

The Colonist.

THURSDAY, FEBRUARY 8, 1906.

THE WAR.

Stirring news may be expected daily. Gen. Buller began his advance on Monday. The being account of what took place minimizes the result and claims that our troops met with a partial reverse. It appears from the despatch from our headquarters in the field that the so-called reverse was merely the withdrawal of a feint attack on the enemy's front, while a vigorous and successful assault was made on his extreme right. The result of the first day's fighting was the occupation of an important elevation from which we assume the attack is now being pushed.

Simultaneously with this announcement from Natal comes a report from Cape Colony that fighting is going on at Sterkstroom. This may not be strictly accurate as to the locality. Sterkstroom is on the railway about midway between Stormberg Junction and Queenstown. It is in the mountains. What little information we have had of the position of Gatacre's force was to the effect that he was nearer Stormberg than the report in question would indicate. Presumably if he has been attacked the counter attack will be made upon the enemy at Stormberg Junction by our force along the railway between that point and Rosemead Junction.

It is interesting to note, in connection with what is transpiring in Cape Colony, that Roberts and Kitchener have gone to the front. We may feel some degree of confidence that the operations in progress are being directed according to a definite plan, and that whatever may be the result of the first collisions between our troops and the enemy, there will be no sacrifices of men to accomplish no definite object.

THE PUBLIC SCHOOLS ACT.

The proposed amendments to the Public Schools Act were brought down yesterday. They are not very numerous and their value is not very great. The first change proposed is in the Interpretation Act, and defines what the words "resident," "householder" and "freeholder" mean. A resident is a person who actually dwells or has his place of business within a school district, and it therefore prevents non-residents from voting, or prevents a property owner who may have a rural school district. A householder in a city is declared to be a person holding or occupying premises and paying a rental or rent value of \$60 a year; in a rural district a householder is any person residing or having his place of business in a district. A freeholder is described to mean a person having a freehold estate. The original School Act does not define these terms, and the amendment seems to be desirable.

The second change applies the provisions of the law relating to cities to all the cities of the province now or hereafter incorporated, the original act having been framed to apply only to Victoria, Vancouver, Nanaimo and New Westminster.

The third change provides that the four candidates out of seven who receive the highest number of votes at a city school election shall serve for two years. We draw attention to the fact that no provision is made in the amendment for vacating all the trusteeships, and that this is done by the amendment very well be "a first election under this act," to which this section can apply.

The fourth change applies section 34 of the original act to all the cities of the province instead of those specially named in that act.

The fifth change is a new provision and is as follows:

6. The said act is hereby amended by inserting after section 34 thereof the following section:

34a. City school districts shall be divided into the following classes:

(1.) City school districts of the first class, including all incorporated cities and towns wherein the average daily attendance equals or exceeds \$500 for the year.

(2.) City school districts of the second class, including all incorporated cities and towns wherein the average daily attendance equals or exceeds \$300 for the year, and comprising at the present time the cities of Cumberland, Columbia, Grand Forks, Greenwood, Kamloops, Kado, Nelson, Revelstoke, Rossland, Sandon, Vernon and the town of Wellington. All cities and towns that may hereafter be incorporated from time to time shall also be included in one or other of these three classes; provided, however, that no city or town shall be transferred from one class to another except during the month of July, and then only with the consent of the Lieutenant-Governor-in-Council.

The sixth change makes the per capita grant per pupil \$10 in cities and towns of the first class, \$15 in those of the second class, and \$20 in those of the third class. The act as it now stands provides for a per capita grant of \$10 in Victoria, Vancouver, New Westminster and Nanaimo. The restriction of the application of certain sections in the act to these four cities is no longer proper, seeing that we have now fifteen cities and towns having corporate powers. The change in the per capita grant is the principal alteration in the law, and there will be some doubt whether it is advisable to make the schools of the cities a greater charge upon the provincial revenue than they now are.

The seventh change provides for the appointment of school inspectors in cities of the first and second classes. The eighth change provides for the election of a school board in rural localities not included in a school district.

The ninth change applies to temporary certificates of teachers, which are not to be issued except in case of sickness, until three months after the publication of the result of the annual teachers' examination in the Gazette.

The tenth change is one necessitated by the incorporation of new cities and towns, but does not alter the law. The eleventh change applies to teachers' certificates and is as follows:

12. Section 67 of said act is hereby repealed and the following section is substituted therefor:

"67. The board of examiners shall have authority to grant certificates as follows:

"(1.) Third Class, Grade B, valid for one year; if issued after July 1, 1901, valid for three years.

"(2.) Third Class, Grade A, valid for two years; if issued after July 1, 1901, valid for four years.

"(3.) Second Class, Grade B, valid for three years; if issued after July 1, 1901, valid for five years.

"(4.) Second Class, Grade A, valid for five years; if issued after July 1, 1901, valid for life, or during good behavior.

"(5.) First Class, Grade B, valid for life, or during good behavior.

"(6.) First Class, Grade A, valid for life, or during good behavior.

The twelfth change is a new provision and reads thus:

5. Section 34 of said act is hereby repealed and the following section is substituted therefor:

"34. The salaries of teachers employed in the public schools in all incorporated cities and towns shall be fixed and paid at the discretion of the school board of said cities and towns respectively; and such salaries and all other expenses for the purchase and lease of school lands, erection, enlargement or rent of school buildings, for furniture and repairs, and all other incidental expenses whatsoever, incurred by the board of trustees in the respective cities and towns, shall be borne and paid by the municipal corporations of said cities and towns respectively.

We have not many comments to make upon these amendments. They appear unobjectionable except, perhaps, that relating to the per capita allowance to cities, and we refrain from expressing any opinion on this until we have heard what the government may say about it.

FREEDOM OF DEBATE.

Scarcely a day passes in the legislature without something being done to impair that degree of freedom of debate, which is supposed to be inherent in every British subject. By freedom of debate we do not mean unlimited scope for discussion on any subject that may be brought up, nor do we mean that they may have a right of personal abuse, or the right of every member to discuss every subject in his own way. The most extraordinary ideas seem to prevail upon this matter, not only upon the part of Mr. Speaker Forster, but on that of many other gentlemen in the house. We think it is largely due to lack of experience on the part of members. They do not know how other legislatures are carried on, and they come to the house without any education along these lines. We can say to them with all sincerity that if they would take the trouble to inform themselves on this subject, they would learn that in other legislatures bodies than that of this province restrict upon debate are almost wholly unknown, except when the person addressing the house clearly travels out into matters not germane to the subject, or where he employs language not compatible with the rules of respectful discussion. Free debate is absolutely essential if the various subjects of discussion are to be properly dealt with, if the matured opinions of members are to be made known, and if the public is to be informed of the reasons why action on any subject is taken by their representatives. We do not suppose that honorable members really appreciate how important it is that freedom of debate should be secured under any circumstances. Better that there should be a little disorder than that the liberty of the people should be curtailed, and it is certainly curtailed when the representatives of the people are not allowed to express themselves with freedom on the floor of the legislature.

A MATTER OF \$60.

To a rich province like British Columbia \$60 is not much. It is also desirable that the speaker of the legislature should be properly clothed. A little dignity in the chair of the presiding officer is likewise a good thing, and according to Carlyle in Sartor Resartus, clothes have a great influence on the character of a man. It is something particularly impressive about it. Even hanging on a peg in a wardrobe it sheds an aroma which impresses all who come within its magnetic influence. When it enfolds the frame of a counsel at the bar it often makes what it were the real Simon Pure article. A judge in anything else than silk would be something without warrant or precedent. So when a humble individual gets a glimpse of the speaker of the legislature attired in a fine silk gown he is apt to think he is in the presence of something. Therefore we fancy no one will be annoyed by the fact that Mr. Speaker is a very well paid gentleman. He gets more in proportion to the time he is employed than any other man in public position in the province and does less for it. He ought therefore to be able to buy his own clothes. Mr. Forster does buy his coats, his trousers and the other articles of manhood apparel, but when it comes to a silk gown the province is called upon to pay for it. This appears from the public accounts. If the Turner ministry, which is alleged to have been the embodiment of everything extravagant, had bought a silk gown for Mr. Booth or Mr. Higgins, there would have been a howl from the press and economy advocates of whom Mr. Forster was one of

the chief and most persistent. But Mr. Forster in the speaker's chair and Mr. Forster in opposition are two very different people. Mr. Forster, the opposition demagogue, would have condemned the expenditure of \$60 for a silk gown for the speaker; but now the case is altered quite, and he sits in his chair from day to day with the equivalent of a small bridge wrapped around him. It will doubtless be a source of satisfaction to people who are put to inconvenience for want of such a bridge to know that the Speaker wears a silk gown.

THE SPEAKER.

A great deal of good will result from the resolution introduced into the house yesterday by Mr. Irving dealing with the propriety of the Speaker attending party caucuses. The resolution was defeated, but that is not material. It might have been withdrawn without the principle involved being weakened in the slightest particular. After the very free expression of opinion on both sides, we do not imagine that any future British Columbia Speaker will offend in this particular. Mr. Forster took part in the discussion and admitted that he had attended caucuses by saying that he had not done so since the situation in the house became acute. This statement of the Speaker fully warranted the observations which the Colonist has made upon the point, and fully justified Mr. Irving in introducing his resolution.

Mr. Forster thought the resolution ought not to pass; but that a rule of the house should be made forbidding the Speaker to attend a party caucus. Against such a suggestion we protest. First, we protest on the ground that it would be a legislative recognition of the caucus, which we do not think is desirable, and next because if the house once begins to define what the Speaker may or may not do in order to remove from him any imputation of partiality, no one can tell where the line must be drawn. If such a rule is made to meet Mr. Forster's case, another Speaker may plead in justification of some gross breach of the traditions of his office that there was no rule of the house against it. These things must be left to the Speaker's own sense of what is right and proper, except that where, as in the present case, a salutary rule has been departed from, it is expedient for the house to express its disapproval.

We do not charge Mr. Forster with any intentional departure from the rules which he ought to observe. We never have done this. The Finance Minister's paper, the News-Advertiser, replying to the Colonist, said that in a province like British Columbia it was impossible to apply the principles of responsible government. We submit that the time has come when the people of this province shall be informed if they are living under responsible government or not. If they do it is the duty of the Lieutenant-Governor to surround himself with advisers who will treat his communications to them with the same honorable secrecy as he treats their communications to him. This is not a matter of trifling or passing interest, for we fear if this and future legislatures are to be told before they are elected that the Lieutenant-Governor's views are to be endangered and ministerial responsibility will become a thing of the past. We trust that some member of the house will take occasion to place on record a resolution declaring against any repetition of the extraordinary course which the government has seen fit to take.

The patriotic meeting to be held in the Drill Hall to-morrow evening will doubtless be largely attended. Victoria must get in line with her sister cities.

Not one paper in British Columbia has endorsed the proposal current a week or so ago that a coalition should be formed between the government and opposition. It is somewhat singular that while this idea is known to have met with favor in certain quarters in the house, there is absolutely no response to it in the country. The reason of this is not far to seek. The grounds of opposition to the present government are matters in which principles are involved, and the country is in no mood to stand a compromise made for personal reasons. Those persons who think otherwise—and so far as we know they are few in number—may simply imply that they regard themselves as to the condition of public opinion.

RESTORE RESPONSIBILITY.

It is time that responsible government was restored in British Columbia. We say this because of the very remarkable act of the government in bringing down a communication from the Lieutenant-Governor dealing with the mining laws. We wish to be thoroughly understood in this matter. We do not suggest that the Lieutenant-Governor may not properly make representations to his ministers on any subject of public interest. On the contrary, we hold it to be not only his privilege, but his duty, of the Lieutenant-Governor to give the province every possible advantage of his experience, knowledge and wisdom. The books on constitutional law, while very explicit as to the power of the crown or its representative, are equally clear that it is the duty of the sovereign or his representative to present his views to his ministers whenever he thinks it to be necessary. A minister has been chosen, in which this has been done, could readily be cited. One conspicuous case may be mentioned, namely, when the Queen expressed her personal views upon her advisers at a critical period in the American War of Secession. How the personal views of the sovereign or her representative should be communicated to the ministry must be left to her to decide. It may be done informally, or, if there is any likelihood that some political issue may depend upon

it, a formal method may be adopted. When Lieutenant-Governor Gordon brought about the ministerial crisis in New Brunswick over Confederation, he communicated his views to his advisers in writing. This is one case out of many that could be cited, but it is well known that in all the provinces and colonies their ministers are personally cordial, the ministers very frequently have the benefit of the governor's advice touching subjects of public importance. Therefore we take no exception to the action of Lieutenant-Governor McInnes in laying before his advisers his views on the several matters brought under his notice in A-11, but on the contrary approve very highly of his conduct. This is not to say that we endorse the views which he expressed in his memorandum, for we are not able to do so entirely, but we do not wish in any way to discuss the merits of his recommendation. What we have in mind is the grave breach of responsible government involved in the submission of those views to the legislature. A very serious breach of privilege can hardly be suggested.

His Honor's advisers have plunged him into the cauldron of politics. When the amendments to the Placer Mining Act are brought down, the personal views of the Lieutenant-Governor will be discussed on the floor of the legislature—that is if the document referred to is used for the only possible purpose for which it can be used. The house will take up the bill knowing what parts of it do and what do not meet with the approval of the representative of the crown. Instead of the house being free to discuss the subject in its widest aspect untrammelled by any knowledge that the Lieutenant-Governor's views are being announced, there will not be a point in the whole discussion where members will enjoy that full freedom of debate which is their unquestioned right. The government has interposed the office of Lieutenant-Governor between itself and the legislature. This is not all, for the moment the Lieutenant-Governor's views are placed before the public upon any question of pending legislation, the whole system of ministerial government falls to the ground. The responsibility for this extraordinary action rests, not upon the Lieutenant-Governor, but upon his ministers, who have thrown down one by one all the bulwarks of constitutional government. We do not know if this is done in ignorance or not, but there is reason to believe that it is not.

After the Telegram has been published, the Finance Minister's paper, the News-Advertiser, replying to the Colonist, said that in a province like British Columbia it was impossible to apply the principles of responsible government. We submit that the time has come when the people of this province shall be informed if they are living under responsible government or not. If they do it is the duty of the Lieutenant-Governor to surround himself with advisers who will treat his communications to them with the same honorable secrecy as he treats their communications to him. This is not a matter of trifling or passing interest, for we fear if this and future legislatures are to be told before they are elected that the Lieutenant-Governor's views are to be endangered and ministerial responsibility will become a thing of the past. We trust that some member of the house will take occasion to place on record a resolution declaring against any repetition of the extraordinary course which the government has seen fit to take.

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