the attorney-general should be allowed to disregard an order of the house.

Mr. Eberts presented the report of the committee appointed to inquire into the claim of Baker and son to certain land at Gower point. Read and received.

Hon. Mr. Davie presented a message from the lieutenant-governor submitting a bill to amend the Cariboo Hydraulic Mining company's act. Referred to committee.

Hon. Mr. Davie explained that the bill empowered the government to grant the company more water rights and to build certain dams. Reported to the house and read a first time.

Hon. Mr. Davie introduced a bill to amend the revenue tax act so as to include the revenue tax to be collected by magistrates.

Read a first time.

On consideration of the report of the Vancouver act amendment bill, Mr. McPherson moved to strike out the clause inserted by Hon. Mr. Davie to prevent cities from competing with private corporations. The motion was lost, Mr. McGregor voting with the opposition in favor of it.

Mr. Kitchen moved to add the following as sub-section e:

"e. In the event of any gas, street railway or electric light company having any contract with the city of Vancouver for the supply of gas, electric light, or the construction and operation of any street railway, failing to observe and perform any of the conditions or covenants of such contract, the provisions of this sub-section shall not apply, and the council of the said city shall not be bound by the provisions thereof. Motion defeated.

Mr. Kitchen moved to add to the clauses inserted by Hon. Mr. Davie the following: The provisions of this section shall have no force or effect whatsoever if the gas company charge more than two dollars and fifty cents per one thousand cubic feet for all gas supplied by them, or if the electric light company charge any citizen more than one cent per ampere per hour for electricity supplied by such company for lighting purposes; and in the event of such companies making charges in excess of the above the corporation shall have the right to construct, purchase, maintain and operate gas and electric light works, and to supply the inhabitants of the city therewith, without first offering a price for the works of any company operating in the city or expatriating their works under the provisions of this sub-section." Adopted.

Mr. Sword moved an amendment empowering the city of Vancouver to pass a by-law authorizing the purchase, construction, operation, and maintenance of an electric light plant and works to light the streets, highways and public places and buildings, the property of the city, and for raising sufficient money on the credit of the city to defray the cost thereof and the purchase of any land necessary therefor, under the provisions of the said act and amending act for creating debts on the credit of the city." Motion defeated.

The house rose at 5.45.

EVENING SESSION.

The Vancouver act amendment bill was again taken up, Mr. Hunter moving the following as a new sub-section:

"e. Provided, however, that the council may enter into the lighting of the public streets with electric light at any time, upon their first acquiring the boilers, engines, dynamos, poles, wires, and all other are lighting plant then being utilized in the lighting of the streets by any company incorporated and carrying on their business within the limits of the city; the price to be paid for such plant and the preliminary steps to be taken for the acquiring of such are to be the same as hereinbefore provided." Adopted on division.

The report as amended was adopted.

An amendment was made to the drainage, dyking and irrigation bill and the report was laid over.

The house went into committee, Mr. Graham in the chair, on the Sunday observance bill.

Mr. Kennedy moved an amendment exempting the conveying of travellers by land or water, their baggage and the mails, selling of drugs and medicines and the hiring of boats and carriages; running of tram cars, the issuing of Sunday papers, and other works of a necessary character.

Every member in the house had additional exemptions to suggest, and Mr. J. M. Rutherford suggested that it apply only to the city of New Westminster.

Dr. Walkem thought any one who would introduce such a bill was of his base.

Mr. Kennedy said he was willing to leave it to the house as to whether he more off his base than Dr. Walkem.

Dr. Walkem—Being a medical man, I contend that I am the best judge.

The house rose, reported progress and asked leave to sit again.

The house went into committee on the homestead bill.

Dr. Walkem moved an amendment providing that exemptions shall not exceed in value \$500. Adopted.

Mr. Smith moved that the committee rise, and in so doing spoke very strongly against the bill.

Dr. Walkem explained that the act now on the statute book was introduced by Mr. Smith, and that gentleman went wild when anybody proposed to amend it.

The motion to rise was defeated. The committee rose and reported progress without having made a great deal of progress.

The report on the tramway, telephone and telegraph companies incorporation bill was adopted.

The report on the Canada Western railway bill was adopted, and on the third reading Mr. Kitchen moved to refer the bill back to committee of the whole for the purpose of inserting the anti-Chinese clause. The motion was defeated on the following division:

Ayes—Messrs. Williams, Kitchen, Kennedy, Hume, Cotton, Forster, McPherson, Graham, Kidd, Sword, Kellicott, Walkem, McGregor and Braden—14.

Noes—Messrs. Baker, Pooley, Davie, Turner, Martin, Bryden, Rogers, Eberts, Rithet, Hunter, Adams, Irving, Booth, Helmecken, Mutter and Smith—16.

The bill was read a third time and passed.

The wages regulation bill was read a second time and referred to committee.

After a discussion lasting half an hour on motion of Mr. Sword the committee rose.

Mr. Graham moved the second reading of the bill to amend the cattle act, which aims at the protection of swine along lines of railway.

The bill was read a second time.

Mr. Mutter moved the second reading of the line fences and water courses bill. Read a second time and referred to committee. Mr. Booth in the chair. Reported complete, read a third time and passed.

The municipal bill passed the second reading without discussion.

Mr. Adams moved the second reading of the wild horses bill. Read a second time.

The house adjourned at 12.45.

FIFTY-SEVENTH DAY.

Tuesday, Feb. 19. The speaker took the chair at two o'clock.

Hon. Mr. Turner moved the second reading of the bill to amend the contagious diseases act, which provides for the inspection of cattle and dairies. The bill was published in full last evening. Read a second time.

The house went into committee, Mr. Kitchen in the chair, on the companies bill. The amendments brought down by Messrs. McGregor and Braden and the bill was reported complete.

The revenue tax bill was read a second time and referred to committee.

Mr. Kitchen suggested that the government introduce an amendment to prevent the tax collector from collecting the tax from men who had just secured one or two days' work.

Hon. Mr. Davie moved an amendment providing that an employer of labor shall not be liable for the revenue tax of an employee unless such employee has been in his employ for one week of the year for which the tax is due. The amendment was adopted and the bill was reported complete.

Mr. Kitchen suggested that the government introduce an amendment to prevent the tax collector from collecting the tax from men who had just secured one or two days' work.

Hon. Mr. Davie moved an amendment providing that an employer of labor shall not be liable for the revenue tax of an employee unless such employee has been in his employ for one week of the year for which the tax is due.

The amendment was adopted and the bill was reported complete.

Mr. Adams moved to refer the tramway, telephone and telegraph companies incorporation bill back to committee, with instructions to insert the following clause:

"This act shall not empower any company formed hereunder to parallel with its line of tramway in whole or in part the Nakusp & Slocan railway, or the Kaslo & Slocan railway, but it shall not be deemed to prevent any such company from constructing works which may act as feeders to either of said railways, and no such feeder shall be deemed a parallel line within the meaning of this section."

The bill was referred back to committee, where the clause was inserted. Reported complete, read a third time and passed.

On consideration of the third reading of the mineral bill, Mr. Rithet moved to recommit it to insert the following clause:

"13. Whereas disputes have heretofore existed between the province of British Columbia and the Esquimalt & Nanaimo railway company with respect to the ownership of the precious metals lying under the lands within what is known as the railway belt on Vancouver island, and steps were taken by the said railway company on or about the 30th November, 1893, to actively assert the rights claimed by them by ejecting free miners who attempted to locate, record or work claims within said railway belt;

and whereas numerous mineral claims were and have heretofore been located within said belt, in order to preserve the title to which it was necessary for the holders to do work thereon in accordance with section 24 of the mineral act, 1891, but by reason of the assertion of the rights claimed as aforesaid, such work was in several cases omitted; and whereas legal proceedings were instituted in order to determine the title to such precious metals, and judgment therein was given on the 16th day of October, 1894; therefore be it enacted, that notwithstanding anything contained in section 24 of the mineral act, 1891, all persons being lawful holders of mineral claims within the said belt, on the said 30th day of November, 1893, shall be and are hereby relieved from all forfeitures for failure to work any such claim between that date and the said 16th day of October, 1894, and the year during which it is required by law that work should be done on a claim shall, in the case of such claims, be deemed to have commenced to run on the said 16th day of October, 1894; but nothing in this section shall apply to the case of an adverse claim where the court shall consider such claim to be just and equitable."

Mr. Cotton pointed out that the amendment had been previously negatived by the house, and contended that it was out of order.

The speaker ruled that it was in order.

Dr. Walkem contended that the clause was intended to give back to a man a claim in Alberta which he had deserted and which had afterwards been taken up and developed by other men. It was a matter for the courts and not for the house.

The amendment was lost and the bill was read a third time and passed.

On motion that the house go into committee on the municipal bill, Mr. Hunter moved that the speaker do not now leave the chair, but that the government be requested to introduce a uniform act for all the cities.

The speaker ruled the motion out of order, and the house went into committee. Mr. Booth in the chair.

After defeating a couple of amendments proposed by Mr. Sword, the committee rose and reported progress.

The house rose at 5.45.

EVENING SESSION.

The house again went into committee on the municipal bill.

Mr. Rithet moved to add to section 6: "Nothing herein contained shall authorize the granting of any bonus of exemption from taxes and water rates in favor of any manufacturing industry, undertaking or enterprise that is intended to compete with any manufacturing industry or enterprise already established and carrying on its operations within the municipal limits."

The amendment was adopted.

Mr. Rithet moved an amendment to allow the council to borrow a sum of money equal to the total amount of tax of the real and real estate as shown by the revised assessment roll for the preceding year, in anticipation of the revenue. The bill as introduced would only allow them to borrow 75 per cent. of the amount on the assessment roll for the previous year.

The amendment was adopted.

Mr. McPherson moved an amendment providing that a three-fifths majority shall be necessary to carry a money by-law. Adopted.

On motion of Dr. Walkem the clause imposing a tax on clubs was repealed.

Hon. Mr. Davie moved an amendment making the county court judge or person appointed in his stead the chairman of the board of license commissioners instead of the mayor.

Hon. Mr. Davie explained that he thought one of the supreme court judges would agree to accept the chairmanship of the board in Victoria.

Mr. Cotton asked why, if the attorney-general wished to copy Ontario in this matter he did not copy the whole principle. In Ontario the council were empowered to set the whole thing aside.

Mr. Rithet did not think that he could vote for the proposition. The mayor, being the representative of the people, should be the chairman of the board.

The clause providing that the mayor and two aldermen should compose the board of police commissioners was struck out.

Hon. Mr. Davie moved to make the county court judge the person appointed chairman of the board of police commissioners instead of the mayor. He contended that a judge could not be asked to accept the position of a commissioner unless he was made chairman of the board.

Mr. Rithet opposed the amendment. The amendment was lost.

Mr. Sword moved an amendment providing that it should be necessary to submit a by-law to the ratepayers when it is proposed to undertake a work by local improvement when such work exceeds 5 per cent. of the assessed value of the land and real property of the municipality. The amendment was rejected, as was also the main clause, which provided that a by-law must be submitted to the people when such work would exceed 25 per cent. of the assessed value of the property immediately benefited.

Hon. Mr. Davie moved to strike out the clause in the main act dealing with appeals from the court of revision, which he contended prevented an appeal being taken unless everybody appealed. He proposed to leave the clause as it was in 1892.

The amendment was adopted.

Mr. Rithet introduced an amendment to empower the council to pass a by-law to levy two mills on the dollar for school purposes. He explained that the schools in Victoria cost \$50,000 a year, which sum would have to come out of the general revenue if the council was not empowered to levy this special rate.

Mr. Hunter opposed the amendment, and he also objected to the council being allowed to levy one mill in the dollar for the board of health. He thought it was wrong for the school trustees to be allowed to order the council to levy any amount for the schools. The council should have some say as to how much should be expended on the schools.

Mr. Eberts thought the amendment should be passed. If the expenses of the schools was taken out of the general revenue there would be nothing left for improvements. At present the council had to take \$19,000 out of the general revenue for schools.

Hon. Mr. Davie thought it would be better to allow the council to supervise the requisitions of the school trustees and then let them levy what was necessary. The council should have some say about the money they had to raise for school purposes. If this was done the council might find that something less than two mills was required. He did not object to the two mills being levied, but he did think that the council should supervise the expenditure of it.

Mr. Cotton pointed out that the trustees as well as the aldermen were elected by the ratepayers.

Hon. Col. Baker thought if the attorney-general's proposition was carried out a great deal of friction would be caused.

Mr. Hunter noticed that the ministerial association had been getting their car in and had suggested that music be taught in the schools. The trustees, of course, rubbed their hands and said that it was a very good thing. He supposed there would be requisitions for pianos and Jew's harps and salaries for dancing masters, the pupils being taught the ballet, etc. And the council would of course have to pay it.

The amendment was adopted.

Mr. Braden moved a clause to prevent the employment by the city, either directly or indirectly, of alien labor, and providing that a clause to that effect should be inserted in all city contracts. The amendment was defeated.

Hon. Mr. Davie moved the following as a new clause:

"Notwithstanding anything in the municipal act, or in any amendment thereof, it shall be lawful for the lieutenant-governor, upon a petition signed by a majority in number of the persons entitled to vote for councillors in any township municipality, and by a majority in interest representing at least three-fourths in value, as shown by the current assessment roll of those persons assessed for land or improvements in such municipality, by an order in council, to disincorporate and annul the letters patent of such municipality; but in no case shall such disincorporation take place until due provision is made, to the satisfaction of the lieutenant-governor in council, for the payment and discharge of all debts and obligations of the municipality."

The amendment was adopted and the bill was reported complete.

Hon. Mr. Davie said he would have a commission issued appointing the members of the parliament buildings committee a royal commission, so that they would continue the investigation. It was impossible for the committee to report before the house prorogued.

Both Mr. Williams and Mr. Kennedy declined to act.

The house adjourned at 12.45.

Canadian News.

Ottawa, Feb. 20.—A well known sporting man last night offered to bet \$500 to \$2000 that Laurier would be our next premier. The wager was not accepted at the time, but this morning "Doc" Johnson, a local sport, who is quite wealthy, covered the money. The affair has caused considerable talk, as the gentleman who gave such tremendous odds is known among the sporting fraternity as a "shrewd man."

Winnipeg, Feb. 20.—In continuing the debate on the speech from the throne in the legislature yesterday, Wm. Fisher, Independent Liberal, commended the Ontario school system which allows separate schools but places them as much under government control as public schools. Catholic children were in a better position in Ontario than they had ever been in Manitoba. In New Brunswick there are separate schools in full blast, and the United States in the future will be the same. In Savannah, Ga., a city of 65,000 people, there are two Catholic schools under the public school board but having Catholic teachers, privileges as to readers, and text books on history and religious exercises. He believed this wicked agitation, this wicked legislation had been conceived for the purpose of political capital which was a disgrace to any statesman.

When Baby was sick, we gave her Castoria. When she was a Child, she cried for Castoria. When she became a Woman, she clung to Castoria. When she had Children, she gave them Castoria.

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imals, or expose for sale or diseased animal or any milk from.

ctor, upon receiving the veterinarian that any animal may at once, by himself or size and detain such animal, notice to the owner, cause be kept at the expense of in some place where it will transmit the disease to is.

son having in his possession charge any animal which is to be diseased, but respect notice has been given as hall, as far as practicable, animal separate from other so diseased, and shall, with speed, give notice to the existence, or supposed the disease.

ctor shall on receipt of such practical speed, cause be made of the said animal disease appears to exist, shall notify the owner or person in charge of the animal as their cases.

LIANO ISLAND. by Panthers—Valentine's Day Remembered.

land, Feb. 18.—Great depression being committed on Valdes the sheep. Panthers are the cause of the mischief. Sheep are found in all directions.

Butterfield, the well known is, a visitor of Gallinas.

Sturdy, the Plumper Passer, had excellent success at Nanaimo. His birds, spangled Hamburgs, scored.

They are said to be Canada, and as the spangled red in Canada are better in the United States, it is held that Mr. Sturdy has the Hamburgs in America.

rs. Walter Harris of Lad. are visiting among the day was observed here in.

The custom is grand, although a great number rough the office. Some of the eccentricities of the others were rather stylish, buildings are in course of on Wayne Island, among mentioned a barn, the pro-

William Deacon, which will be the finest of islands.

POSITIVE TESTIMONY. and Gives Names of Men attacked Charles King.

King gave very positive evi- in the preliminary Hon and Ah Hong, charged assault in connection with the attack on Charles King. He saw the assault and attacking party consisted of Hong, Lee Hen Yem, Lee and one other whom he recognize. He gave the de- fair, told of the conversation among the six and used on King. He had giving his direct examina- to questions from Thorn-

and yet to be cross-ex- Aikman. Before King and Dr. George Duncan as to the injuries to use was remained until to-

stood that the three men given by King can- The case threatens to en the breach between the involved. Both claim to party. The friends of asserted this morning that was all cooked up in ad-

IOUS ASSAULT. in Beats an Elderly White an with a Club.

assault on Thomas Wil- Park street. Maned a colored man, was this to jail for three months or added. The accused Williams' yard yesterday gathering some old bottles preparatory to carrying Mr. Williams ordered him refused to leave, and was push him out of the yard.

Rodrigues, and seizing a dead Mr. Williams, who an, several hard blows on Williams was stunned by fortunately escaped with- injury. The matter was aced in the hands of the colored gentleman was rest.

called for hearing in pu- morning and the case even. The magistrate in ce took occasion to score his action.

W YANKBEES' Per Cent. Premium in London To-day.

Feb. 20.—It is stated on the part of New United States our per cent. premium is 116 was bid for them to-day.

CKMAN fifteen days. I will send prescription and full price and positive remedy for young or old men. Cures nervous weakness, impoten- will also furnish remedies use stamp and address F. O. Out.