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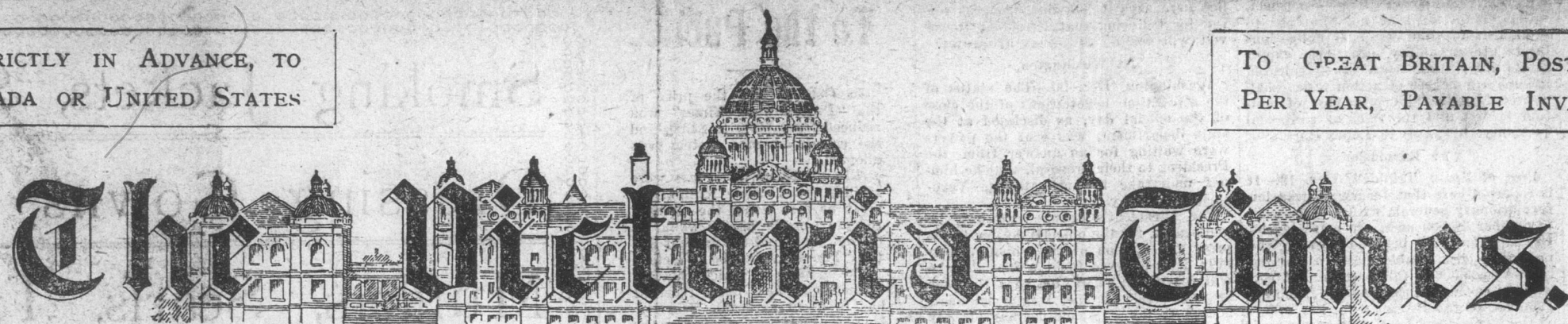
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VOL. 33.

VICTORIA, B. C., TUESDAY, DECEMBER 23, 1902.

NO. 50.

DISALLOWANCE OF B. C. LEGISLATION

REASONS ACTUATING THE FEDERAL POWERS

Was Ultra Vires of the Legislature and Contrary to Imperial Policy.

(Special to the Times.)

Vancouver, Dec. 19.—Senator Templeman, the British Columbia representative in the Ottawa cabinet, was asked by the Province for the reasons influencing the Dominion government in disallowing legislation by the British Columbia legislature aimed against...

The renewed action on the part of the Dominion government to approach Your Lordship in a friendly spirit, with a view of asking Her Majesty's government to extend their enlightened policy, constantly shown by them towards Japan, to the present instance, by inducing the Governor-General of Canada to refrain from giving his assent to the bills in question...

"On the 22nd January, 1901, Hon. J. Chamberlain wrote to the Governor-General: "It is understood, from the press reports, that the act is of a restrictive nature, based on the Natal Act, and having regard to the general principles which the B. N. A. Act is based, it would appear that such a measure is ultra vires for any legislative body in Canada, other than the Dominion parliament."

"The whole scheme of the B. N. A. Act implies the exclusive exercise by the Dominion of all national powers, and though the powers to legislate for the promotion and encouragement of immigration into the province may have been properly given to the provincial legislatures, the right of entry into Canada, of persons voluntarily seeking such entry, is obviously a purely national matter, affecting, as it does directly, the relations of the Empire with foreign states."

"The more recent legislation, being re-enactment of the disallowed legislation of 1900, has been disallowed on the same ground, that is, that the province has no more power to pass such legislation than it has to amend the customs laws, or the postal act."

"Such disallowance, however, has been pressed upon the Ottawa government by the Imperial government on the ground of Imperial interests, a request which the Dominion government was bound to comply with, especially as the legislation of the province was clearly unconstitutional."

"The disallowance of the British Columbia act, while distasteful to me, does not settle the question. The scene of action has simply been changed. Ottawa, and not Victoria, is the place to seek for legislation along the lines of the Natal law, and I am pleased to see that Mr. Macpherson, the government candidate, has expressed his determination to carry on the fight there. I am in favor of a Natal law for the Dominion, to regulate and control the immigration of all undesirable people, and will be glad to have the assistance of Mr. Macpherson in the task of convincing parliament that such legislation is in the best interests of Canada. I have hopes that a united request from British Columbia for such a law will meet with a favorable response. Whether the Imperial government would withhold its sanction to Canadian legislation of this kind, on the ground of Imperial interests, remains to be seen; but in view of the Natal, Australian and New Zealand enactments, on that point, it is not at all probable that it would do so."

CANADIAN BREVITIES.

Windfall For Former Winnipeg Clerk—Demand For Structural Steel.

Winnipeg, Dec. 18.—Thos. W. Brown, a former clerk of this city, in poor circumstances, has fallen heir to an estate in Alburgh, Liverpool, England, valued at nearly \$50,000.

Five Years. Maple Creek, N. W. T., Dec. 18.—Harry R. Forsythe, who yesterday was found guilty of having money on his person stolen from Dixon Bros. vault on August 6th last, was arraigned before Chief Justice Pendergast and received a sentence of five years' penal servitude in Stony Mountain penitentiary.

Iron and Steel Company. Montreal, Dec. 18.—The Dominion Iron & Steel Company will not continue construction of its steel rail mills at Sydney for the present, but will devote the structure to the manufacture of structural steel, for which there is a much larger demand throughout Canada. This decision was arrived at by the executive of the company at a meeting held to-day. It is announced that the company had not yet decided to issue any more common stock at present, as has been reported.

Lived Over a Century. Esther Dunn Jones died to-night, aged 107 years and 6 months. She was a native of Kildare, Ireland, and came to Canada 54 years ago.

Charged With Fraud. Toronto, Dec. 18.—Robert Haley, ledger keeper in a local branch of the Bank of Commerce, was arrested to-night charged with defrauding the Dominion Express Co. by means of forged cheques drawn on the bank for \$200.

MEETING OF PREMIERS.

Proceedings at Quebec Were Private—Hon. S. N. Parent, Chairman.

Quebec, Dec. 19.—The first business meeting of the provincial premiers and their respective cabinet ministers taking part in the inter-provincial conference commenced this morning at 10 o'clock in the executive chambers of the Quebec government. The proceedings are absolutely private, and nothing has been given to the press for publication. The meeting lasted till 1 o'clock, when an adjournment took place for lunch, which was provided by the Hon. S. N. Parent, Premier of Quebec. Premier Ross, of Ontario, and Premier Prior, of British Columbia, are the only premiers not attending. Premier Parent was chosen chairman. He made a brief introductory address, welcoming the delegates and outlining the proposals to be made. A special committee was appointed to prepare work and draft resolutions. The intention is to close the meeting to-morrow, if possible, as the delegates are already pretty well agreed on the main lines of their programme, and only a few questions of detail remain to be settled.

MONTREAL POLICE AFFAIRS.

Chairman of Committee Will Ask For Investigation By Royal Commission.

Montreal, Dec. 19.—The local police force and its administration is to undergo a close investigation. A few days ago Alderman Leboeuf, chairman of the police committee, at a meeting of the committee referred to the failure of the city recorder to make convictions in certain cases. This morning Recorder Poirier from the bench denied Ald. Leboeuf's charges, and made a savage attack on the committee, charging it with suppressing certain things in the interest of certain members of the force and certain aldermen. As a result Ald. Laporte has given notice that he will, at a meeting of the council on Monday, ask for the appointment of a royal commission by the Quebec government to make a thorough and impartial investigation.

LAYING THE CABLE.

Steamer Silvertown Has Paid Out 662 Knots.

San Francisco, Dec. 18.—The Associated Press has received the following cablegram from its correspondent on board the cable ship Silvertown, dated at noon to-day: "Position at noon, lat. 30 14 N., long. 123 30 W. Since noon yesterday 207 knots of cable have been laid, making the total laid 662 knots. The weather is good, and the ship's speed eight knots."

FRANCE HAS ALSO CLAIMS UNSETTLED

NOTICE SERVED ON THE THREE POWERS

German Cruiser Captured and Disabled a Venezuelan Schooner—Minister Bowen's Powers.

London, Dec. 18.—It is not supposed that anything definite has resulted from today's cabinet meeting with regard to the transmission by the government of the United States of Venezuela's request for arbitration. All negotiations are ruptured with Washington.

The Blockades. Caracas, Dec. 18.—It has been learned from an official source that the allies to-day will notify Venezuelan authorities at La Guayra of the blockade to become effective Saturday, December 20th, at 8 p.m., of the ports of La Guayra, Porto Cabello, Core, Maracaibo, Carrupano and Barcelona.

Lopez Baralt, Venezuelan minister of foreign affairs, has transmitted to the United States minister a document signed by President Castro as constitutional president of the republic and countersigned by himself as minister of foreign affairs, in which Mr. Bowen is recognized as the only representative of Venezuela in the matter of effecting a settlement of the present difficulty. According to the terms of this document Mr. Bowen may act without restriction, and he is to use all means possible to protect the interests of Venezuela.

Schooner Captured.

La Guayra, Dec. 18.—The German cruiser Falke, which has been anchored for the past two days at the entrance of Lake Maracaibo, to-day captured the

zuelan schooner over night in the form of a cablegram from Dewey announcing the proposed itinerary of the vessels of his fleet during the holidays. The plan provides for no undue concentration of ships along the Venezuelan coast. Secretary Moody to-day cabled the admiral the department's approval of his order. This will set at rest the rumors that the United States contemplates complicating the situation by dispatching a large naval force to La Guayra as an offset to the allied fleet.

London, Dec. 19.—Great Britain has sent a reply to the United States in regard to the suggestion that the Venezuelan question should be submitted to arbitration. The tenor of the reply, it is expected here, will tend to bring about some arrangement for a satisfactory solution, while thoroughly safeguarding the interests of the powers concerned.

The note to Reuters' Telegram Company, announcing that Great Britain had sent a reply to the United States, adds: "The statements issued from Caracas to the effect that President Castro has empowered Minister Bowen to act as the representative of Venezuela are regarded in London as open to question. Any such action on the part of President Castro would be considered wholly beside the mark. The powers concerned will deal solely with the United States in the matter of arbitration. The government of President Castro will not be consulted in any form, not even as to the terms on which arbitration might be acceptable to the powers."

The forms and conditions to be observed in any settlement by arbitration are still the subject of an extensive exchange of views between the powers and the United States prior to the embodiment of the several replies in one harmonious instrument. Until this is elaborated no definite arrangement is possible."

Germany's Reply Ready. Berlin, Dec. 19.—Germany's answer to Venezuela's proposition for arbitration is ready and will be sent to the United States government in a day or two.

The officials here maintain absolute silence regarding the character of the answer. The foreign office has no information to the effect that President Castro has bestowed on Minister Bowen full power to represent Venezuela in the settlement of the existing difficulties, but such a

field the United States government will do what it can to reduce their risk. The German position presents the greatest difficulties. Weeks may elapse before their adjustment can be effected and the case prepared for arbitration. The danger of the delay, in the face of the blockade which seriously cripples neutral commerce and invites hostile collisions with the Venezuelans, cannot be over-estimated. The efforts of the United States, therefore, must be directed towards hastening Germany's action on the arbitration proposal.

The Italian position is, of course, of less concern than that of the other allies. The Italian ambassador here in his interviews with the state department has been extremely moderate. The French government has served notice that without abating her claims, the payment for which has been arranged, she also claims the right to have the claims of French citizens which have arisen since the adjustment spoken of, considered by the joint tribunal which will adjust the Venezuelan debts, on the basis of equality with those of the other nations. This contention is strongly resisted by some of the allied powers, and is one of the points which must be disposed of before arrangement can be made to arbitrate the case.

No Objections Raised. London, Dec. 19.—In a printed reply,

step toward a solution would be received with pleasure.

Attitude of Powers.

Washington, Dec. 19.—Secretary Hay has received partial responses from the governments of Great Britain, Germany and Italy respecting the proposal to arbitrate the Venezuelan difficulty. Great Britain is favorable to arbitration with proper safeguards. Germany accepts arbitration principle, but finds a multitude of small adjustments to be made before entering into the agreement. Italy, as the junior partner of the allies, declares that she is favorable to arbitration, but probably will be bound by the action of the senior powers.

As far as England is concerned the safeguards referred to are believed to relate to the question of guarantee, which is full of difficulties. In this connection some consideration is again being given to the feasibility of the assumption of responsibility for any award assessed against Venezuela by responsible private agencies, but the United States government is determined not to allow itself to be drawn into the position of guarantor. However, if private concerns can be induced to enter

made public to-day, to a recent question in parliament of Gilson Bowles, M. P., Conservative. Premier Balfour says no intimation has been received from the government of the United States that it will object to American shipping being interfered with in the event of a blockade of the Venezuelan coast. The objections to the blockade which it is proposed to establish have been carefully considered. They cannot, however, be altogether removed as some of them are adherent to that particular class of naval operations.

Mr. Bowles also asked: "Whether in view of the destruction by the Germans of the two gunboats and the consequent impossibility of holding them as pledges the government proposes to continue joint action with Germany." The Premier replied in the affirmative.

NO RELIEF IN SIGHT.

Railway Company Official Says There Will Be Shortage of Coal All Winter.

Philadelphia, Pa., Dec. 18.—Officials of the Reading Railroad Co. hold out no hope of relief this winter from the present anthracite coal stringency, despite the efforts on the part of the company to mine and ship to its full capacity. "Under normal conditions," said one of the officials, "the anthracite production never is equal to the demand during the winter months, and the Reading and all the other anthracite companies may be obliged to draw upon the stocks of various storage points to help out the demands of the trade. This year there is not a pound of coal at any of these storage points, thus consumers are dependent entirely upon the daily output of the mines."

Practically all of the company's collieries are in operation. Reading officials decline to discuss the question as to whether the advance of 50 cents a ton made in October will hold good during 1903, but they admit that it certainly will rule beyond January 1st, 1903, the date fixed by President Baer for a reduction to the old rate.

TORONTO NOTES.

Sir William Mulock Home Again—The Provincial Bye-Elections.

Toronto, Dec. 19.—The dates for the Ontario legislature bye-elections are announced. Polling in North Perth, North Norfolk and North Grey will take place January 7th. McKay, the unopposed Liberal candidate, will again contest North Grey.

The executive council of the Canadian Manufacturers' Association has decided to urge the postmaster-general to establish a parcel post with Trinidad. E. A. MacDonald, formerly mayor of Toronto, died last night after a tedious illness, aged 44 years. He was very prominent in municipal politics for years. E. Morang & Co. have issued another writ against J. Castell Hopkins for \$150 paid him, and for \$500 damages for alleged breach of contract by defendant to write a life of Sir Chas. Tupper.

Sir William Mulock has returned to the city from the Hot Springs, Virginia. He says the Premier is enjoying excellent health, and has gone to St. Augustine, Fla.

THE COAL SHORTAGE.

Mayor of New York is Investigating Situation—May Take Steps to Obtain Supply.

New York, Dec. 19.—Convinced that something must be done to end the coal famine, Mayor Lowe has sent a letter to the officials of the different coal carrying roads asking for facts concerning the situation. The mayor refused to enter into detail, but was hopeful something beneficial to the public would result from his action. "I have written to the railroads in an official capacity," said Mr. Lowe. "I have been quietly investigating the state of affairs for some time, and I thought it advisable to write to certain persons for a few facts. In a few days I shall know more about the true condition of the coal supply in all parts of the city."

It is likely the mayor will head a movement to supply the city with coal, if he finally decides the condition is serious enough to warrant official interference. He has had a conference on the question with Borough President Cantor, who said that there was a strong likelihood of action being taken in a few days.

THE NEW COAST ROAD.

Grand Trunk Will Apply for a Charter, Building by the Pine River Pass.

Ottawa, Dec. 19.—The Grand Trunk Pacific railway will apply this week for a Dominion charter for a road from North Bay or Gravenhurst to Port Simpson, on the Pacific Coast, by the Pine River pass. The British Columbia government has notified the Dominion government that the necessary proclamation has now been issued regarding the discontinuance of provincial acts. It is said here the government was notified on December 5th as to their disallowance, although the order-in-council did not arrive until later by mail.

KILLED BY EARTHQUAKE.

(Associated Press.) Akabad, Dec. 18.—Three officials, two soldiers and 150 natives, mostly children, were killed by the earthquake which destroyed the town of Andijan, Russian Central Asia, on Tuesday. In addition, 300 natives and 17 soldiers were injured, and 1000 houses of natives and 130 Russian residences were destroyed.

Death Roll Increased.

London, Dec. 19.—A special dispatch from Petersburg says nearly 1000 persons were killed by the earthquake on December 16th at Andijan, Russian Central Asia, mostly native Turcomans.

XTMAS GREETING TO ALL READERS OF THE TIMES.

