(From Friday's Daily Edition).

Aliens on Old Footing

Provincial Ministry Complete Their Backdown on Exclusion From Placers.

Avoiding Promised Defeat on Bill Presented by Ex-Attorney General.

Champerty Proposal Rejected—Queen's Counsel Abolished—Judge for Vancouver.

After one year's trial in practice, the government of British Columbia has decided that the policy of excluding aliens from the placer mines of the province has failed so signally that they are now prepared to propose the repeal of this famous legislation in its entirety. Mr. Martin has accordingly dropped his bill in the same direction and joined with the government in correcting this one example of last year's mistakes. The other interesting feature of yesterday in the house was the rejection upon a strangely mixed division of 23 to 13, of Mr. Martin's proposal for the legalization of the practice of champerty in British Columbia. In consideration of the Supreme court bill in committee, it was decided on a vote of 17 to 16 that herefater one of the judges of the court shall reside in the city of Vancouver, Mr. Macpherson being found voting in opposition to this proposal.

The house being opened with prayer by Rev. Canon Beanlands, the petitions of the Vancouver Trades and Labor Council (Mr. Macpherson) and the Vancouver Club (Mr. Joseph Martin) were read and received, the latter being ordered printed.

Mr. Macpherson presented a report from the railway committee to the following effect:

"We have considered bill (No. 24) to incorporate the Chemainus and North-Western Railway Company, and herewith report the preamble of said bill proved, and submit the bill with amendments. We beg to leave to recommend that rule 65 of Rules and Orders (amended in 1897) be amended so as to increase the number of copies of the bill to be deposited with the clerk from 100 to 200."

The committee chairman explained that it had been regarded as absolutely necessary in view of the increased membership of the house that 200 copies of private bills, instead of 100 as heretofore, should be deposited with the clerk—100 being no longer enough to go round. The report was adopted.

The usual pro-forma resolutions preliminary to the presentation of the estimates and the budget speech, were put through on the motion of the Finance Minister, seconded by the Provincial Secretary, the house agreeing to go into committee of supply on Tuesday next—after though it was intimated by the Minister of Finance to the leader of the opposition that this was merely a formal arrangement, it not being at all probable that the government would be ready to proceed at the date mentioned.

KOOTENAY SCHOOLS.

Hon. Mr. Semlin presented a return of correspondence with respect to the schools of East Kootenay, asked for on the motion of Col. Baker. The correspondence was especially extensive, and the Premier expressed (sotto voce) the hope that the gentleman opposite would not ask that it should be printed.

In reply to the question of Mr. Turner as to when it would be possible to secure the returns he had asked for in reference to the flotation of the last provincial loan, the dismissal of Mr. St. Laurent, and the seizure of cattle owned by Mr. Thomas Ellis of Penticton, to which Hon. Mr. Carter-Cotton replied that the documents with respect to the loan would probably be presented on Friday or Monday, and the others just as soon as they could be got ready.

NEW LEGISLATION.

Bills were introduced and read a first time in the following order, all save the first mentioned being set for second reading at the next sitting of the house. The Municipal Clauses Act amendment bill in view of numerous proposed changes in the hands of members, was on the suggestion of the Attorney-General, referred to a special committee, consisting of Messrs. Kidd, Helmcken, Munro, Green and McBride.

To amend the Municipal Clauses Act—Attorney-General.

To amend the Rossland Water & Light Company Incorporation Act, 1896—Attorney-General.

To amend the Magistrates' Act—Attorney-General.

To amend the Supreme Court Act—Mr. Joseph Martin.

CONSIDERATION DEFERRED.

The motions for the advance of the Water Clauses Consolidation Act (Mr. Higgins), Explosives Storage Act (Mr. Kellie), to regulate labor under franchises from the legislature (Mr. Helmcken), to establish a board of labor statistics and a borad of arbitration and conciliation (Hon. Mr. Cotton), for returns on the collection of the mortgage tax (Mr. McPhillips), and for the submission of an early and general plan of redistribution (Mr. Joseph Martin), were in turn "stood over," Mr. Martin promising the Premier that he would be ready to proceed with his resolution—really one of censure upon the government—at Friday's sitting of the house.

THE LAW OF CHAMPERTY.

MR. JOSEPH MARTIN, in moving the second reading of his bill respecting barristers and solicitors (No. 32) explained that it was therein proposed to so change the existent law regulating practice as to permit a lawyer to make a binding bargain with his client to assume the conduct of a case upon the contingency of sharing in the results if the suit proved successful. Under the present law this practice appeared to be forbidden, although there was considerable doubt on the subject, the province having come under the operation of the English laws in 1859 "in so far as they were applicable to a new country," which proviso made a very considerable difference of opinion possible. Indeed this particular law had never been before the courts of British Columbia for adjudication, although it had been held good in Ontario—that no lawyer should be entitled to have any direct interest in the subject matter of the suit in which he might be engaged. This old common law had been changed to a certain extent by recent statute in England, and a similar course with regard to it had been adopted in Manitoba. Quebec had never adopted the English law, and so of course had taken no corrective action in the matter. He could not speak with definitiveness concerning the Maritime provinces; but in the American States where the old English law had originally been the basis of procedure, the right of the lawyers to share in the fortunes of the suit had been conceded. He claimed that this matter should be left open between the lawyer and his client, especially in a new country such as British Columbia, where the prospectors formed a very numerous class, and one by the very nature of their avocation probable to be frequently drawn into vexatious and expensive litigation. The prospectors, as all knew, were as a class poor men, and it was therefore to the interest of the poor man that they should be enabled to make a bargain with a lawyer to protect their interests as against those who might seek to infringe upon their rights, and possessed the money to pay for legal skill. The proposition put forward in this bill was infinitely more in the interest of the public than that of the lawyer, although the profession of course would also benefit. He had no desire to encourage litigation, but held that it was highly desirable that the poor man (poor in money, although he might be the owner of valuable mines or property that would be assailed) should be in as favorable a position to protect his just rights as the rich man who could get all the money at the bank that he might require to pay lawyers to fight his battles. The only valid objection that he had heard raised against the bill was that it would be likely to encourage so-called blackmail suits—actions instituted with a a clear knowledge that they had nothing to rest upon, and brought forward in the majority of cases in the hope that to escape notoriety and the expense of defending, the defendant in the suit would compromise. Such actions were as a rule taken by persons of no substance against the reverse class, as for example a person would go to a lawyer, and suggest that an action for libel be instituted against some reputable newspaper. He would admit to his lawyer "we have no case," but express the view that the paper would probably settle at a good amount rather than let the matter go to trial—the amount thus obtained being possibly divided. This bill would not, he contended, facilitate or increase this class of cases; its sole purpose was to permit the barrister or the solicitor to accept some chances with his client, his fee being contingent upon the success of the suit. Under the present law there was nothing to prevent an unscrupulous solicitor dividing with his client on such trumped-up cases as had been described as blackmail suits. Of course the introduction of the system proposed in the bill would enable the lawyer to demand and get larger fees than those now paid as a cash proposition; it would also enable merely recognize and put upon a definite basis a practice for some time past prevalent among the profession in British Columbia—but which heretofore has been been perforce conducted upon the basis of honor in the understanding between lawyer and client, with no redress for the former in the event of his client being inclined to go back upon the unwritten contract. The present bill did not in any way touch the protection now accorded the client from the practices of a fraudulent lawyer—it did no more than legalize a practice long common in the province, although not recognized in law—by which many lawyers had become owners or part owners in valuable mineral properties, to his certain knowledge—and which practice had operated to the advantage of the province and of the common people.

MR. KELLIE thought that this bill might properly be referred to as a legal Truck act, and he certainly regarded it as a serious menace to the mining interests if it should go upon the statute book. He held that the passage of such a law (despite the statements to the contrary of the third member for Vancouver) would be to introduce a general system of blackmail, and encourage claim-jumping and kindred evils, the serious consequence of which could not be over-estimated, throughout the province. He did not wish to be taken as reflecting in any way upon the honor or integrity of the gentlemen now composing the legal profesion of British Columbia, for whom he had the greatest respect; but such an act would certainly encourage unscrupulous lawyers to come here, surrounding themselves with a lot of henchmen of their kind, and working incalculable injury. This bill, if passed, would encourage litigation, and the prospector in particular would suffer. As the representative of a mining constituency, he proposed to vote against it.

COL. BAKER had listened, he said, with much attention to the very forcible arguments of the introducer of the bill, but after all had not been convinced that this was not in reality introducing a most pernicious system of gambling into the legal profession. It had been claimed that this would not induce what had been termed blackmail suits. Let it become law, and what would happen? Might it not be that some shrewd lawyer would find it a very easy matter to discover technical flaws in titles to valuable property. It would be the simplest thing in the world for him to go to some one and induce that person to present an adverse claim. The dummy client would be told it would cost him nothing, and if the suit was won, he would get half. There would be no difficulty in getting such clients. Nor would it be difficult for the lawyers to find flaws in many titles, and security in property would be seriously jeopardized. He could not agree that such a law would protect the poor man at all—nor the prospector. In fact the poor man would be the first to suffer, as he would be the more easily made a victim by the unscrupulous class of lawyers that such a law would produce. As representing one of the most important mining districts in the province, he, too, would oppose the bill.

MR. POOLEY traced briefly and concisely the history of the law of champerty from the time its establishment in the days of Edward I.—for the protection of the people against the unscrupulous class of lawyers that had sprung up—through British Columbia's legal experience, showing how such modifications had been brought about from time to time that it was now permissible for a solicitor in this province to engage with his client to do his work for a lump sum, not according to a taxed or fluctuating scale of costs and charges. This was, however, very different indeed from what was now proposed. It was proposed, as Mr. Martin had said, to introduce the system prevailing in the United States, and productive of endless and vexatious litigation—such litigation as tied up estates for generations, and left them finally in the lawyers' hands. It was a system that had proven in American practice calculated to bring contempt upon the courts and distrust in their justice among the people. It was a system productive of unjust and frivolous actions, arousing the anger and exciting the passions of the people. It was a system that would destroy public confidence in and respect for the legal profession. He hoped to see the standard, honor and dignity of the profession maintained; such a bill as this he could not regard as for the advantage of the honor and integrity of the profession, although it would no doubt work pecuniary advantage to the members. Taking the broader ground, he proposed to vote against the bill.

HON. MR. SEMLIN also opposed the measure, although on quite different grounds. He had nothing to say from the standpoint of the lawyers—as they were well able to look out for themselves. He felt it, however, to be his duty to oppose the bill as calculated to operate against the rights of the people, and more especially the poor people. Litigation would naturally be increased and intensified on such a bill becoming law, through the partnership of the class of lawyers properly describable perhaps as shysters, and claim jumpers. It certainly would be a calamity for the province for such a class of lawyers to gain a foothold, and the rights of all classes would suffer while these lawyers gathered to themselves all the wealth of the country. The third member for Vancouver had intimated that the practice of champerty had for some time past been going on in this province and that many lawyers were now the owners of valuable mineral properties as a result; he had also said that the lawyer had only honor to go upon in such a transaction in defiance of the law. He (Hon. Mr. Semlin) thought that an agreement of this nature might more correctly be termed an agreement of dishonor. The interests of the public in his view were much better protected under the existing law than they could be under the system proposed, which would be open to most dangerous objections. The law of champerty had been originally designed for the protection of the people against unscrupulous lawyers, and he did not think that [illegible] the people would result from the [illegible] the door that had been closed for [illegible] benefit of the people centuries ago.

MR. HELGESEN did not think the results from the operation of such a law as proposed would be as black as they had been painted. He saw much force in the arguments of the introducer of the bill, and was prepared to support its second reading, as he thought that the law would be in favor of the poor miner rather than otherwise. Certainly anyone in the possession of valuable property should know enough to take proper measures to protect its title.

MR. HELMCKEN expressed considerable satisfaction with the view taken by the Premier, but hoped that the house would also be favored with the views of the Attorney-General. If the house were to accede to the principle contained in this bill, he thought it would be just as well to do away altogether with the Legal Professions Act, as its spirit and utility would be destroyed. He looked upon such a law and such a practice as it was proposed to legalize as directly contrary to the spirit of the barrister's oath, and held that although not generally supposed to be a charitable class, the great majority of lawyers if convinced that a moneyless client was being unfairly and harshly dealt with, would take a chance rather of getting paid, rather than see rank injustice committed. This matter (which he would have much preferred not seeing resurrected) had been well threshed out before. It was nothing new in British Columbia, and he could see no more cogent reason for accepting it now than had been cited on the other occasions when it had been suggested. Mr. Martin had intimated that he knew lawyers in this province who were the owners or part owners of valuable mining properties. It was quite possible that they had acquired them as other people would. He for one had no knowledge of any lawyers securing mines through taking suits on shares with claimants, and basing payment for their services upon the contingency of success. He held that it would be a bad thing for the province to introduce such a system as contemplated by this bill—to make the lawyer a special partner in the issue of the suit, destroy his professional character in legal proceedings, and open up opportunities for endless litigation to the disadvantage of the country and the majority of its inhabitants. If such a law were placed on the statute books one might expect to see all the mines before very long in the possession of the lawyers, among whom dishonesty would naturally be stimulated, and when the prospector went out into the hills it would no longer be to find mines for himself or his associates, but for the man of the law who would ultimately take it from him.

MR. McPHILLIPS also strongly opposed the passage of such a law, even although similar legislation had been adopted in Manitoba in 1890 or 1891—although he did not know how it was working. He referred to the history and effect of the law which it was now proposed to annul so far as British Columbia was concerned, and regarded it as distinctly detrimental to adopt the change proposed. In Ontario, which like British Columbia, had adopted the English laws many years ago, it had been decided by the highest tribunals that the law of champerty applied, and an agreement made thereunder had been nullified. The Premier had very aptly stated the case when he had said that this law had been originally designed to protect the people. After elaborating the relationship between solicitor and client, the junior meber for Victoria proceeded to refute the statements of Mr. Martin that this would not interfere with existing laws, and showed how various contracts, no matter how unwise, would be insisted upon by the courts. The reason that this law had been so long retained in the Old Country was plainly set forth in a case the judgment in which he read to the house. The advantages, monetarily, to the legal profession by the adoption of such a system as proposed, would necessarily be considerable, but he as one member of the profession, nevertheless, preferred to go on under the present law. He was astonished to hear from Mr. Martin that the present law of England permitted the solicitor to have an interest in the subject matter of a suit. Looking into the subject he found that the interest was not permitted in the case of suit, but only in non-contentious matters. He also quoted at length to illustrate the extreme care that had been taken by English parliamentarians in behalf of their clients. In India champerty was not prohibited by legislation—but India was the only part of the British dominions in which this applied. He understood that the law as in force in Manitoba was virtually the same as now proposed for British Columbia; he could not speak with definiteness of the working out of the act in Manitoba, but he was convinced that such a law would be prejudicial to the interests of British Columbia, and he therefore would vote against it.

MR. McBRIDE, as a practising barrister, felt it his duty to state his views. He felt that previous speakers had misconceived the situation. He held that this act would not detract from the honor of the bar. Nine years' experience of the law in Manitoba had proved this. The dignity of the profession lay with the individual, not with the qualifications of the statute. He would inform the Premier that his fears were groundless; that the passing of the law would not empower and encourage the legal profession to crush the poor people. Even miners had told him that this law should be passed and had he (the speaker) been assured of support, he would have introduced a similar bill last session. He wished to have the position of the legal profession in this province clearly defined. He was tired of all this masquerading. He could see the Bar Association could see—every justification for this bill. He did not consider the cases cited by Mr. McPhillips as bearing on the issue. It would be ridiculous to contend that barristers and solicitors did not make very sure of themselves by demanding security for their disbursements, costs, etc. He also cited English judgments to support the view that it was in the interest of clients to be able to make such arrangements with their lawyers. In British Columbia the conditions were quite different from those of other countries. It was out of sheer honesty that it was sought to have this measure passed, if for no other reason than to stop what he called the "masquerading."

MR. BOOTH held that the question merited the closest attention of the house, and both sides had been ably set forth. He pointed out, however, that a poor man might have a perfect good title to property, and yet it might be worried out of him by a rich man and an unscrupulous lawyer should this act be passed. It was this sort of thing which had caused almost endless litigation regarding the old Spanish titles in California. He considered that in the interests of the province that the lawyer should continue to trust his client than, by passing this law, place strong temptation in front of the legal profession.

MR. DEANE at one time had been rather inclined to favor this measure, but from the speaker's statements he was convinced that an investigation should be held into the workings of the law at present. He was opposed to extending the privileges of a profession that, as it had been shown, could not even keep their own laws—and that in violation of their individual oaths.

MR. EBERTS was prepared to support the bill, and resented much that had been said against it during the course of the debte. He contended that the adoption of the law against champerty by British Columbia had never been established—indeed the commissioner who revised and consolidated the statutes in 1897, being empowered to add to or subtract from the laws as then existing, had been of the opinion that the champerty laws of England did not apply—they had set forth the law in order that the legislature might, if it deemed advisable, incorporate such a law into the provincial statutes, although this had never been done. The original champerty laws had prevailed in England from 1217, being devised to protect the King's subjects against unscrupulous persons, but had been materially amended from time to time, particularly in 1870 when they had been so amended as to give a solicitor if desired an interest or percentage in the claim ——

Mr. McPhillips corrected. The law of England, he said, did not apply in this regard to matters in litigation or contention.

Mr. Eberts did not see that this altered the complexion of the matter. If this bill became law it might perhaps be necessary to place safeguards around the agreement so that it might be secured that it should be in keeping with the statutes and fair to the client and the public. This being done he saw no objection to the bill, and proposed to support it with his vote.

HON. MR. HENDERSON referred to the varying definitions of champerty—during the English and American Law Encyclopedia. At present the common law held it to be an offence and even a crime. But was it an offence in itself? He held the contrary view. It might even be said that it might operate greatly to the public advantage. Legal authorities were coming to recognize it as a fair and legitimate system of contract between lawyer and client. If this bill failed, the agreements complained of by some, would continue to be made; if it passed, all practitioners would be able to take advantage of it openly, to the general good. After considerable research he had decided to vote for the second reading of the bill.

The house then divided upon the motion for second reading, which was lost by 13 to 23, as follows:

For the second reading—Messrs. Hall, Robertson, Clifford, Martin (Jos.), McBride, Eberts, Higgins, Henderson, Smith (R.), Martin (J.M.), Kinchant, Helgesen, and Neill—13.

Against—Messrs. Pooley, Booth, Baker, Turner, Smith (A. W.), Brydon, Ellison, Irving, McPhillips, Helmcken, Semlin, Cotton, Wells, Prentice, Macpherson, Tisdall, Deane Hume, McKechnie Kellie, Kidd, Green and Munro—23.

SANDON RELIEF BILL.

Mr. Green, in moving that the bill providing special relief for the people of the city of Sandon, said that the measure was in accord with a petition submitted to the house during the first days of the session. The people of Sandon had been unable to get a sufficient number of candidates for the offices of mayor and aldermen, and therefore the city was without a city council and this measure was to ease the situation. The second reading was agreed to.

QUEEN'S COUNSEL BILL.

In moving the second reading of the Queen's counsel bill, Mr. McPhillips said he would but repeat the arguments which he had advanced last session. He regretted that more attention had not been paid to the legal history of the province and that no more than five Queen's counsel should have been selected. The privy council had decided that the provincial government had authority to make such appointments, and the act he was now introducing was an adaptation of the Ontario law on the subject. The government of the day would still be able to appoint the Queen's counsel; but they would be enabled to select certain others heretofore passed over. Last year a number of prominent legal gentlemen had been passed over and others had been presented with the silk whom he thought were scercely entitled thereto. Moreover, this bill sought to provide that a Queen's counsel must be of ten years' standing in the law, five of which must have been in this province.

Mr. Kellie held that if this bill passed it would be possible for Queen's counsel in British Columbia to become as numerous as the sands of the sea or as Generals and Colonels across the line. Indeed, with this measure on the statute book almost everyone in British Columbia was likely to be a Queen's counsel or a queer customer. If the bill did carry, he suggested that it be made operative in six or eight months—it would be only fair to give the manufacturers and silk importers a chance—and not exhaust the provincial supply of silk.

Mr. Helgesen held that dignity was becoming to the leading members of so high and honorable a profession as that of the law, and suggested that he would give his support to the bill upon one condition—that the wearing of the wig be restored.

Mr. McPhillips replied that the removal of the wigs had been merely optional with members of the profession. As a matter of fact the majority still retained them.

Hon. Mr. Henderson took the point of order that the conferring of the distinction of the Queen's counsel coming within the prerogative of the crown, the presentation of such a bill by a private member was out of order. He asked the determination of the point raised, by the Chair.

Mr. Speaker was inclined to regard the point as well taken; tht introducer of the bill should on presenting it have been able to convey to the house that he had the consent of the crown in bringing it forward.

Mr. McPhillips held that the government had not refused assent—that in order that this rule should apply the government must first state specifically that they objected to the bill.

"Does the government assent to the presentation of this bill," Mr. Speaker asked.

Hon. Mr. Henderson protested that the government was not required to reply to such a question. It was the duty of the member moving to present such evidence as would justify the setting aside of the house rule.

Mr. McPhillips was confident that he could produce authorities in contradiction of the point of order raised, and the debate was accordingly adjourned on the motion of Mr. Helmcken.

MUST COME BY MESSAGE.

In answer to the point of order raised on Wednesday by Mr. Higgins, with respect to the bill to amend the Revenue Tax Act, Mr. Speaker ruled that the bill have been well taken, and that the bill should be introduced by message from His Honor.

It was then only a few minutes to six, and Mr. Speaker "saw" that hour.

On the resumption of business in the evening Mr. Kellie asked leave to stand over his already famous short-hair bill, as he "wanted the hair to grow a little longer."

REINTRODUCED BY MESSAGE.

Hon. Mr. Cotton presented a message from His Honor transmitting the bills to amend the Revenue Tax Act, which was formally reported from committee with Deputy Speaker Kellie in the chair; receiving its first reading, and being set for second reading at the next sitting of the house.

THE VOTING MACHINE BILL.

In moving the second reading of the Municipal Elections Amendment bill, Mr. McBride explained that the scope of his measure was to permit of the utilization of Dr. Farwell's ingenious machines for the taking and counting of votes—the invention in question being admirably simple and well designed. His purpose was not to compel the adoption of the voting machines, but to permit of this being done where desired. He endorsed the use of the Farwell invention as an absolute safeguard against any wrongdoing in elections. It was the invention of this resident of Harrison Hot Springs that had been approved by all who had investigated its working, and patents upon it were pending at the present time. Not only would the use of the voting machine prevent corruption, but it would materially reduce the cost of elections.

Mr. Kidd expressed an intention of voting for the second reading of this bill, and hoped that some adventurous council would give the Farwell invention a trial—and that if it proved all that it was designed to be, it would ultimately come into service in provincial elections.

The bill passed its second reading.

PLACER MINING BILL.

Hon. Mr. Henderson having pointed out that there was a government measure on the order paper to the same tenor and effect.

Mr. Joseph Martin obtained leave to withdraw his bill to amend the Placer Mining Act, by which it is contemplated to repeal the legislation of last session excluding aliens from the placer mines of the province. He still believed that the conditions last year had justified the passage of this measure, but the conditions had changed and he was glad to see that the government was now prepared to place the law on exactly the same basis as it was before the passage of the exclusion law.

There is virtually no distinction between the repeal bills proposed by the government and by Mr. Martin, the government measure in its entirety reading as follows:

2. Section 3 of chapter 136 of the Revised Statutes, 1897, as enacted by section 2 of chapter 50 of the statutes of 1899, is hereby repealed, and the following section is substituted therefor:

"3. Every person over, but not under, eighteen years of age, and every joint stock company shall be entitled to all the rights and privileges of a free miner, and shall be considered a free miner, upon taking out a free miner's certificate. A minor who shall become a free miner shall, as regards his mining property and liabilities contracted in connection therewith, be treated as of full age. A free miner's certificate issued to a joint stock company shall be issued in its corporate name. A free miner's certificate shall not be transferable."

3. Chapter 50 of the statutes of 1899, being an act to amend the Placer Mining Act, is hereby repealed.

Mr. Martin was permitted to withdraw his bill.

COMPANIES' BILL.

Upon the Companies' Act amendment bill being returned to committee, an amendment was introduced on motion of the Attorney-General to preserve the borrowing rights of companies formed prior to the passage of the bill—the measure not having been designed to be in any way retroactive. As so amended the bill was reported complete, the report to be considered on Friday.

SUPREME COURT BILL.

In committee on this measure (Mr. Prentice being chairman), it was decided not to take action with regard to the change of the long vacation from July and August to August and September until the opinion of the majority of the profession could be ascertained with positiveness. Other amendments of interest only to the profession were also made in committee.

Mr. Joseph Martin moved the insertion of a section providing that one of the Supreme court judges should reside at Vancouver, vigorously urging the necessity for such residence.

Hon. Mr. Henderson, Mr. Pooley, Hon. Mr. Semlin and Mr. McPhillips opposed this amendment, the three first named gentlemen urging that such legislation would be useless as the house did not possess the power to compel the judges to reside in any other place than they themselves chose; while Mr. McPhillips held the proposed amendment to be in order, but not desirable as in the direction of decentralizing the power of the courts.

Major-General Kinchant thought if judges were being given out, Cariboo should have one.

Mr. Kellie proposed an amendment to the effect that at least one Supreme court judge should reside at Revelstoke.

The amendment of Mr. Kellie was lost, and the motion of Mr. Martin carried by 17 to 16, Mr. Macpherson voting against a judge residing in the city which he represents.

An assurance was given Mr. Clifford that whenever necessary, Supreme court sittings would be arranged to be held at Atlin, and Mr. Eberts urged the imperative necessity of making due arrangements for litigation in the Boundary Creek district.

The committee ultimately rose with a progress report.

LIQUOR LICENSE LAW.

Committee was next resumed on the Liquor License Amendment bill, when Hon. Mr. Cotton proposed the following graduated scale of license fees, in the direction of reducing the charges for rural houses:

"Section 43 of said act is hereby repealed and the following section substituted therefor: "43. Every person to whom a license to sell intoxicating liquor shall hereafter be granted shall, upon receiving such license, be required to pay to the government of British Columbia as a fee the following:

'For a wholesale license, $200 for one year.

'For a hotel license, in a locality of upwards of 150 inhabitants, not counting Chinese, Japanese and Indians, $200 for a year.

'For a hotel license in a locality of upwards of 50 and not exceeding 150, not counting Chinese, Japanese and Indians, $150 per year.

'For a hotel license in a locality of 50 inhabitants, $80 for one year."

This, said the Finance Minister, makes a considerable reduction in the fees to be paid by licensees in rural districts and villages. The amendment would probably entail a loss of $12,000 from what the government was now receiving.

Mr. Higgins directed attention to the fact that he had proposed an amendment to strike out section 43 of the act and insert the following in lieu thereof:

"43. Every person to whom a license to sell intoxicating liquor hereafter be granted shall, before receiving such license, be required to pay to the government of British Columbia as a fee for such license, the following sums, that is to say:

"For a 'wholesale license,' two hundred dollars for one year.

"For a 'hotel license' in a locality of not less than fifty adult inhabitants (not counting Chinese, Japanese or Indians), one hundred dollars for one year.

"For a 'hotel licence' in a locality of less than fifty adult inhabitants, sixty dollars for one year."

Inasmuch as he had given due notice of this amendment, and the Finance Minister had not, the member for Esquimalt held that his proposal should be first considered—if indeed the proposal of the Finance Minister was entitled to consideration, the required notice not having been given.

Hon. Mr. Cotton pointed out that he had informed the committee at its last sitting that he would endeavor to meet the wishes of hon. members who had urged license fee reductions, this being the step then indicated. He was willing to concede that the amendment of the member for Esquimalt should be first considered, although the government could not accept the proposals of that gentleman in view of the serious loss of revenue entailed.

Mr. Eberts also pointed to the fact that he had proposed an amendment to reduce the fee for rural districts to the old amount of $60, which he argued to be a quite sufficient amount. These wayside houses made no money, and while the half-loaf offered by the Finance Minister would be appreciated, it would be better to do complete justice and restore the old fees. The government was feeling public opinion and its every move was emulative of Davy Crockett's coon—"Don't shoot; I'll come down." (Laughter.)

This suggestion was supported by Mr. A. W. Smith, while Mr. Prentice held that the Minister of Finance had gone as far as he could, and had made a very fair proposition which should heartily commend itself to the house. It could not be expected that the increase should be taken off all at once.

"It was put on all at once last session," observed Mr. Pooley, who also urged that the reduction be sufficient to restore the fee to the old figure.

Mr. Macpherson did not see why the senior member for Esquimalt should be so solicitous in this matter. As he understood it, liquor was to be found in Esquimalt district under rose bushes and behind old logs. (Laughter.)

Mr. Pooley assured the member for Vancouver that he had never found refreshment so conveniently distributed.

Mr. Higgins remarked that the liquor was only supposed to grow on rose bushes once every four years. (Renewed laughter.)

Mr. Neill thought that Mr. Higgins was wrong in his arithmetic, and that he was wrong in saying that he only proposed to restore old conditions. Mr. Higgins had stated that his amendment was to be considered as a step in the right direction.

Mr. Higgins denied ever having used so stereotyped an expression. He objected to the member for Alberni putting words in his mouth.

Mr. Neill did not wish to put anything in the member's mouth, and

Mr. Kellie referred jocosely to the marked plentitude of hotels, as he had encountered them during a recent drive through Esquimalt district; he did not see how they all could live except through the patronage of their rivals in the business.

After some further light discussion the amendment of the member for South Victoria to restore the standard fee to $80 was first put to the vote. It was lost, and a similar fate awaited the resolution of Mr. Higgins, the amendment of the Finance Minister being adopted.

Mr. A. W. Smith moved to repeal section 8, and substituted the following:

"8. Government agents and stipendiary magistrates shall be license inspectors under this act, and the lieutenant-governor in council shall appoint a government agent, or some other person, in each district to act as chief license inspector for such district."

The member for West Lillooet supported his resolution with such eloquent argument that the Minister of Finance requested that he withdraw his motion, presenting it upon report—so as to give the government opportunity to consider the questions involved.

This course was consented to by Mr. Smith.

Hon. Mr. Henderson moved an amendment of 78b in order to make it appear clear that the commercial traveller or commercial agent who pays a license represents principals doing business outside the province. This was adopted, and sub-section 3 of the same clause was amended to the same effect. Sub-section 4 was amended by striking out the words "under this act" in lines 4 and 5.

The section was passed as amended.

The bill was reported complete as amended.

In reply to an inquiry by Mr. Neill,

Hon. Mr. Semlin said that he could find no correspondence with respect to mining on Indian reserves. He would, however, institute a further search.

The house rose at 11:15.

CARPETS, RUGS, ART SQUARES

We show 10 patterns to any other stores one.

Axminsters, Wilons, Brussels, Riche Velvets Tapestry. 370 pieces Carpets, 324 Rugs, 214 Art Squares

UP-TO-DATE GOODS IN EVERY LINE.

Above goods were just received by us in one shipment from the manufacturer.

WEILER BROS, . Victoria, B. C.

LOCAL NEWS.

Sudden Death.—News has been received of the death at Lytton on Wednesday of Miss Emily Howard Crease, third daughter of the late Capt. Henry Crease, R.N., of Plymouth, England, and sister of Sir Henry P. P. Crease, Kt., of Pentrelew, this city.

Omineca Road.—A committee of the British Columbia Board of Trade yesterday morning waited on the government in the support of the proposal made by a company to build a wagon road from Kitimat Arm to Hazelton for a grant of 30,000 acres a mile. They also asked that for every mile of road built from Quesnelle towards Omineca half a mile be built from Hazelton. They were well pleased with their reception.

The steamer City of Seattle arrived at Tacoma on Tuesday in tow of the tug Tyee. She was brought down from Juneau, where she has been lying disabled for some time. While there the captain sent out invitations for a dance, but when the guests had assembled the ball was to be called off, as the Pacific Coast Steamship Company had an injunction served on the captain restraining him from having the dance, as they feared that some damage might be done to the boat, on which they have a salvage claim.

Where is Dixon.—Chief of Police Langley has received information regarding Louis Dixon, late of Hay mountain, which will prove of much advantage to Mr. Dixon; and anyone who knows anything of his whereabouts will confer a favor by communicating with the city police department. Dixon is thought to be the man who suffered severe hardships while endeavoring to complete the journey over the Edmonton route to Dawson last spring, stories of his experience and that of his companions having already appeared in the Colonist.

The tug Cleve, which took Misses Logan and J. F. Trowbridge to the assistance of the ship Louis Welsh at Chemainus, has returned. She brought news of much damage done by the gale in that vicinity on Monday night. The scow of Capt. Gibson, which was wrecking the Miami, turned turtle and all the apparatus on her was lost except the donkey engine which was bolted down. Three men were thrown in the water but were saved. The Louis Welsh, which was anchored near the Miami, broke adrift and lost one anchor and 70 feet of chain, and she dragged to within one thousand yards of Kelpie Point. Assistance was telegraphed for and the tugs Cleve and Daisy towed her into Oyster Bay. The tug Tepic lost two scows loaded with coal that she was towing. They went ashore near the Louise Welsh. A barge belonging to Captain Gibson also went ashore but was floated without having received any damage.

A TOO TALKATIVE JUROR.

New York, Feb. 7.—The most interesting event of the day in connection with the trial of Roland B. Molyneux for the murder of Mrs. Katherine J. Adams, was the circulation of the report that one of the jurors had disobeyed the commands of the court and talked about the case, announcing that "he would not hang a dog on such evidence."

CARTER'S LITTLE LIVER PILLS.

CURE

Sick Headache and relieve all the troubles incident to a bilious state of the system, such as Dizziness, Nausea, Drowsiness, Distress after eating, Pain in the Side, &c. While their most remarkable success has been shown in curing

SICK

Headache, yet Carter's Little Liver Pills are equally valuable in Constipation, curing and preventing this annoying complaint, while they also correct all disorders of the stomach, stimulate the liver and regulate the bowels. Even if they only cured

HEAD

Ache they would be almost priceless to those who suffer from this distressing complaint; but fortunately their goodness does not end here, and those who once try them will find these little pills valuable in so many ways that they will not be willing to do without them. But after all sick head

ACHE

is the bane of so many lives that here is where we make our great boast. Our pills cure it while others do not.

Carter's Little Liver Pills are very small and very easy to take. One or two pills make a dose. They are strictly vegetable and do not gripe or purge, but by their gentle action please all who use them. In vials at 25 cents; five for $1. Sold by druggists everywhere, or sent by mail.

CARTER MEDICINE CO., New York.

Small Pill. Small Dose. Small Price.

First Ball By Native S

Wealth and Beauty of t Represented Last Eve at Assembly Hall

Unique Electrical Deco One of the Pleasures Charmed the Dance

The expectations that the fir dance under the auspices of Lodge, Native Sons of British would prove one of the chie events of the season were fulfil brilliant success which atte evening's affair in the Assem Fort street. On no previous was the hall more handsomely ed, nor has the attendance be the supper more enjoyable and eral features more calculated bute to success.

For upwards of a week a workmen under the direction Frank Higgins had been bus work of preparing the large for the event; and that the were in every way successful t were so fortunate as to get a the interior of the hall last n testify. Besides the customary tions in which bunting, evergre are employed, the art of the specialist had been called into u the four corners of the spacious apartment and from either s lines of brilliant vari-colored lights, half hidden beneath a ivy and floral decorations, and was simply enchanting. A pro large Chinese lanterns int throughout the room added to t dor of the scene.

One of the most interesting tractive features of the novel ments which were everywhere dence, was furnished by a score of quaint nooks, where those tripping the light fantastic w and gossip. These shady retre den beneath a wealth of potte and rich drapings, bore such "Esquimalt," "Goldstream," gan," "Saanich," "Bella Bella couver," and other names well to native sons.

On a platform over the m trance were stationed Electrician Watson, and staff with the light apparatus, which was us most delightful effect during t ing, the handsome costumes of t brilliant uniforms of the military attendance, together with the r dress suits of the civilians, show harmoniously the dancers, the the strains of sweet music ben changing calcium lights.

At the rear of the hall, oppo main entrance, were the suppe and these also were beautifully ed with evergreen and bunting task of catering to the appetite Native Sons and guests had bee the hands of Phil. H. Smith, la ard of the Hotel Del Monte, M California, and that gentleman i ed in pleasing the most fastidiou patrons, the service being in eve efficient.

Dancing commenced at 9:30, being crowded at that hour wit sentatives of the wealth, bea fashion of the city. The affair der the patronage of His Hon tenant-Governor McInnes, and were also present members of the tive assembly, board of aldern army and navy.

The important task of atte the musical features was in the Mr. Driscoll, leader of the theatre orchestra, and that ge had provided an orchestra which ed the various musical numbe faultless manner.

It is estimated that upwards guests were in attendance, ma ing from outside points, as in had been extended to the mayor ferent provincial cities.

Those to whom most credit is the success which attended the affair are members of a c consisting of Ald. J. S. Yates Helmcken, Q.C., M.P.P., W. A F. B. Pemberton, D. R. Ker, J son, S. Sea, T. C. Smith, J. vey, E. H. Henley, G. H. Barn E. Powell, G. O. Madigan, C. ley, Lindley Crease, E. C. Smit Pooley, J. S. Smith, W. S. E. W. Pratt, Frank Higgins, Watson and A. E. Haynes.

The lady patronesses of the to whom also is due a share for the brilliant success achie Lady Crease, Mrs. R. Dunsm Pooley, Mrs. Powell, Mrs. D. gins, Mrs. Loewen, Mrs. J. D ton and Mrs. R. Harvey.

Dancing continued until abo

A special street car service arranged by the tramway com those resident at out-lying poi ed no inconvenience in reach homes.

DROWNED IN THE G

One Man Succumbs After A perience While His Comp Survives by Miracle

From the Vancouver News er: The steamer Comox, wh late last evening from the no news of a terrible experience ing, which resulted in the de man and the narow escape o The fatality was the result o wind on Monday night.

Charles Johnston, a brave who was at one time employ Moodyville mill, and George old man of nearly 60, were on to the north coast on a prospe They had a sailing sloop, and day afternoon had a fine tr were nearly 60