The Colonist.

MONDAY, JANUARY 29, 1900.

THE WAR.

Gen. Buller has withdrawn across the Tugela. He did so without loss, the enemy fearing to come out of his position and venture an attack in the open. There will be great disappointment at the failure to pierce the Boer position in this direction. What amazes us most is that an attempt should be made to advance by a route along which guns could not be taken and water is not to be had. We learn now the reason for the evacuation of Spion Kop was lack of water and the impossibility of getting guns to the summit. These reasons suggest that the intelligence department of the army is greatly at fault. The attempt to reach Ladysmith will not of course be abandoned, but events fully bear out the view advanced from so many non-professional quarters that the proper way to relieve Ladysmith is by a strong demonstration in quite another direction. Buller has now twice failed to force the Boer position, but it is satisfactory to know that the second attempt has not been attended with such heavy loss as the first. We place no reliance in the report from Boer sources that 1,500 of our men were left dead on the field.

The despatches profess to give the plans adopted by Lord Roberts, but we accept what is said under great reserve. It may be that an attempt will be made to force the enemy out of Stormberg, but he does not appear to be doing much harm there. We were told a week or so ago that a force of our men had invaded the Free State from the south. Since then nothing has been heard of them. It is possible that a force may be sent in that direction. We should not be surprised to learn that if a movement is made against Stormberg a dash is simultaneously made across country for the capture of Springfontein. If this is done we will control the connection between the enemy's forces on the south and his base of supplies. What seems to be most needed now is so strong a demonstration from the south that the enemy will be compelled to withdraw from the Tugela to protect his own territory.

THE POLITICAL SITUATION.

The present uncertain balance of power by which the government of the province is maintained would, under ordinary circumstances, be remedied by a coalition of the diverse elements of the house, which differ only on what may be called fractional points. But in the present instance such a course is rendered impossible by the absolute distrust felt by the opposition towards one minister of the crown, without whose admission into a coalition ministry he, speaking for his party, declares coalition to be impossible. This distrust is accentuated by the fact that twice this minister has made a distinct and direct proposal to the opposition to initiate such a coalition, and on each occasion, as the opposition well know, but few of the members of his party were cognizant of the approach made by him to their opponents. To those who were not apprized of his attempt his conduct can only be described as extremely treacherous, and the opposition thoroughly realize that a man, who is ever ready to betray those who have placed him in power, would be liable to sacrifice, when the psychological moment arrived, those who affiliate with him to keep him there.

QUESTIONS OF PRIVILEGE.

Members of the British Columbia legislature are much given to raising what they call questions of privilege. In ninety nine cases out of a hundred the reference is to what they claim is a misreport in the newspapers of something they have said in the house. Only by a great stretch of the meaning of the expression can such matters be called questions of privilege. In theory the proceedings of parliament are not public. Any member by mentioning to the Speaker that he sees strangers in the gallery can have the house cleared of spectators. This plan has often been resorted to for various purposes, and it is an efficient weapon in tactful hands. At the opening of the session the house makes a formal order that no one shall presume to print its doings without permission. Hence any member may treat the publication of the proceedings of the house as a breach of privilege, and by a somewhat forced construction may claim that the misreporting of what has occurred is a breach of the privilege of parliament to keep any except an authorized statement of its transactions from being given to the public.

But when we speak of the privileges of parliament something very different is meant. When the Speaker is elected he claims from the representative of the crown, on behalf of himself and his fellow members "all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to your Honor's person at all seasonable times, and that their proceedings may receive from Your Honor the most favorable interpretation." We note that the first privilege is that of freedom of speech. This freedom was violated when Mr. Semlin threatened the house with a dissolution at an early day in the session, and his threat ought to have been met with a cry of "Privilege." One of the duties of the Speaker is to see that liberty of speech is not interfered with. The house has prescribed certain rules and regulations for the government of its proceedings, but these are intended to secure freedom of discussion, not to restrict it.

It is a rank breach of privilege for any man, no matter what his position may be, to undertake to interfere with freedom of debate, and the fact that the person so interfering is the Speaker of the house does not alter the case in the slightest particular. The Speaker is only the officer of the house, not its dictator. He has no inherent power, but is simply in the chair to preside over the deliberations of the members, and for that purpose to enforce the rules of the house. He has no power outside of what is given him by those rules, and one of them is that he must cite authority for any ruling that he may make.

What we wish to mention especially today is the attempt made by Mr. Speaker Forster to dictate how a member shall discuss any particular subject. "Confine yourself to the subject, sir," is a favorite expression of his. It is an impertinent expression, and grossly unparliamentary. But this is not all. It is an assumption of a right by the Speaker which he does not possess. What latitude shall be allowed in debate is for the house, not for the Speaker, to determine. If the house consents tacitly to a member's taking any line of discussion, it is the duty of the Speaker to refrain from interference. When, however, any member objects that another member is out of order, it is the Speaker's duty to decide whether or not he is. The case is somewhat similar to the occasions constantly arising where documents are taken as read, or the Speaker puts formal motions from the chair without waiting for any one to move them. As long as no member objects, such things are proper enough, but a single objection is sufficient to compel the clerk or the chairman of committee, or the Speaker, as the case may be, to read the paper, or the Speaker to refrain from putting even a formal motion unless some one has moved it. The house is the custodian of its own dignity, and if the house takes no exception to the manner in which a member addresses it, the Speaker would do well to keep his own views to himself. Any other rule than this utterly destroys freedom or discussion and robs the legislature of its most cherished privilege.

Since the above was in type the News-Advertiser of yesterday has come to hand. It contains an article referring to the Colonist's advice to the members of the opposition to assert their rights against the tyrannical conduct of the Speaker. In the course of its remarks the News-Advertiser says:

> Such an incitement to parliamentary disorder and disregard of the Speaker's chair, is, of course, unworthy of an old and influential journal. However, apart from this, the advice given is very hazardous, and we venture to assert, that were the Speaker's authority openly defied as suggested by our very irate contemporary, there would be no difficulty found in applying such a penalty as would not only astonish disorderly members, but also affect very considerably for the worse the parliamentary force of the opposition party.

There are very effective parliamentary remedies, applicable to members of a legislature who are named for persistent disregard of the authority of the chair, and the Colonist might do worse than look up some very telling precedents in point.

We wholly dissent from the view that it is dangerous in a British community for a man to assert his constitutional right to freedom of speech. Next to the ejection from office of the government the best service the opposition can do the province is to teach Mr. Speaker Forster the lesson in parliamentary usage and the rights of members of the legislature which he so much needs. Mr. Cotton's paper speaks of the Colonist as "irate." If by that it means that the Colonist is angered at the manner in which freedom of debate has been interfered with, it is quite correct. How any one, who appreciates the rudimentary principles of British freedom could fail to be angered at such a speech we are unable to understand. We do not fancy for one moment that the opposition will be deterred by the News-Advertiser's threat, although it presumably speaks for the government in this matter, but will do its duty just the same. Even Mr. Cotton will hardly venture to advise that the government shall secure a safe majority by expelling members of the opposition who dare insist on freedom of speech. It is almost a pity that some member would not stand on his rights and force the government to do its worst, so that the people might have a chance to express themselves on the momentous question.

AFFAIRS IN CHINA.

Events in South Africa have distracted public attention from what is transpiring in China, but if it were not for the war there, the Orient would receive the earnest consideration of the great commercial future which China opens to American enterprise forbid the government at Washington to stand still while the Chinese Empire is being overrun by one nation or is being parcelled out among several.

NEW WESTMINSTER'S REQUEST.

New Westminster wants a grant of $6,000 for its exhibition this year. Unless serious objections can be urged against this request, it ought to be complied with. The provincial exhibition of New Westminster is an event of importance to the whole province. It does much good every year, and anything that can be done in reason to make it even a greater success than it has been heretofore ought to be done freely. The application is also entitled to consideration in view of the great loss suffered by the city on the Fraser through fire, a loss which would have temporarily discouraged even a more pretentious place. But ber citizens rose superior to their misfortune and gained the admiration of everyone by their indomitable pluck. We are very sure that the people of the province would like to see the exhibition dealt with in a liberal spirit.

It is quite true that there are other localities which will ask the government for similar grants, but this is no answer to what seems like a moderate demand from New Westminster. The province can very well afford to pay more than it now does for the encouragement of agriculture. This very important industry has never received that degree of recognition which it deserves. Mr. Turner alone of all the recent premiers of the province seem to appreciate its claims, and in his short term of office he inaugurated a policy which, if he had been enabled to carry it into effect, would have produced much good. We do not think any government need fear the verdict of the electors upon any expenditure calculated to promote the interests of agriculture, unless the amount is out of all reason.

FREEDOM OF SPEECH.

We make no apology for again referring to the importance of maintaining freedom of speech in the legislature and elsewhere, but perhaps it may be well to say why we do so. The reason is that the principle involved seems to be very little understood in this province, if we may judge from what appears in the press and what transpires on the floor of the legislature. We propose now to speak particularly of freedom of discussion in the legislature, and herein necessarily of the office of Speaker. We find this office first mentioned in the reign of Edward III., or about five and a half centuries ago. Parliament was at that time beginning to define its rights as a deliberative assembly and insist upon their recognition by the crown. That there might be some one whose special duty it should be to see that those rights were not infringed upon, a presiding officer was chosen by the Commons themselves, for experience had shown that when the presiding officer was nominated by the crown freedom of debate was choked. The Speaker, therefore, the choice of the Commons, their spokesman in all their relations with the crown and the officer specially charged with defending the rights and privileges of parliament, when he notified the crown of his selection by the Commons, always intimated that those whom he represented would insist upon those rights and privileges. The formality of court language led to the expression of this notification in the form of a request, but it is a request that no sovereign has ever denied. If it should de denied, revolution would follow.

We mention these matters to bring home to readers a very important constitutional principle, namely: The Speaker is not a person selected at the instance of the crown to control the proceedings of parliament, but a person chosen by the Commons to maintain their rights at all times against the crown. We know that many persons hold the view which we have just now declared incorrect, but such persons found their ideas upon the functions exercised by the Speakers in United States legislatures. There the Speaker is the practical leader of his party in the body over which he presides. Ex-Speaker Reed of the national House of Representatives was a conspicuous example of this, and so was James G. Blaine. All other speakers are more or less so in that country, the degree of the control exercised by them being in proportion to their personal strength of mind and aggressiveness. But as in many other things, we enjoy in British countries a better system. The minority has practically no rights at the hands of a Speaker in a legislature in the United States, if he chooses to act arbitrarily; while in British countries one of the first duties of the Speaker is to protect the minority. But his duties go further than this, for he is bound by his office to protect the representatives of the people against any attempt on the part of the crown to choke freedom of speech or prevent them from fully discussing all questions which they may think of public concern.

With the introduction of responsible government the crown has come to a minimum of direct interference with parliament; it now makes its wishes known through its ministers having seats in that body. We do not now talk of the crown endeavoring to carry through a line of policy, but of the ministry doing so. Yet the thing is precisely the same in principle. If the representatives of the people are deprived of their freedom of speech, it matters very little if it is done by the crown itself or by the ministers of the crown. Hence a Speaker, who exercises his functions as presiding officer to check debate when it interferes with something favorable to the ministers, is just as false to his duty as a Speaker three hundred years ago would have been if he had checked debate by the direct command of the crown.

Clearly Mr. Speaker Forster of the British Columbia legislature has on more than one occasion used his position as presiding officer to do this very thing. Perhaps his most monstrous exhibition of this was his intimation that a vote of want of confidence could not be moved because another had been voted down at a previous session of the house. The government did not act on the hint which he gave them, but if they had done so, we would have had the extraordinary position established that when once confidence had been voted in a ministry it cannot be revoked. We have no fear that any such abominable doctrine will ever be upheld in this legislature, but it indicates the lengths to which Mr. Forster is prepared to go. Indeed that gentleman is in the chair a belated survival of the thirteenth century. He is a strange compound of mediaeval tyranny and nineteenth century socialism. We have never questioned his sincerity in any of the extravagant notions he expressed when a private member or the abominable exercises of his temporary power as Speaker; but we unhesitatingly declare that he has shown himself to be unfit for the position he now holds.

Wherein, may we ask, is the difference between a tyrant wearing a crown and a tyrant sitting in the Speaker's chair when both choke freedom of speech on the part of the people's representatives? We see no difference, and the duty of all men, who "know their rights and knowing dare maintain," is to oppose tyranny whenever it shows its hateful head.

WHY THE DISCRIMINATION.

We do not like to sound a discordant note in the harmonious preparation for the defence of the Empire now in progress through Canada, but the following telegraphic correspondence warrants a very strong protest on the part of all the British Columbia newspapers.

Col. Prior wired on the 24th inst. to the Minister of Militia saying a recruiting station should be opened for men for Strathcona's Horse at Vernon, besides at the three towns the government had named, viz.: Nelson, Revelstoke and Kamloops, as there are dozens of likely men around Vernon. The following answer was received from the minister:

Ottawa, January 27, 1900.

Hon. E. G. Prior, Victoria:

Your telegram 24th received. Think we should not recruit for Strathcona in B.C. until matter settled re B.C. contingent now offered.

(Sd.) F. W. BORDEN.

To this Col. Prior replied as follows:

Victoria, B.C., January 27, 1900.

Hon. F. W. Borden,
Minister of Militia and Defence,
Ottawa:

Your telegram received. I must protest most earnestly against such action. British Columbia was most unfairly not allowed to contribute to second contingent, and now apparently she is to be sidetracked from assisting Strathcona force. Even if B.C. contingent is allowed there are enough good men here to fill both forces if needed. Recruiting stations should be opened in Victoria and Vancouver at once.

(Sd.) E. G. PRIOR.

The people of British Columbia feel that an unpardonable affront has been put upon them if they are not to be allowed to furnish their quota to Strathcona's Horse, in addition to sending one hundred men on their own account. What can the Minister of Militia be thinking about? British Columbia is prepared on two weeks' notice to furnish the 500 men called for by Lord Strathcona's offer and the one hundred for the British Columbia company besides. We ask our contemporaries in this province to join with us in a demand for due consideration in the matter. Let protests be sent to Ottawa by the score. Our Ottawa despatch suggests that our provincial offer may fall to the ground.

It is not only in South Africa that we have a war on hand. A small but successful campaign has just been waged in North Borneo by Capt. Harrington with a corps of Sikhs.

Mr. Kellie, M.P.P., is desirous of emulating Mr. Bunster, M.P. The latter sought to exclude Chinese from working on railways by introducing an act into parliament declaring that no person so employed should wear his hair more than four inches long, and Mr. Kellie proposes to keep them out of metalliferous mines in the same way. We predict his bill will meet the fate of its prototype. The problem of Chinese labor in this province will never be solved by monkey-business.

REVERSE.

> The wave that breaks against a forward stroke
> Beats not the swimmer back, but thrills him thru
> With joyous trust to win his way anew
> Thru stronger seas than first upon him broke
> And triumphed, England's iron-tempered oak
> Shrank not when Europe's might against her grew
> Full, and her sun drank up her foes like dew.
> And, lion-like from sleep her strength awoke.
> As bold in fight as bold in breach of trust
> We find our foes and wonder not to find,
> Nor grudge them praise whom honor may not bind:
> But loathing more intense than speaks disgust
> Heaves England's heart, when scorn is bound to greet,
> Hunters and hounds whose tongues would lick their feet.

—A. C. Swinburne.

CASUALTIES AT RENSBURG.

London, Jan. 28.—The war office yesterday issued a list of casualties, including two killed, six severely wounded and four slightly wounded at Rensburg on January 25, and four deaths from disease.

New Provincial Court of Appeal

Avoiding Decision of Privy Council on Exclusion of the Chinese.

Proposed Legislative Judgment for Government on Pending Arbitration.

To the Editor of the Colonist:—

Sir: There is a bill before the legislature to amend the Coal Mines Regulation Act by excluding from the right to work underground in coal mines "any person who is unable to read the special rules for said mine as printed in English and to understand the same to the satisfaction of the inspector."

The absolute effect, and undoubtedly the dominant purpose of this legislation is to exclude Chinese from the coal mines. This, Her Majesty's privy council in July last decided that our provincial legislature had no power to do, because the treatment to be accorded to the citizens of foreign countries in any part of Canada is by our constitution very properly treated, not as a purely local or provincial question to be dealt with by the provincial legislatures, but as a Canadian question; indeed in one aspect an Imperial question, proper to be dealt with only by the Canadian parliament, the legislation of which is subject to review by the Imperial authorities.

In order to avoid dealing openly and directly with the Chinese a test which will exclude them is adopted, and is made general. It affects in about the same degree coal miners and laborers of other foreign nationalities—Japanese, Belgians, Swedes and Norwegians, Finlanders, Italians, etc.—who, while in some cases able to read in their own languages, in hardly any instances can read in ours. This evidently does not make the legislation any more valid. The law will exclude (for this purpose it must be supposed that the inspector will obey the law) a very large proportion of our own native or British coal miners. Neither will that circumstance help the law from attack by the foreigners whom it affects. It is no argument to say "we have done the same thing to our own people." The answer is, "You have a constitutional right to do whatever you like to them, but you cannot attack us; we are the wards of the Dominion." The Chinese can further say, "We have paid $50 each to the Dominion for the privilege of entering and laboring in Canada, and our case is a little better than the others."

The proposed method of accomplishing the desired result is, I believe, supposed to exhibit great cleverness and ingenuity. The provincial government appear to think that an object which the legislature cannot accomplish by direct prohibition, it may as certainly secure if the provision is wrapped up and concealed in legislation ostensibly dealing with a subject under provincial control and nominally, and perhaps really in part, having a different purpose to the prohibited one. The reasoning and the manoeuvre generally smack of the tactics of the ostrich. Will it succeed? The judgment of the privy council referred to says: "Their lordships see no reason to doubt that by virtue of section 81, sub-section 25, the legislature of the Dominion is invested with exclusive authority in all matters which directly concern the rights, privileges and disabilities of the class of Chinamen who are resident in the provinces of Canada. They are also of opinion that the whole pith and substance of the enactments of section 4 of the Coal Mines Regulation Act (excluding Chinamen) in so far as objected to by the appellant company, consist in establishing a statutory prohibition which affects aliens or naturalized subjects, and therefore trenches upon the exclusive authority of the Parliament of Canada." If that does not sufficiently indicate that it is the effect in operation—the actual incidence as it is called—of the legislation which will be looked at and not what is nominated in its face, I would refer to the decision of the privy council delivered on July 19 last, upon the appeal from the British Columbia Full Court in Madden vs. Nelson & F. S. Railway. Our legislature, admitting that it had no power to legislate in regard to Dominion railways—in the particular case to compel them to fence their lines lying within the province—enacted, "whereas it is just that such railway companies should be the absence of proper fences, he held responsible for cattle injured or killed on their railways by their engines and trains," a very much more indirect, and in practice certainly less effective, way of compelling the railway companies to fence than the provision under discussion is of getting rid of the Chinese from coal mines, for it was not a necessary result of that legislation that fencing would be enforced, but only a certain intermittent and incidental pressure to that end was exercised, while here the effect of excluding the Chinese is absolute. The privy council by the Lord Chancellor said: "The course of the argument (for the act) has been rather to suggest that if there is no direct enactment in the statute the validity of which is in question, to create any erection or construction of the works of the railway that it would avoid the objection of the statute being ultra vires. But their lodships are not disposed to yield to that suggestion, even if it were true to say that this statute was only an indirect mode of causing the construction to be made because it is a very familiar principle that you cannot do that indirectly which you are prohibited from doing directly."

The same provision as that now sought to be enacted was proposed by the Minister of Mines to the Union Colliery Company, and R. Dunsmuir & Sons, as a special rule for the mines on August 9 last, under a provision of the act which allows needful rules to be established on the suggestion of the minister, subject to this, that the mine owners may raise the question of whether any proposed rule is needful or not, and thereupon an arbitration before mining engineers and persons accustomed to the working of coal mines is had. Such an arbitration was entered upon between the government, represented by the Minister of Mines and the colliery owners. It commenced on November 15 last, sat eight days; examined over forty witnesses, nearly all miners, and owing to the evidence not being printed before the beginning of the session, was adjourned by consent till March. The arbitrator for the colliery owners went to Mexico, to return in time for the final argument. Not a word was intimated by the government of what they proposed doing. And now, the very question in arbitration—over which the colliery owners have spent many thousand dollars—in an arbitration which the very act in question gave them as a right, is to be determined. How? By asking the legislature to choke the very rule down their throats in the form of this amendment to the act.

This new rule was formulated with the deliberate object of setting at naught the decision of the privy council, which cost the colliery owners over $5,000 in fair and square litigation for the purpose. I quote from the stenographer's notes of the arbitration on the proposed rule: "Mr. Cassidy wishes to call Mr. Smith, M. P. P., to verify the statement made by Mr. Little that he (Mr. Smith) was sent down from Nanaimo along with Dr. McKechnie and others to Victoria to formulate a plan to get round the decision of the Privy Council.

"Mr. Smith—I admit it.

"Mr. Henderson—Do you see what that involves? I could not admit that on the notes.

"Mr. Smith—I admit it for myself."

Now, what do the public and the legislature think of all this? If it could be said that the white miners—our own people—who are brought in contact and have to work in competition with Chinese in coal mines are crying out for the legislative protection there might be some excuse for straining a point—and letting the privy council and all other authorities and the colliery owners and their interests, and good faith and square dealing, and the reputation of our province for those qualities go to the winds. Public men must not be too squeamish? I cannot agree. But what are the facts? Is it the desire of the white miners who are brought in contact with the Chinese in coal mines to exclude them? No. Mr. Ralph Smith's union at Nanaimo, called "The Miners' and Mine Laborers' Protective Union," who absolutely control the political situation there, are the sole promoters of this legislation. There are no Chinamen employed in the coal mines at Nanaimo, and there have been none employed there for over twelve years. Mr. Robins, of the New Vancouver Coal Co., and the late Hon. Robert Dunsmuir agreed with each other that none should be employed in the Nanaimo mines of the one or the Wellington mines of the other. That agreement has been kept on both sides. All the N. V. C. Co. miners are members of Mr. Smith's union. This union, quite unasked, has undertaken to father the supposed interests of the white coal miners in places where Chinese are employed, viz.: the Union Colliery Company's mines who are, by supposition, suffering from the ruinous competition of the Chinese, and from the great danger of their presence in the mines. As to the danger the weight of evidence is in favor of the Chinese. The truth is that these white miners are quite happy and contented with existing conditions. They get out coal by contract, each employing whom they will, and generally employ a Chinese helper and reap the benefit themselves. The only Chinese employed directly by the company are as helpers, box-pushers and at occupations which no miner would take. These white miners are none of them members of Mr. Smith's union, but the fact remains that they are the only men who are affected by the question on hand, and they very naturally wish things to remain as they are. Mr. Robins and the N.V.C. Co. are quite in the arms of the Nanaimo Union. Whether it is always an embrace of love is questionable. He has accepted the dictate that no man shall work for his company who is not a member of that union. No doubt they press each other a little on the wages question, and so on. But on this point they are unanimous. Together—after the manner of the fox—they will see whether or not Dunsmuir & Sons and the Union Colliery Company and its miners will have their tails also cut off, or no. Mr. Robins says, "I will see that you are forced to do as I can't help doing." The union says to the outside miners: "Drop that Chinese employing heresy of yours, which keeps us apart, and come to our arms, or——we will see what the legislature will do for us."

If any person thinks this legislation is demanded by those really interested or will serve anybody's interest except that of the Nanaimo union, and of course that of the N.V.C. Co., in so far as it will, if it stands, seriously dislocate the business of its great competitor, let him be disabused.

Is it too much to say that this legislation is dictated by a selfish clique who are not touched by the alleged grievance? That it is of more than questionable validity and will cause great expense to the province and all concerned in attacking or upholding it? That it will cause political representations by the Japanese and other foreign countries? Is there anything extreme in suggesting that the termination by a government of an expensive arbitration, the resort to which a statute of the province provided as an absolute right, by legislating the very point involved in its own favor after all the evidence is in, is legislation of a kind that is so grossly arbitrary and unfair as to mar the reputation of our province and tend to confirm an idea which our enemies whisper abroad, that it is not safe to spend money or take action in the province on the faith of our acts of parliament or to depend on the sacredness of our tribunals.

ROBERT CASSIDY.

THE BURNS CONCERT.

Successful Musicale at the First Presbyterian Church Last Evening.

The Burns' anniversary concert under the auspices of the First Presbyterian Church choir, held in the church hall, Blanchard street, last evening, was in every way a success, the hall being crowded to the doors with those who delight in the "Auld Scotch Sangs." The programme, replete with excellent numbers, all of which most successfully rendered, was as follows:

Bagpipe selections .....Messrs. McArthur and McKenzie
Male quartette—"There was a lad was born in Kyle" ..... Messrs. Watson, Kinnaird, Wilson and Brown.
Violin solo—"Scottish Airs" .. Mr. J. Brooks
Chorus—"Within a Mile o' Edinburgh Toon" ..... Choir
Song—"Scots Wha Hae" ..... Mrs. Gregson
Song—"Scotch Dainties" .. Mr. J. G. Brown
Recitation—"The Dying Soldier on the Heights of Alma" ..... Mr. McKay
Song—"The Auld Scotch Sangs" ..... Miss Wilson

PART II.

Male quartette—"Kate Dalrymple" .... Messrs. Watson, Kinnaird, Wilson and Brown.
Song—"The Land o' the Leal" .. Miss Armson
Violin solo—"Scottish Airs" .. Mr. J. Brooks
Song—"Caller Herrin" ..... Miss Fraser
Recitation (humorous)—"The Hotel Bed" ..... Mr. Wm. Allan
Song—"Annie Laurie" ..... Miss Baker
Song—"The Hale rick-ma-tick" ..... Mr. J. G. Brown
Chorus—"Edinburgh Cries" ..... Choir
"Auld Lang Syne."
"God Save the Queen."

Chief credit for the success of the affair is due to the conductor, Mr. J. G. Brown, who worked indefatigably in the interest of the concert. The accompaniments were most pleasantly rendered by Mrs. Hall.

Killed on The Railway

Richard Wilson, a Brakeman on the E. & N. Killed Yesterday.

Fell From the Train and Met Horrible Instant Death.

Richard Wilson, a brakeman in the employ of the E. & N. Railway Company, was instantly killed yesterday afternoon at 3:45 at Russell's Station, being literally ground to pieces beneath the wheels of a freight train.

Wilson, who had only been in the employ of the company since December 1, in endeavoring to leave the train at Russell's to place a switch, fell between the cars of the mixed freight approaching Victoria and met instant death. A tramcar loaded with passengers for the city was at the crossing at the time the terrible accident occurred, and those aboard were much shocked at the dreadful affair.

The train was instantly stopped, but it was soon seen that poor Wilson was beyond reach of all earthly assistance, the unfortunate man having been rolled and mangled for a distance of 50 yards beneath the trucks. Both legs and one of the arms were completely several from the body and death must have been instantaneous.

The train from which deceased fell being brought to a standstill, the city police and the B. C. Undertaking & Furnishing Company were notified; and the latter removed the remains to the parlors on Government street.

Coroner Hart will hold an inquest at 2 p.m. to-day, when those who witnessed the accident will be required to attend and give evidence, though no doubt exists that the fatal affair was purely accidental.

Richard Wilson, the deceased, had not long been a resident of Victoria, only entering the employ of the railway company, as before stated, on December 1 last. He came here from Toronto, having for 15 years been an employee of the Grand Trunk Railway Company.

Deceased, who resided at 122 Oswego street, was 35 years of age. He leaves a wife and three small children, the youngest being but three years of age, to mourn his sudden taking off. The funeral will be announced later.

To Ward Off Small-Pox

Civic Authorities Making Extraordinary Precautions to Ward off the Disease.

Mayor Hayward to Issue a Proclamation--Sound Boats Being Watched.

Mayor Hayward is determined that all possible precautions shall be taken to prevent the introduction of smallpox from the neighboring cities on the Sound which are at present suffering from an outbreak of the distase; and to strengthen the hands of the health and sanitary officials will at once issue a proclamation making obligatory on all residents vaccination and other precautionary steps. The Mayor's proclamation will be framed in accordance with the regulations approved by His Honor the Lieutenant-Governor-in-Council, dated 30th June, 1896, which provide among other things that "In every health district where smallpox exists, or in which in the opinion of the provincial board of health or the medical health officer there is danger of its breaking out owing to the facility of communication wiht infected localities, the medical health officer shall require the vaccination or revaccination of all persons resident within his jurisdiction who have not been vaccinated within seven years, and that such vaccination or revaccination shall be carried out in so far as the same may be applicable in the same manner as for the vaccination of children.

"The trustees of any school or high school may provide that no child shall be permitted to attend school without producing a certificate of successful vaccination, or that the child is insusceptible to vaccination."

The Sound boats are being regularly inspected and the passengers carefully examined and every effort will be made to prevent the introduction of the disease. It is very satisfactory to note that at he present time here is not one case of infectious disease in the city. In connection with the outbreak of smallpox in the Sound cities, the following despatches received last night show that the United States authorities are alive to the situation:

Rossland, Jan. 27.—No letter mail was received here from Spokane yesterday or today. The mail bags are being held at Northport until the question of fumigation is settled between the Canadian and American authorities, pending the present smallpox scare to the south.

Washington, D.C., Jan. 27.—The postoffice department has received reports from Spokane, Washington, showing that the orders to fumigate mail leaving that place for British Columbia have not as yet been carried out. The reports state that neither the postmaster nor health officer there believe it necessary to disinfect the mails, because they think the smallpox scare is unwarranted. The epidemic now in evidence there they say is chickenpox. The postoffice department, has, however, reiterated its instructions directing the postoffice officials there to disinfect the mails.

LABOR MAN'S EXPECTATION.

That He May Have Seat for Winnipeg When Rejected Ballots Are Viewed by a Judge.

Winnipeg, Jan. 28.—(Special)—E. D. Martin was to-day declared elected member for Winnipeg by 49 majority. Puttee, the Labor candidate, will ask for a recount, as there are 180 rejected and 76 spoiled ballots. Puttee claims that fully 75 per cent. of the rejected ballots are marked in his favor with the cross outside the disc, and he is quite confident that if the ballots are allowed he will secure the seat.

Sherbrooke, Jan. 26—Complete returns in yesterday's bye-election give McIntosh, Conservative, 1,416; Lebaron, Liberal, 1,318; majority for McIntosh, 98.

Montreal, Jan. 26.—In Lotbiniere Fortiere, Independent Liberal, was elected by 170 majority over Boisvert, the Liberal endorsed by Laurier.

(From Sunday's Daily Ec

Watt Suggests A P

Ex-Member for Caribo What He Would do the Province.

Legislation of the We —Work for the Ho Committee.

The following provincial pla been suggested in a circular dressed to the members of the by Dr. Hugh Watt, of Fort member for Cassiar. This now receiving general consider is provoking considerable discu

FINANCE AND FRANCHI

The administration of the pro sets and franchises for the ben whole people and not to enrich or favored individuals.

The management of all publ by the municipalities or by the p self so far as may be practicable

An equitable expansion of re contraction of expenditure so a the expenditure within the prov come as soon as possible.

Less frequent borrowing abroad flow of interest on foreign loa stopped at the earliest possible citizens of the province should be itors of the province, through savings banks and otherwise.

LAND GRANTS.

The resumption by the provi land grants to railway companies sale to actual settlers under th laws relating to crown lands; th of such sales, less costs of adm to be handed over to the benefi panies.

Note—This (which is not co will include the lands held by th railway, but not those in the gra construction of the C. P. R. mai though the administration of th has been greatly improved by th announced arrangements, our g should not cease its efforts un lands in the railway belt are opene chase on precisely the same term same officials, and under the sam of surveys as provincial lands.

CROWN LANDS.

The disposal of agricultural cro on easy terms and on condition dence and improvement. No s purchase or holding of such land areas.

Townsites on railways, on streams, adjacent to water falls coast line, to be chosen, platted by the government for the public

No absolute alienation of timbe or mineral lands.

The gradual introduction of the of citizenship as necessary to the ment of mining and timber rights.

In brief, the lands of the prov timber of teh province, the miner province for the citizens of the p

SURVEYS.

In the surveying of the crown der government auspices, these po kept in view:

(1.) To designate the lands su agriculture, fruit growing, hay etc.

(2.) The kind, quality and exte ber supply.

(3.) Lands needing irrigation, t tent, the source and amount of w ply.

FORESTRY.

An effective system to be ado wisely enforced for the conservati forest wealth; the preservation u of the timbered sources of our gre and, in suitable areas, the refor denuded timber lands.

REPRESENTATION IN THE

The removal of existing inequali representation and the readjustme constituencies before the general on the basis of population and extent.

All districts to be sub-divided in and only one member to be electe riding.

The upholding of provincial r no antagonism between Province inion and no introduction of Do sues into provincial politics.

Ministers of the crown and the ters in the house to be debarred fr as directors of speculative mining companies seeking public franchi

MUNICIPAL SYSTEM

The organization under a modi cipal system of all districts or p electors in which shall choose c who shall have jurisdiction in an limited power of taxation for:

(a.) Public schools.
(b.) Local roads, trails and bri
(c.) Licenses—Trade, hotel and

These councillors shall also advise the government agent expenditure of provincial funds and development roads or othe generally in all matters affectin lic interests in the district.

Municipalities thus constituted power of borrowing.

SCHOOL SYSTEM.

The province to aid all public schools by a graduated per ca based on average attendance.

To set aside certain of the c for educational purposes, in aid scientific, industrial or technical colleges. The training given in and high schools to be more practical and such as to aid t in after life in the pursuit of mining, mechanics or other indu

The organization of a thorough mining and technical school in great mining centres of the In

ELECTION LAW.

The improvement of the el registration laws so as to ensure

(1.) An absolutely secret ballo
(2.) The free expression of the unaffected by sinister influence source.
(3.) The immediate repeal of th quiring a forfeitable deposit of other sum by candidates.
(4.) To make it the duty of assessors and collectors in th rounds to enroll all persons enti

(This method of enrolment w far superior to the present hap tem and will ensure a full and a representation of the electorate.

The selection of candidates fo lature on the grounds of educati experience and practical knowl natural conditions and resour province, and of a certain numb residence therein.

TAXATION.

Land values only, not impro be taxable.

The repeal of the poll tax i it relates to persons paying oth or income) taxes.

The exaction of mining li