Changes In The Pilotage Board

Order-in-Council Passed Cancelling Mr. E. Crow Baker's Appointment.

Commissioner Elliott Makes Recommendations for Reorganization.

(From Tuesday's Daily.)

As a result of the investigation conducted by Mr. R. T. Elliott into local pilotage affairs, by warrant of a federal commission bearing date of September 28 last, the order-in-council cancelling the appointment of Mr. E. Crow-Baker as secretary and a member of the pilotage board for Victoria and Esquimalt, has been approved by the Governor-General. There was no time lost by the commissioner in the transmission of his report after the completion of the evidence and the hearing of argument, for the final sitting was held on the 16th December, and Mr. Elliott's report bears date of the 22nd of that month.

In his report, after briefly outlining the contents of the commission and the steps preliminary to the opening of the inquiry proper, the Commissioner states that from the information acquired at these preliminary meetings with the pilotage board and the documents then submitted, as well as from subsequent developments during the course of the investigation, the following conclusions were reached, as stated in the report to the Minister of Marine:

"1. The secretary-treasurer of the board should not be a commissioner, as he is the official through whose agency the commissioners must of necessity communicate with and receive reports and communications from the pilots, and carry on the general and routine business of the pilotage authority; he should be the servant of the board, and nothing more, as, if he be given any other powers, the board and the members thereof have no means of keeping informed as to the use he makes of such powers, and no means of guarding against the abuse thereof.

2. "The accounts of the pilotage authorities should be audited annually, either by some official of your department not connected with the board, or by an independent auditor, and, as part of his duties, he should, during each audit, obtain from each person in the service of the board an affidavit or statutory declaration setting forth that the amounts shown in the accounts for the period covered by the audit to have been paid to such person in cash; or, as to any item affected by special circumstances, then in the manner and under the circumstances truly affecting such item.

"3.—No payments out of the funds of the pilotage authority should be made except on cheques, countersigned by members of the board sufficient in number to constitute a quorum at a meeting thereof, and, when issued to servants of the board, all cheques should be crossed 'not negotiatable.'"

During the progress of the inquiry, Pilots Thompson, Buchnam, Newby and Bebbington were represented by Mr. Joseph Martin, K. C., as counsel, and Mr. Crow Baker by Messrs. Bodwell & Lawson. The charge formally preferred by Mr. Martin was:

"Malfeasance in office (by Mr. Crow Baker) and misappropriation and diversion to his own use of funds which had come to his hands in his official capacity; alleging that such misappropriation and diversion had been without color of right and fraudulent; that such funds so misappropriated and diverted comprised the balance of the surplus fund of the pilotage authority for the years 1893 to 1901 inclusive, properly and by the rule of the pilotage authority divisible among the pilots; that all vouchers, documents, receipts and entries held by the pilotage authority and appearing in the books and records thereof relating thereto were fraudulent as a result of the acts and conduct of Mr. E. Crow Baker, and that all signatures and acquittances obtained from the pilots by Mr. E. Crow Baker in the premises were obtained by means of fraud, duress and coercion."

The commissioner held sittings for the hearing of evidence and argument on the 14th, 15th and 16th December, the testimony of Pilots Bucknam, Thompson, Newby and Bebbington and of ex-Commissioner M. T. Johnson being received in support of the charge, and that of Mr. Crow Baker and Commissioner Alex. M. B. Fraser contra. Upon the evidence of the witnesses and the documents put in and by them referred to, the commissioner made and declared the following to be his findings:

"1. In each of the years 1893, 1894, 1895, 1896, 1897, 1898, 1899 and 1900, there remained in the hands of the pilotage authority a surplus, after payment of all expenses duly incurred by the authority for each such year respectively, such surplus being, under the terms of bylaw 26 of the authority, properly and necessarily divisible amongst the pilots at the end of each such year.

"2. That during all of said years Mr. Edgar Crow Baker was, and still is, secretary-treasurer of the pilotage authority, and a commissioner thereof.

"3. That such surplus for the year 1893 amounted to the sum of $176.99, and was not divided amongst the pilots pursuant to said bylaw 26, but was retained by the pilotage authority and carried forward into the surplus of 1894.

"4. That such surplus for the year 1894 amounted to the sum of $839.51, and was not divided amongst the pilots pursuant to said bylaw 26, and was retained by the pilotage authority, and dealt with as hereinafter set forth.

"5. At a meeting of the pilotage authority, held on the 7th January, 1895, the matter as to the disposition of the said amounts, $176.99 and $839.51, i.e., $1,016.50, was considered (exhibit 32), and it was decided that the matter should be 'reserved for full board consideration.'

"'At a meeting of the pilotage authority, held on the 5th November, 1895 (exhibit 33), it was resolved as follows: 'The commissioners decided, at the instance of the secretary, to divide the surplus (or Puget Sound money) at credit of pilotage authority to 31st December, 1894, amounting to $1,016.50, under clause 26 of the bylaws, and the secretary was authorized and directed to make the customary division.'

"7. On the 28th October, 1895, Mr. E. Crow Baker sent for John Thompson, senior pilot, discussed with him the disposition to be made of the accumulated and accruing surplus fund, and informed Pilot Thompson, and instructed him to notify the other pilots that he, Mr. E. Crow Baker, did not consider that the salary of $50 per month by law prescribed for his office was a sufficient remuneration; that in addition to his salary he must have the surplus fund; and Pilot Thompson notified the other pilots accordingly, and advised them that, in his opinion, the only course open to them was to accede to Mr. E. Crw Baker's demand.

"8. On some day between the said 28th October, 1895, and the 5th November, 1895, Pilot Thompson returned to the pilotage authority's offices and informed Mr. E. Crow Baker that the four pilots had agreed that he, Mr. E. Crow Baker, should take the surplus fund; and Mr. E. Crow Baker informed Pilot Thompson that he would prepare a document to be signed by the pilots in the premises.

"9. That all the acts and conduct of each of the said four pilots in the premises were brought about by and are attributable to the use by Mr. E. Crow Baker of his authority, by virtue of his official position as secretary-treasurer, and as a commissioner of the pilotage authority, in demanding from the said four pilots the payment to him of moneys, part of their earnings as an addition to his salary by law prescribed, for the performance by him of the duties of his said office of secretary-treasurer.

"10. Immediately thereupon and thereafter Mr. Edgard Crow Baker procured the passing by the pilotage authority of the resolution of the 5th November, 1895, in finding No. 6, above referred to and set forth.

"11. The surplus fund in the hands of the pilotage authority, as well the accumulated as the accruing fund, was not a fund over or in respect of which the said four pilots, or either of them, or the said Edgar Crow Baker, had at any time any right or power of contract or disposition.

"12. The said Edgar Crow Baker did not deal with and divide the said sum or $1,016.50 of accumulated surplus pursuant to and as directed by the resolution of the pilotage authority in finding No. 6, above referred to, but, on some day between the 9th and 18th days of November, 1895, converted the said sum of $1,016.50 to his own use.

"13. On or about the 9th day of November, 1895, the said Edgar Crow Baker prepared and engrossed, and on the 9th and 18th days of said month procured to be executed by the said four pilots and by one James Ramsay, then a pilot and since deceased, a power of attorney constituting and appointing to his own use or otherwise as he might see fit, their respective sums of money or interests of and in the surplus standing to the credit of the Victoria and Esquimalt pilotage authority at the end of each and every year as and when the same should be ordered by the commissioners to be divided under section 26 of the bylaws, said money being known as the Puget Sound money.

"14. The said power of attorney could only have been rendered lawful and effectual by being approved and adopted by bylaw of the pilotage authority confirmed by order of the Governor-General in council, and never was and never has been so rendered lawful and effectual.

"15. The said power of attorney was never, by the said Edgar Crow Baker, filed with the records and documents of the pilotage authority, and was never laid before or disclosed to the pilotage authority or any commissioner thereof, nor was any entry ever made in the books or records of the pilotage authority from which or by reason whereof the pilotage authority could or might have known of the existence of or of the tenor and effect of the said power of attorney.

"16. The said Edgar Crow Baker never acted as attorney for the said pilots or either of them under or by virtue of the said power of attorney, but always kept the said power of attorney in his own possession and performed his duties as an official of the pilotage authority, and kept the books and records of the pilotage authority and prepared the accounts and balance sheets thereof without acting upon, and without reference to, and without disclosing the existence of the power of attorney; and, further, so kept the said books and records of the pilotage authority as to show and prove that the said four pilots and each of them in all transactions with the pilotage authority acted directly and in person and without the intervention of an attorney in fact.

"17. That such surplus for the year 1895 amounted to the sum of $318.56.

"18. On or about 10th February, 1896, the said Edgar Crow Baker was, by resolution of the pilotage authority, directed to make a division of said sum of $318.56 pursuant to the provisions of said bylaw 26.

"19. The said Edgar Crow Baker did not deal with and divide the said sum of $318.56 pursuant to and as directed by said resolution, but, on or about the said 10th February, 1896, converted the said sum of $318.56 to his own use.

"20. That such surplus for the year 1896 amounted to the sum of $585.26.

"21. On or about the 10th February, 1897, the said Edgar Crow Baker was, by resolution of the pilotage authority, directed to make a division of the said sum of $585.26 pursuant to the provisions of said bylaw 26.

"22. The said Edgar Crow Baker did not deal with and divide the said sum of $585.26 pursuant to and as directed by such resolution, but on or about said 10th February, 1896, converted the said sum of $585.26 to his own use.

23. The amount standing to the credit of the surplus fund at the end of each of the years 1893, 1894, 1895 and 1896 had in respects of each of those years and prior to or at the time of the passing of each of the resolutions for division aforesaid been improperly reduced by the deduction therefrom with the knowledge and sanction of the pilotage authority of an amount equal to 10 per cent. of such surplus for each of said years, which said 10 per cent. was received and retained by said Edgar Crow Baker.

"24. Such surplus for the year 1897 amounted to the sum $931.26.

"25. On or about 2nd February, 1898, the said Edgar Crow Baker was by resolution of the pilotage authority directed to make division of the said sum of $931.26 pursuant to and as directed by such resolution, but on or about said 2nd February, 1898, converted the said sum of $931.26 to his own use.

"27. Such surplus for the year 1898 amounted to the sum of $1,514.39.

"28. On or about 5th April, 1899, the said Edgar Crow Baker was by resolution of the pilotage authority directed to make division of the said sum of $1,514.39 pursuant to the provisions of said bylaw 26.

"29. The said Edgar Crow Baker did not deal with and divide the said sum of $1,514.39 pursuant to and as directed by such resolution, but, on or about said 5th April, 1899, converted the said sum of $1,514.39 to his own use.

"30. That such surplus for the year 1899 amounted to the sum of $986.10.

"31. On or about 28th February, 1900, the said Edgar Crow Baker was by resolution of the pilotage authority directed to make provision of the said sum of $986.10 pursuant to the provisions of said bylaw 26.

"32. The said Edgar Crow Baker did not deal with and divide the said sum of $986.10 pursuant to and as directed by such resolution, but, on or about said 28th February, 1900, converted the said sum of $986.10 to his own use.

"33. That such surplus for the year 1900 amounted to the sum of $1,312.94.

"34. On or about 9th June, 1901, the said Edgar Crow Baker was by resolution of the pilotage authority directed to make division of the said sum of $1,312.94 pursuant to the provisions of said bylaw 26.

"35. The said Edgar Crow Baker proceeded to make and make such division accordingly, and signed and delivered to each of said four pilots a check for the sum of $328.24, which completed the transfer from the pilotage authority to the pilot therein named of the said sum of $328.24, according to the then ordinary course of business of the pilotage authority; the said pilot, Samuel W. Bucknam, cashed his check and received and retained the said sum of $328.24; each of the other three pilots, John Thompson, John Newby and Thomas Babbington, endorsed his check and handed it back to said Edgar Crow Baker, who cashed it and received and retained the money, a total of $984.72.

"36. On 11th August, 1900, said Edgar Crow Baker procured from said four pilots receipts acknowledging the receipt by them of the shares and amounts of such surplus for the year 1893 to 1899, inclusive, which would, if the same had been divided pursuant to the provision of said bylaw 26, have been paid to each such pilot in respect of each of said years.

"37. Such receipts were so obtained by said Edgar Crow Baker in anticipation of an audit of his accounts by an auditor of the department of marine and fisheries and for the purpose of inducing such auditor to believe and to report that such surplus for all of said years had been divided and paid over pursuant to the provisions of said bylaw 26, and for the further purpose of concealing from such auditor the fact of the existence of the power of attorney in finding No. 13 above referred to.

"38. The said Edgar Crow Baker explained to all or said four pilots his reasons for desiring to obtain such receipts as in finding No. 37 above set forth, and with knowledge of such reasons each of said pilots signed and gave to said Edgar Crow Baker receipts covering all of the aforesaid years.

"39. On or about 1st November, 1900, one W. W. Stumbles, an officer of the marine and fisheries department, entered upon the work of making an audit of the books and records of the pilotage authority, and on or about 5th November, 1900, gave to the said Edgar Crow Baker the certificate exhibit No. 30.

"40. Such certificate was obtained from the said W. W. Stumbles by the said Edgar Crow Baker by the use of the receipts in findings No. 36, 37 and 38 above referred to, which said receipts were untrue and misleading to the knowledge of the said Edgar Crow Baker, and by concealment of the fact of the existence of the power of attorney in finding No. 13 above referred to.

"41. On or about the said 5th November, 1900, the said W. W. Stumbles met, at the offices of the pilotage authority, two of the pilots, namely, Pilot John Thompson and Pilot Samuel W. Bucknam, and asked them whether or not they had any complaint to make regarding the conduct of the business of the pilotage authority and the handling of the funds thereof, and said two pilots assured said W. W. Stumbles they had no complaint to make: Whereupon said W. W. Stumbles informed said two pilots that it had been intimated to him upon authority, which he considered reliable, that such cause of complaint existed, and that, in consequence thereof, he was now questioning them, and the said two pilots again assured him that the pilots had no cause for complaint.

"42. In May, 1901, new commissioners were appointed, constituting a majority in number of the members of the board, and thereafter, by resolution of the pilotage authority, Mr. Alex. McD. B. Fraser, the elder, one of the new commissioners, was appointed to audit the then current books and records of the pilotage authority, and, desiring to satisfy himself as to the proper division of such surplus, said Commissioner Fraser examined into the divisions of surplus for the years 1898, 1899 and 1900, and, being shown the same receipts, upon which Mr. Stumbles had passed, and the fact of the existence of the said power of attorney not being disclosed to him by said Edgar Crow Baker, said Commissioner Fraser stated to the pilotage authority that such surplus had been properly divided."

HANDS OFF CHINA.

No Matter What The Outcome of War Territory Must Remain Intact.

Washington, Feb. 20.—Secretary of State Hay today received from the Portuguese government a cordial acceptance and firm approval of the secretary's note January 13th inviting the adherence of the powers to the principle of the integrity of China. All of the powers addressed by the secretary have now signified their assent to the general principle of the inviolability of Chinese territory, no matter what may be the outcome of the war.

CRITICISES CANADA'S CITIZEN SOLDIERS

A London Paper Points Out Present Defects of the System.

Canadian Associated Press Cable.

London, Feb. 20.—The Morning Post, commenting on the taking over of the charge of Esquimalt and Halifax by the Canadian government, says it is a commendable prelude to the realization of her growing strength and her wish to take her proper footing in the commonwealth of the Empire. Referring to the importance of Halifax the Morning Post asks what guarantees the imperial government are taking that the present standard defence both in personnel and material will be fully maintained on transfer of the fortress to the Canadian authorities. Though it is expressing no desire to belittle the fighting qualities displayed by the Canadians in South Africa, the Morning Post says the Dominion government, with commendable frankness has shown by the yearly publications that the Canadian forces as a whole are lamentably deficient in training, organization and equipment and that their system of administration has far more regard to political considerations than preparation for war. The Morning Post thinks it is to be regretted that imperial ties should be dissevered by the removal of imperial troops from Canadian soil, and thinks our aim should be not to encourage the colonies to build up separate armies and navies, but rather encourage the blending of British and colonial troops into one great imperial force for the protection of the Empire as a whole.

Earl Grey has accepted the hon. vice presidency of the Royal Society of St. George.

RAILROAD LEGISLATION.

President Roosevelt Gives Up Hope of Results This Session.

Washington, D. C., Feb. 20.—President Roosevelt, who for weeks has been hopeful that some definite action might be taken at the present session of Congress on the railroad rate question practically has relinquished the idea of securing legislation on the subject this winter.

Blockade-runners From Port Arthur

Three of Crew of British Steamer King Arthur Arrive at Victoria.

Their Ship Reached the Fortress Ten Days Before Its Surrender.

When Port Arthur was being besieged by the Japanese army and Togo's ships drew a cordon about it, many blockade-runners sought to run the blockading lines; but two British ships succeeded, the small steamer George and the steamer King Arthur, a vessel of 1,047 tons, which sailed from Bombay.

The steamer Tartar, which arrived at Victoria on Sunday, brought as passengers three of the crew of the blockade-runner, Chief Officer J. Triplet, Second Officer Leck and A. L. Johnson, an engineer. In interviews given to a Colonist reporter the adventurers said they had no difficulty in evading the Japanese vessels, if the Japanese vessels were there. They had no optical demonstration of this fact, having seen no Japanese ships. The weather was clear when they approached Port Arthur, not even a mist aiding their effort, but success was vouchsafed the steamer, and she managed to reach the entrance to the harbor of Port Arthur.

Of course there was the danger from the Russian mines and the Japanese counter mines, and the blockade-runners did not know what minute an explosion would result. They had been promised a big bonus in the event of success, though, and were eager to get into the beleagured port, despite the fact that then the Japanese lines were so close, in fact 203-Metre hill had already fallen and the Russian warships had been destroyed.

A torpedo-boat came from the Sevastopol, hidden in the shelter of an island from the Japanese guns behind 203-Metre hill, and a picket boat followed her. Russian officers boarded the King Arthur and piloted her to an anchorage in the inner harbor. Her captain was besieged for news of the outer world, but he had been long out from Bombay and brought no news.

The King Arthur was the only vessel of any size which entered Port Arthur, the George, a small vessel, made two trips. Many junks evaded the blockade early in the siege, but for the last two months and a half none arrived. The cargo of the steamer was mostly of barley loaded at the Indian port.

The King Arthur was afterward seized by the Japanese and taken to the naval base of Togo at the Elliott group, whence she was sent to Sasebo with a prize crew on board. She has been confiscated, and the crew was released. They were well treated by the Japanese.

The Russians, however, failed to give the seamen the promised bonus for running the blockade. They got their wages, no more.

Provincial Legislature

House Still Maintaining Satisfactory Progress and Peace.

Prospects of a Short Session Cause for Rejoicing and Hope.

Monday, Feb. 20.

The House opened at 2 o'clock, and after prayers were read by the Rev. G. K. B. Adams, the following was the order of business:

Petitions.

Mr. Brown presented a petition from the Provincial Mining Association of British Columbia, asking for amendments to the Placer Mining Act.

The petition from C. M. Richards and others, opposing the Sumas Development Co. was received.

Pursuant to order, the House resolved itself into a committee of supply, the customary resolution being reported and adopted.

On the motion of the Minister of Finance, seconded by the Premier, it was resolved: "That the House will, on Thursday next, resolve itself into committee of supply."

Mr. Ross for the private bills committee reported the standing orders complied with: Re the Institute of Chartered Accountants of British Columbia; an Act to incorporate the British Columbia Securities Co.; an Act to incorporate the British Canadian Fire Insurance Co.

Mr. Macgowan introduced "a bill to incorporate the Institute of Accountants of British Columbia."

Hon. Mr. Wilson introduced "a bill to amend the Judgments Act, 1899," also "a bill to amend the Distraint Procedure Act," and "a bill respecting Assignments and Preferences by Insolvent Persons."

On the motion of Mr. Oliver, a return was ordered showing the number of timber leases granted from July 1, 1903, to date, with the names of the lessees, the area leased, the number of days elapsing in each case between the date of calling for and the date of expiry of time for receiving tenders in each case, the amount of bonus paid in each case.

Questions.

Mr. Oliver asked: "What are the items, in detail, making up the sum of $1,841.35, said to be the total cost in connection with the visit of the Attorney-General to London."

Hon. Mr. Tatlow replied: "Traveling expenses and allowance of the Attorney-General and O. C. Bass attending the sittings of the judicial committee of the privy council in Attorney-General vs. Wellington Colliery Co., and Renwick vs. Nelson and Fort Sheppard Railway Co. Railway and steamship fares from Victoria to London and return, including expenses in London, $1,841.35 (Oct. 24, 1904, to Jan. 12, 1905)."

Mr. Fraser asked: 1. Is it the intention of the government to accept the surveys made by the Canadian Pacific Railway Co. last summer in block 4,589, Southeast Kootenay, as final? 2. If not, when will the government survey the same? 3. When will the reserve be taken off the coal lands in block 4,593?

Hon. Mr. Green replied: 1. The notes of the survey have not yet been received by the government, consequently it is impossible to say what action may be taken. 2. The government will make a check survey, if necessary, as soon as convenient. 3. The government is now considering the matter.

Mr. Munro asked: 1. What has been the cost of the new school house at East Chilliwack? 2. Was the work done by contract or by day work? 3. If by day work, what wages were paid, and to whom?

Hon. Mr. Green replied: 1. Contract price, $1,599.80; 2. Answered by No. 1. 3. Answered by No. 1.

Mr. Munro asked: 1. What is the total cost of the new school house at Rosedale to date? 2. Was the work done by contract or by day work. 3. If by day work, what wages were paid, and to whom?

Hon. Mr. Green replied: 1. Contract price, $2,491.72. 2. Answered by No. 1. 3. Answered by No. 1.

Mr. Oliver asked: By virtue of what authority has the liability of the overdraft on dyking account been incurred?

Hon. Mr. Wilson replied: Sections 3 and 4, Temporary Overdraft Act, 1902, and by order in council approved April 18, 1904.

The bill to authorize a grant to the city of Victoria of certain crown lands situate in Victoria harbor finally passed.

Hon. Mr. Tatlow moved the second reading of a bill for licencing commercial travelers. In explanation he said the taxes of business men in the province had been raised to a considerable extent, and it was proposed under the bill to give some little protection as against outside concerns, who sent in their men to take trade from our doors. This legislation was not altogether new, as there had been provision in the statutes to levy a tax by means of licence on persons selling liquor, and it was now proposed to re-enact this, and extend its scope to embrace all classes of business. The position today was that on account of the great distance from eastern centres our business men had to carry large stocks, running from $100,000 to $300,000. They had to send out their travelers through the province, where in some cases, such as Langley and Duncan, they had to pay a tax of fifty dollars, and were often in competition with men who simply took small rooms and sold from samples, paying nothing to the province, while local merchants paid on their whole stocks. To show the effect of this on local cigar manufacturers, Mr. Tatlow said it was claimed that there were 150 cigarmakers here a few years ago, and today probably not over fifty. These men were residents contributing to the provincial revenues, in place of whom they were now visited by some 75 to 100 travelers. It was estimated that from 500 to 800 commercial travelers came to the province each year, and while this tax might deter some few, it was not likely to lessen trade, as the tax was so graded as to amount to one-half of one per cent. on a traveler's sales with a minimum of $25. The fees provided in the act were as follows: "By every commercial traveler, agent, or other person taking or soliciting orders for liquor or cigars, or both, to be imported into the province to fill such orders: License fee, $100 for every six months; minimum fee, $25 for every six months.

"By every commercial traveler, agent, or other person taking or soliciting orders for goods, wares, merchandise, or other effects of any kind whatsoever (other than liquor or cigars), to be imported into the province to fill such orders: License fee, $50 for every six months; minimum fee, $12.50 for every six months."

Then there is a provision in regard to rebate, that: "At any time within days after the expiry of any licence issued under this act, the holder thereof may apply to the government agent or collector by whom such licence was issued for a rebate, and upon proving to the satisfaction of such government agent or collector that the sum paid by him for such license exceeds in amount one-half of one per centum of the gross amount of his sales during the period of such licence, he shall be repaid the difference between such latter amount and the amount of the licence fee so paid by him: Provided that in no case shall a rebate be allowed which would reduce the amount paid for licence fee below the minimum fee fixed in the act."

Upon request of Mr. Cameron, who desired to have opportunity to look over the bill, the debate was adjourned.

The bill to amend the Coal Mines Regulation Act passed its second reading, after the Premier, who on a previous day moved adjournment of its consideration, had explained that he had inspected the bill, and found that it was designed merely to make the legislation effective, by imposing penalties for breaches of the act, with respect to the hours of work underground.

Mr. Henderson withdrew his motion asking for the return of voluminous information in regard to the maintenance of the Cariboo wagon road.

The House adjourned at 3 p. m. until 2 o'clock tomorrow, Mr. Oliver taking occasion to express the hope that there would be more business to occupy their attention when they met again, and the Premier rising to remark that there was no occasion for worry in this respect.

Notices of Motion.

Hon. Mr. Green gives notice of a bill respecting the Songhees Indian reserve.

Hon. Mr. Wilson gives notice of a bill to provide for the registration of companies' mortgages.

Mr. J. A. Macdonald gives notice of an act to secure to their dependants the wages of deceased workmen.

Mr. Munro will ask: 1. Is any person permanently employed as caretaker of the Chilliwack dyke? 2. If so, who, and at what salary?

Mr. Patesonn will ask: 1. Was Julius Brethour licence commissioner for North Victoria licence district for the year ending Dec. 31, 1904? 2. Was he reappointed for the year 1905? 3. If so, why was Peter Imrie subsequently appointed in his place?

Gallery Notes.

The Premier's resolution with respect to the question of better terms was passed over yesterday by general consent, the House apparently not being prepared to go ahead with the matter.

The municipal committee will meet this morning.

A meeting of the mining committee was called for yesterday, but failed to obtain a quorum.

A bill was introduced yesterday by Hon. Mr. Green respecting the Songhees reserve. This measure, it was subsequently explained, simply vests the power in the Lieut.-Governor in council to deal with the question, in case the matter is settled so far as the Dominion government is concerned. In other words, the bill is designed to give the local government power to give the lands to the city, sell them by auction, or deal with them in any way which may seem desirable.

ICE BREAKERS NIPPED.

Ferries on Lake Michigan Caught In Ice Far From Port.

St. Joseph, Mich., Feb. 20.—Pere Marquette steamer No. 4, after a siege of fifty hours, is still imprisoned in a great field of ice ten miles off the harbor of Pentwater. The ice beyond the steamer extends over thirty miles. From appearances the coal on the steamer is exhausted as but little smoke is coming from the smokestacks.

The imprisoned steamer Manistique, lying some four miles north of steamer No.4, seemingly still has plenty of coal, as her stacks are pouring out great quantities of thick smoke.

A third ferry that left Ludington Friday, commissioned to go to the relief of the other steamers, is frozen in about five miles northeast of No. 4, which is about six miles southwest of the harbor entrances.

KING LEOPOLD WINS CASE.

Court Gives Judgment In Suit Brought By His Daughter.

Brussels, Feb. 20.—The appeal court today gave judgment in favor of King Leopold in lawsuit instituted by his daughter the Princess Stephanie and the creditors of Prince Louis of Saxe-Coburg and Gotha claiming that they were entitled under the Belgian law to half the property on the death of the Queen. The lower court decided that King Leopold's marriage contract which provided for separate estates, was a diplomatic instrument superseding the Belgian law was confirmed by the appeal court.

Lever's Y-Z (Wise Head) Disinfectant Soap Powder is better than other soap powders, as it also acts as a disinfectant.

OLDEST INHABITANT DEAD.

New York, Feb. 20.—A man who is believed to be the oldest person in New York city died of old age at the age of 107. He was Jos. McGrath and a native of Ireland. He left four generations of descendants numbering two hundred.

MILLION DOLLAR BLAZE.

Extensive Fire In Boston Burns Pier and Steamer.

Boston, Feb. 21.—A fire entailing immense losses broke out on Pier 4 of the Hoosac tunnel docks, Charlestown, at 1:30 this morning. Its origin has not been determined, but the fire is believed to have been started from spontaneous combustion. An automatic alarm was quickly followed by a fourth and fifth alarm, which brought a greater part of the apparatus in the city to the scene.

The flames spread with starling rapidity, communicating soon after with the Furness-Leyland line steamer Philadelphia, which was tied alongside the pier, and in a few moments was in flames from stem to stern. Capt. Dickenson and his crew of 48 men had a narrow escape, if indeed all were saved. It was feared this morning that two of the sailors had been lost. When the flames were discovered most of the crew jumped overboard, Capt. Dickenson himself hanging by a rope over the bow until he was assured that no one remained on board.

At 2:30 o'clock this morning the flames were under control. At 2:25 the piers 3 and 4 had been destroyed, and the steamers Michigan of the Warren line and Martello were threatened. It is thought the loss will be nearly $1,000,000.

LUMBERMEN AND THE RAILWAYS

Systematic Protection Against Forest Fires—Railway Measures Coming.

A deputation of Revelstoke lumbermen yesterday afternoon interviewed the provincial executive to ask that their timber licences be hereafter made absolutely renewable for a certain specified number of years or that they be made into leases. The deputation further suggested that the government should inaugurate a system of protection against fire for the preservation of the forests of the country, based upon the plan in vogue in the East, viz., that wardens should be appointed with power to call upon residents for assistance, and owners or lessees of timber areas to contribute to the cost of work in proportion to the size of their holdings.

The consideration in executive and caucus of the various projects suggested to form parts of the government's railway policy, continues daily. The railway bills will be laid before the house in advance of the estimates, which may be taken to mean that they will be forthcoming during the present week. It is stated in the lobbies that but one northern road will figure in the governmental programme, this being the road from Kitimaat. Three alternative proposals for the building of the Coast-to-Kootenay road are now being considered, and choice will probably be made from among them. The Premier has issued a positive and emphatic denial of the statement attributed to Mr. J. W. Haskins in Ottawa despatches that the provincial government has promised 15,000 acres per mile, or any other subsidy in lands or money, to that portion of the proposed B. C. Northern and Mackenzie Valley railway lying between Glenora and Dease lake.

As for Mr. J. H. HawtHornthwaite's bill to establish eight hours as a working day in smelters, it is stated by the father of this legislation that he will not consent to any proposal to hold the bill over the present session with a view to the investigation of conditions bearing upon the industry. It will stand upon its merits with the members as a piece of private legislation.

EARLES BILL DEFECTIVE.

Fatal Flaw Discovered in Washington Close Season Legislation.

A flaw is said to exist in the Earle Fishery Bill now before the legislature of Washington at Olympia, of so serious a nature that it would void the object aimed at if the bill passes unamended. It is probable that the defective clause will be amended before the bill is given its first reading. The amendment is absolutely necessary in order that the proposed close seasons may be established. It was not until last Friday that mainland cannerymen became aware of the defect and the wires to Olympia have since been kept hot with messages pointing out the error and suggesting remedies.

The faulty construction occurs in section 5. Therein it is stated after a recitation of the duration of close seasons in the years mentioned, that should the British Columbia or Dominion authorities fail to provide for a prohibition of any fishing in Fraser river above the New Westminster bridge, then and in that event no penalty shall be enforced against any person or corporation violating the provisions of this act."

In effect the Earles bill says that should the Dominion fail to provide for a prohibition of fishing above the New Westminster bridge on the Fraser river the Washington act shall not be effective. As the Dominion Government in its order in council has not prohibited fishing above New Westminster bridge (but above Mission bridge, forty miles above New Westminster bridge) the co-operative terms set forth in the Washington bill have not been carried out. Should the Earles bill pass without the error being rectified the legislation would be worthless unless the Dominion order in council were amended so as to conform to Washington's terms.

"When the order in council establishing close seasons was sought at Ottawa," says the Vancouver Province, "it was understood between the local canners and the Puget Sound salmon men that the point on the Fraser river above which no fishing should be allowed was New Westminster bridge. On that understanding the Earles bill was drafted. Why the understanding was not carried out by the British Columbia canners is not known. The canners here state that they were unaware that the Mission bridge had been substituted for the New Westminster bridge until the order in council appeared. It is therefore thought that a misapprehension existed at Ottawa, or that the Mission and New Westminster bridges were confused by the authorities."

DEATH OF REV. R. J. ROBERTS.

After a Quarter of a Century of Useful Activity In Mission Work.

Chemainus, Feb. 20.—(Special)—At noon on Sunday last there passed away at the hospital here Rev. Robert J. Roberts of Kuper Island, in his 75th year. The deceased for more than a quarter of a century past had filled the position of Indian missionary at Kuper Island, having been sent out by the New England Society of England. On account of failing health, Mr. Roberts had been unable to undertake any active work for some years, and his death was not unexpected. The funeral will take place from Chemainus on Tuesday, the interment being at the little Episcopal church on Kuper Island, the scene of his labors for twenty-five years. He leaves a sorrowing wife and four children—Capt. Percy Roberts, Robbie Roberts, Mrs. Arthur Nixon and Miss M. Roberts.

Tartar From Orient Empress Sails

Russian Officers From Within Port Arthur Among Passengers on Vessel.

Forest Brook Saves Its Charter by Narrow Margin--Schooner Vera Spoken.

(From Tuesday's Daily.)

Steamer Tartar of the C. P. R., which reached the outer dock on Sunday from the Orient brought a heavy cargo of general merchandise and 33 passengers, 13 in saloon. These included Lieutenants E. Below and V. Bondy, of the late cruiser Sevastopol, sunk at Port Arthur, who gave their parole to the Japanese and were released; Chief Officer Triplet, Second Officer Leek and A. L. Johnson of the blockade-running steamer King Arthur, now a prize at Sasebo; J. H. Scott of Vancouver, H. A. Harper, F. W. Parker, H. Anthony H. W. Knight, W. Pfeffer, L. C. Harvey, A. Peters, E. A. Reid, and Dr. Parkes. After disembarking here local passengers and mails the steamer proceeded to Vancouver. As reported in these columns some time ago the C. P. R. have reduced the fares on the Tartar and Athenian, the first class on both these boats being equal to the intermediate fare on the Empress boats.

Steamer Empress of China, which was scheduled to sail last evening has been detained owing to the late arrival of European mails and will not sail until tonight. Several steamers are now on the way from Yokohama, including the Empress of India and Tydeus. Due on Tuesday next. Iyo Maru and Lyra.

FOR WHALING STATION.

Queen City Carried Machinery To Sechelt.—Amur Sails.

Steamer Queen City which sailed last night for the West Coast had included in her cargo a heavy consignment of pumps, boilers and machinery for the new whaling station, which Capt. Balcom and associates are establishing at Seechart in Barkley Sound. An engineer, Mr. Kermode and another quota of employees went down to prepare for the establishment of the oil-trying station. Bricklayers are now preparing the vats. The steamer Orion, which is being brought from Norway for the company by Capt. H. Balcom was last reported from the Western island whence she sailed on January 7th. The Queen City's cargo consisted, other than the equipment for the whaling station, in stores for the settlements and way ports on the island coast between Victoria and Cape Scott.

Steamer Amur sailed last night for Skagway, making her last trip prior to being laid off for overhaul. She had few passengers. The Princess May will be put on the run on March 1st.

SPOKE SEALER.

Capt. Cutler of Wellington Brings News of the Vera.

Capt. Cutler of the steam collier Wellington, which reached Nanaimo Sunday from San Francisco, reports speaking a Victoria sealer on her way from the Golden Gate. The schooner Vera was spoken and asked to be reported on February 17, forty miles north of Cape Mendocino. The vessel had 36 skins, and reported all well. Schooner Umbrina sailed yesterday for Kyuquot in charge of Capt. Searle to ship her crew. Capt. J. W. Peppett, her owner, went out on board the schooner.

SEATTLE TREMBLES.

Startling Rumor That Her Own Minnesota May Go To 'Frisco.

Advices from the Orient are to the effect that the steamship Minnesota will leave Yokohama on March 21, and will arrive in Seattle about April 6.

There have been rumors in marine circles that the boat might touch at San Francisco on her return from the Far East and unload a portion of her cargo at the Bay City. Local officials place but little credence in this rumor. They say that it would be contrary to the policy of the company, and cannot see why such a report should have been circulated. The boat, it is pointed out, was built especially for the Oriental trade, and to bring freight to Seattle for shipment East over the Great Northern. It is argued that it would be rather unlikely that the Minnesota would touch at San Francisco and deliver freight to competing lines. None of the local officials seen care to be quoted on the subject, but all are of the opinion that the boat will sail directly from Yokohama to Seattle.

JUST IN TIME.

Forest Brook Arrives Within Fifteen Minutes of Losing Charter.

The British steamer Forest Brook arrived at Port Townsend yesterday evening, according to a special despatch from the Sound port, fifteen minutes before sundown, thus saving its charter, which expires at midnight. The vessel passed the customs, quarantine and immigration inspections, and proceeded immediately to Smith's Cove, which point she must reach by 12 o'clock. Barring accidents she will make it with an hour to spare. The Forest Brook comes from Moji, Japan. Had she arrived after sundown she would have been detained until the following morning before the quarantine officials would pass her.

QUELLING LODZ DISORDERS.

Remobilization of Reserve Ordered and More Troops Arrive.

Lodz, Russian Poland, Feb. 20.—Slight disturbances occurred in different sections of the city today. The large mills remain closed and many persons are leaving the city owing to the fact that a re-mobilization of reserves will be ordered February 23rd. Additional troops arrived here today.

NANAIMO NEWS.

Nanaimo, Feb. 20.—(Special)—Cecil Semalt, an old Indian woman, was found dead on the reserve this morning, death having resulted from excessive whiskey drinking at a debauch she and other Indians engaged in on Saturday night. James, Cecil's husband, and Senia and his wife are in jail charged with being intoxicated, while the culprit who supplied the liquor is still at large.

The police inquiry here has ended in a fizzle. The former commissioners, who were called as witnesses, held that the police claim of being forced to resign was a charge against them, and demanded that the charge be proved. Counsel for the police denied this, and refused to allow his clients to testify first. A deadlock resulted, and the board decided the inquiry ended, and have called for the applications for the position of chief and one policeman. This is one less than the old force, which consisted of three members.

Schooner Swan, while putting out to sea this morning, crashed bow on into Hearst's wharf, where she stuck fast. Before she could be pulled off, the rising tide swept over and she sank in deep water.

John Hapala, who runs the Chase river dairy, has been taken over to the asylum by Constable Trawford. Hapala imagines he is suspected of being connected with the disappearance of the