they were now (Mr. Turner: "Hear, move them away from white influences, hear"), and at the same time the pro- and especially from the squaw man, ince would proceed to deal with the land, would be for the Indians' benefit. the increased value of it not having . Mr. Helmeken wound up the debate by heen brought about in any way by the saying, in reply to the Premier's refer-Indians during the last twenty years, ences to the Esquimalt & Navaimo stood it, the Dominion did not look at was interested now in respect of its difficult to say in what way it did regard | was anxious to assist the Premier in disthe Indians had a kind of title to the gentlemen who had referred to this matthem or, at all events, the difference after the cost had been deducted of removing them to another reserve. He ters would go to Ottawa he could accomprovince was right in its contention that | tlement of the question. the land, was merely for the use of the The motion was then passed, Mr. Kel-Indians while they were on it and that lie alone shouting "No." the fief belongs to the province, then surely if the province gave the Indians a comfortable home somewhere else it and that the province should pay a certain sum for a certain number of years basis of settlement, but he did say that Carried. the present proposition of the Dominion was in such a shape that the province could not accept it with due regard to provincial rights. However, as the Premier had said, and as he himself had remarked, the government was most anxious to settle the matter, not only for the benefit of the province, but also for that of Victoria, for if the Songhees were removed the reserve could be very valuable for park or other purposes.

Col. Baker was naturally interested in this matter as he had tried to dispose of it satisfactorily when in office. He said the Dominion government took the stand that as trustee for the Indians it should and the nature of such services, during claim for the Songhees any increment 1899. caused by the increased value of the land in recent years.

Hon. Mr. Carter-Cotton-And the province gets nothing.

Col. Baker-Yes. He thought the Dominion government was entirely wrong in its contention. The Indians were perfeetly willing to go to another place. The Dominion government's position was perfectly wrong.

Mr. Kellie said this resolution, or one like it, had been brought up in the House for about ten years. The hon, gentleman who had just sat down said the reserve was a detriment to the city of Victoria. The Indians, when they received the white men so hospitably many years ago, hardly supposed then that a coming legislature of whites would seek to turn them out of their homes. He could imagine history repeating itself in future years and the heathen Chines legislating in their assembly at Victoria to turn the whites out. (Laughter.)

Mr. Helgesen made a plea for the Indians. They should be paid something handsome for removing.

Mr. Booth felt that neither the member for Cariboo nor Mr. Kellie knew lost. This was an important matter and the real position. The Indians were the government now had it under conquite willing to remove from the reserve under some reasonable arrangement. As say how far the suggestion would be carit was only a question of title he felt ried out, but personally he favored the that a friendly suit before the Supreme Court was all that was necessary.

as to whether the Indians held this land under the same sort of title that other Indians hold their land.

Hon, Mr. Semlin-A very great queswhether or not the Indians held their those fees ought not to go to the protitle under the lease given them by vincial treasury. If he was correctly inthe Hudson's Bay Company. In that formed, in Manitoba, where they do conlease they were simply to have the land duct the prosecution, the fines went to as long as they occupied it, and when the treasury. If the government was they ceased to live on it it was to revert to incur responsibilities that now fell on to the province. The late government the municipalities it should receive the considered that the Indians should have fines. some of the advantage resultant from Mr. Eberts said that under section 232 the increased value of the land, but felt of the Municipal Clauses Act it was the that it should be applied to placing them duty of the municipalities to properly in a better position elsewhere. They police a city and carry out all prosecushould look to the interests of this city | tions. and of the province and should endeavor, by all means in their power, to facilitate the settlement of the question. It would be only fair, if the question were suc-

Mr. McPhillips asked if the government had had this matter investigated from a legal point of view. If not it should do so at once and settle what the position of the province was. He did not Deane, for a return of all correspondthink this especial piece of land had ence between any member of the provinever been really transferred to the Do- cial government and any member or offiminion by the province. The Indians cial of the Dominion government, reelashould be considered and they should be tive to negotiations allowing the working, asked to state what they would be satis- under suitable regulations, of the min-

Mr. Eherts read from a copy of the or- vince. iginal lease from the Hudson's Bay Company to the Songhees. He said that lost in admiration for the noble savage. this particular reserve did not come The mining committee last year recom- Order-in-Council remitting the fine imwithin the purview of the section of the mended that steps be taken to get an British North America Act, which de- understanding with the Dominion gov- cans, for an infraction of the Game Act, clared that the province must give the ernment so that free miners might enter Dominion such tracks of land as it re- on Indian reserves to work claims. It quired from time to time for the In- was utterly impossible to make proper dians. No conveyance of the land had arrangements with the Indians to work been made to the Dominion. The com- claims on an Indian reserve. Miners in missioners, who in 1878 ear-marked cer recording had to swear that the claims tain lands for Indian reserves, said this were not on reserves. They could not alspecial reserve appeared to be the pro- ways do that. He understood that the perty of the Indians under an agreement Dominion and Provincial governments with the Hudson's Bay Company. But were at issue on the subject. He sugthat agreement stated that with certain gested that each party should give up a exceptions the land was to be the pro- little of its rights. This resolution had perty of the white men for ever. If the three objects in view. He wanted to Dominion was the proper party to hold find out: (1) Has any action been taken the land in trust for the Indians three by this government? (2) What action parts of it would come back to the pro- has been taken? (3) Was sufficient acvince because of being unoccupied. The tion taken in the premises? late government's proposition was quite fair. If that proposition had been act arding of work in the Thompson river cepted this blot, this eye-sore within the and Nicola districts through this matter.

have been wiped out. Mr. Hall claimed that the intention of the Hudson's Bay Company was that the land should revert to the province when the Indians ceased to exist. The value given to the land was only caused by the growth and expansion of Victoria and Victoria was entitled to the advantage resulting. There was no desire on

put the Indians in as good a position as there were only about 24 or 25. To re- itate the flotation. Carried.

but by the whites. But, as he under- Railway Company, that that company the matter in that way. It was rather right of way through the reserve. He it. The Dominion seemed to hold that posing of this matter, He told hon, increased value of the land and that if ter as coming up for so many years that it was sold the price should be given to it was a hardy annual and would reapcould not agree with that view. If the plish a great deal in forwarding the set-

Two Dismissals.

Mr. Turner mover for all correspondwas entitled to the land. He suggested ence in connection with the dismissal of as a possible new basis that the Indians Mr. William Stephenson from the posishould be supplied with a new location tion of government agent at Quesnelle Forks. Carried.

Mr. Turner moved for all correspondto make up for the inconvenience the ence in connection with the dismissal of Indians might suffer. He did not say Jos. H. St. Laurent from the position the government would accept such a of road superintendent, Cariboo road.

The New Loan.

Mr. Turner moved for all papers and correspondence in connection with the a little piece of United States territory floating of the loan of 1899 in London, and back again to British Columbia. In including a copy of the prospectus of the accordance with the usual custom he of the applications for allotment, and letters of underwriters. Agreed to.

Public Prosecutors.

Mr. McPhillips moved, seconded by Mr. Helmcken, for a detailed return of all moneys paid, and to whom paid, for legal services rendered to the government, or any of the public departments. In calling for the return Mr. McPhil-

lips said much complaint had been made as to the present procedure in regard to criminal matters. They found the prosecution of important cases left to police officials. The time had come when proper persons should be provided to prosecute serious cases in their earlier stages. Hon, Mr. Henderson said there was no objection to the resolution. Although the practice of the crown being represented in the earlier stages of criminal

cases did not obtain in this province, he thought it was a proper precaution to take. However, it required much consideration because it involved the expenditure of a large sum of public money. In Ontario each county had its own county crown attorney. There was a request from Vancouver, and probably Victoria would not be averse to it. that the crown should be represented in important criminal cases before the magistrate. That perhaps was not without its advantages. Very frequently indeed had the crown been represented at the start of such cases very important evidence would be obtained which was now sideration. He could not at this stage

course suggested by Mr. McPhillips. Mr. Eberts-Is not the duty cast on lution: Mr. Turner said there was a question the municipalities? Hon, Mr. Henderson-Yes, at present.

Hon, Mr. Carter-Cotton said that if the government did provide counsel to prosecute, the municipalities, which had heretofore benefitted by the fees, would Mr. Turner said the question was have to consider the question whether

Hon, Mr. Henderson-That is true. Mr. Eberts did not see why some arrangement could not be carried out whereby proper counsel should be retaincessfully disposed of, that Victoria | ed by the government to carry out severe should have that piece of land for a cases. In that case the government park. Vancouver had been donated a should get the fines. If this principle valuable area for a park nd Victoria was adopted the clause he had mentionshould have an open space of the kind. ed would have to be amended to take the They should treat the Indians with thor- present responsibility off the municipal-

The resolution was passed.

Minerals on Indian Reserves. Mr. Neill moved, seconded by Mr. crals on Indian reserves within the pro-

He said he was not like Mr. Keilie

Mr. Deane called attention to the reconfines of the city of Victoria would He urged the government to quickly settle it with the Dominion.

The resolution was agreed to. The Agent-General.

letters or telegrams (if any) from the any way affected by the operation of agent-general in London, or the Bank the Mineral Act Amendment Act, 1899. of British Columbia, sent prior to the flotation of the last loan, calling the atthe part of anyone to treat the Indians tention of the government to the fact. In reply to Mr. Helmcken, the Finance annialry. When the Indians got the that the presence of the Minister of Fi. Minister said that his department had

fied, that the province would practically land there were 1,000 of them; to-day nance was necessary in London to facil- no information on the Galbraith matter

Log Cabin Pre-Emptions. Mr. Turner moved for all correspond ence and papers, of any kind whatsoever, in relation to the cancellation of pre-emption claims at Log Cabin, the and for all correspondence and papers, of any kind whatsoever, in relation to ter for his information. (Laughter.) the cancellation of the pre-emption claim of Thomas Tugwell at Log Cabin.

Mr. Turner said he and other Victorians were informed that Tugwell staked a pre-emption claim, placed a big building upon it, cultivated the land and was doing a good trade with the miners. Suddenly he was informed that his preemption was cancelled. Mr. Turner could not vouch for the correctness of the statements, but Mr. Tugwell was a very straightforward man. They should therefore have all the information relating to the matter.

igh The resolutions were passed. Cattle Dealer's Grievance.

Mr. Turner moved for all correspondence in the year 1898, or in any year ment? subsequent thereto, between the provincial government and the Dominion gov-ernment, or any other parties, in relation to the seizure by the United States, in November, 1897, of certain eattle. The property of Thomas Ellis, of Penticton Mr. Turner explained that Mr. Ellis did a catt'e business in the Boundary country, and his cattle had sometimes to pass from British Columbia through loan, copy of instructions to agents, and was given a permit by the United States customs officials to drive his cattle across this small piece of American territory. One day his driver happened to have deft the permit behind. A customs officer who had a grudge against Mr. Ellis welzed the cattle and they were sold. There had been correspondence on the matter between the Dominion and United Stiffes governments, and he believed a decision had been come to in Mr. Ellis's favor about a year ago. However, that gentleman had heard nothing about it since

The resolution was agreed to. East Kootenay Schools.

Col. Baker moved for all correspond ence between the government or member or officer thereof, in relation to the schoo's in Southeast Kootenay, esnecially the schools at Fernie, Crapbrook and Fort Steele; and returns of the number of children of school age at each of those three places. Agreed to. | Railway Belt Lands.

Mr. R. Smith moved that a select committee of this House, consisting of Messas, Booth, Helmcken, Helgesen, Neil' and the mover, be appointed to enquire into the grievances of certain set-E. & N. railway belt, and set fortheby vate) passed last session the following made by the provincial government; with witnesses under oath. Agreed to.

Volunteers and Mineral Claims, ba Mr. Deane moved the following reso- ernment?

have gone or may go to South Africa involved a matter of legal opinion, to serve with Her Majesty's forces during the present war there are some persons who are the holders of claims under the provisions of the "Mineral Act"; And whereas it is desirable that the said claims should be protected during as aforesaid:

volunteer serving Her Majesty in the Africa? present war be not open to location by Hon. Mr. Semlin-The government will any person during the absence of such do all it can in that direction. volunteer upon said service, nor for a period of twelve months after the close of said war.

Hon, Mr. Carter-Cotton stated that al- Finance the following questions: though this resolution was out of order, 1. What was the overdraft at bank on the permission of the House he 30th June. 1899? would like Mr. Deane to speak. The 2. At what rate was the net amount government would make some arrange of the 1899 loan placed to the credit of ment about the matter. It would be the province? only too happy to facilitate the views 3. What is the rate of interest the the hon, gentleman had in moving the reso ution

Mr. Speaker ruled it out of order, so Mr. Deane could not speak.

Loan Expenses.

Mr. Helmcken moved for itemized returns of all expenses in connection with \$146,025; August 15th, 1899, \$242,750; the floating of the loan authorized by the "Provincial Loan Act, 1899."

plementary return. The resolution was carried.

Shot a Hen Pheasant. Mr. Helmcken moved for copies of the posed upon Mr. D. M. Galbraith, of Duntogether with copies of the information and deposition taken on the trial, and of

the said fine. Mr. Helmoken said the Mr. Galbraith the last session? mentioned had been found in unlawfo: possession of a hen pheasant, and wanted to know why the fine had been

on his behalf, to obtain the remission of

The resolution was passed.

Free Miners' Certificates. Mr. McPhillips asked the Minister Mines the following question: What revenue was derived from the taking out of new free miners' certiffcates, or renewal of same, when were it not for the passage of the "Mineral Act Amendment Act. 1899," free minextended beyond the 31st of May. Hon. Mr. Hume replied: "The department of mines does not receive returns of the revenue derived from the issue of Mr. Eberts moved for a return of all free miners' certificates, but it was not in

The Galbraith Incident.

referred to above. The hon, gentleman should apply to the Attorney-Gereral.

Mr. Hemcken was much obliged to the hon, minister. He knew the matter was not discussable.

Mr. Speaker-Order; no debate. Mr. Helmcken-I am not debating; 1 am merely thanking the Finance Minis-Alien Law.

A couple of questions by Mr. McPhillips, referring to the Alien law, were ruled out of order.

Toll Roads.

Hon. Mr. Carter Cotton Informed Mr. Turner that the government has not advertised for the construction of roads under the Development and Toll Roads Act of last session. Nothing be die to

Mr. Eberts asked the Minister of Finance the following question: How much was paid to the Agent-General in London during the year 1899, in addition to the sum voted by parlia-

Hon. Mr. Carter Cotton-Nothing.

Queen's Counsel. Mr. McPhillips asked the Attorney General the following question: Is it intended to amend the "Queen's Counsel Act, 1899," so as to make i conform to the legislation of Ontario, and provide in proper cases for the recogni-tion of the Dominion appointments, and in particular recognizing gentlemen who have been and are now members of Her. Majesty's Privy Council for Canada, and hold Dominion patents as Queen's Coun-

Hon, Mr. Henderson declined to an swer, as the question involved government policy.

law. (Laughter.)

Mortgage Tax. Mr. Turner asked the Minister of Finance the following question: Was that part of the personal property tax known as the mortgage tax collected for the year ending 30th June, 1899, or was any part of that tax collected? Hon. Mr. Carter Cotton replied-The tax was collected in accordance with the

Land Registry Act. Mr. McPhillips asked the Attorney-General the following question: Is it intended to bring in an act to make clear and define how a judgment may be re-registered and renewed, owing to conflict between the "Land Registry Act" and the "Judgments Act, 1899"?

Hon. Mr. Henderson-Yes. Out of Order. Mr. McPhillips asked the Attorney-General the following question: Is it the intention to bring in an act tlers in Nanaimo district and within the striking out of all the railway acts (pri-

petition or otherwise, and as contained hurtful and non-Canadian clause, which in reports of a Dominion commissioner aims at disturbance of national unity, appointed by the Dominion parliament to viz :- "In case at any time the said railinvestigate the whole of the cases, and way is declared by the parliament of which has since forwarded above reports | Canada to be a work for the general adto the provincial government, with an vantage of Canada, then all powers and that a settlement ought to be privileges granted by this act, or by the 'British Columbia Railway Act,' shall power to send for persons and all necest thereupon cease and determine"—the sary papers, and call for and examine above clause appearing in all private railway legislation of last session. and inserted at the instance of the gov-

Mr. Speaker-It is out of order.

B. C. Scouts. Colonel Baker asked the Premier the

following question: In event of assistance being given by the government to provide a British Cothe absence from British Columbia of lumbian contingent for service in South said persons, while serving Her Majesty Africa, will the government insist on the contingent being kept intact as a B. Be it therefore resolved, that the min. C. force, or as a B. C. unit in any Canaeral claims of any British Columbia dian force which may be sent to South

Mr. Turner asked the Minister of

bank allows the province on the credit balance, since the date of that deposit? Hon. Mr. Carter Cotton replied: 1 \$1,159,164.98. 2. Deposited in the Bank of British Columbia at Victoria, on July 14th, 1899, \$243,250; July 17th, August 16th, 1899, \$145,650; September 16th, 1899, \$484,250; October 5th, 1899, Mr. Carter-Cotton said these had al- \$67,935; October 6th, 1899. \$10,052.80; been asked for by Mr. Turner, and October 6th, 1899, \$2,089. A total He thought the papers brought down of \$1,343,001.80-to which is added, rewould give Mr. Helmcken all the in- tained in London to meet interest and formation he wanted. If they did not sinking fund and interest on railway he would be happy to bring down a sup- bonds (femporarily bearing interest at 21 per cent.), \$197,355.96, or a total of \$1,540,357.76. 3. There having been no cash balance available there has been no

special deposit at interest. Last Session's Statutes. Mr. Helmcken asked the Premier the

following question: What reply, if any, was made by the government to the report of the commital material used or forwarded in support tee of the honorable the Privy Council, by the said D. M. Galbraith, or anyone dated 14th December, 1899, touching the report of the Minister of Justice upon the statutes of the province passed at

Hon. Mr. Semlin-No reply has been received. The House adjourned just before 5 p.m.

Victoria, Jan. 24th, 1900. The Speaker took the chair at a few minutes after 2 p.m. Prayers were read by the Rev. J. F. Vichart,

Hon, Mr. Hume presented a petition entiretv.

Mr. Clifford presented a petition for leave to present a petition from G. E. Tilton and D. E. Campbell, for a bill to The bill is really of one clause only, incorporate the Imperial Pacific Railway. as follows:

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Castoria. of its good effect upon their children." scription known to me."

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so as to grant 10 more days time for re- answering any question upon the ground ception of private bills. Agreed to. that the answer to such question may Three Returns.

A statement of commons established, any person; provided, however, that if showing the revenue collected thereon with respect to any question the with for the fiscal year ended 30th June last A statement of the names and places his answer may tend to criminate him of residence of collectors of revenue or may tend to establish his liability to

sion allowed, and the date of the authority therefor. A statement of bonds deposited in the have been excused from answering such Provincial Secretary's office by civil question, then, although the witness officers of the province for the due performance of their duties under the Civil

Service Act. Alien Act.

Mr. Helmeken asked the Premier: "(1) At what date was the communication referred in the report of the Minis- giving such evidence," ter of Justice (contained in the return relating to the acts passed by the Legis- Athorney-General, "that before a witlature during the session of 1899) in ness can avail himself of the privilege chapter 50-an Act to amend the Placer of this section he must state that he Mining Act, received? (2) What reply objects to answer the question. That (if any) was made to the recommenda- has been passed upon by the Dominion

such dispatch forwarded?" Hon. Mr. Semlin replied: "1. The 12th the Dominion Act." of May, 1899. 2. A copy of the reply will be furnished as soon as it is prepared. 3. The 7th of June, 1899." Government Bills.

The following government bills were introduced and read a first time: To amend the Bills of Sale Act-Hon. Mr. Henderson.

-Hon. Mr. Henderson. To amend the Companies Act, 1899-Hon. Mr. Henderson. To amend the Department of Mines reasonable, and he would be willing to Act, 1899-Hon, Mr. Hume.

Private Bills. Private bills were introduced as fol-To incorporate the Chemainus & Al-

berni Railway Co.-Mr. Helmcken. To incorporate the Vancouver & New Courts Act. He said that it simply pro-Westminster Railway Co.-Mr. He. vided for a vacation to be he'd from To amend the Vancouver & Lulu Isl-

mon River Railway Co.-Mr. Tisdall. by the judges. Last year there was no Light & Power Co.-Col. Baker. Co.-Mr. Clifford. To incorporate the East Kootenay

Telephone Co.-Mr. Wells. Water Power Co.-Mr. Kellie. The bills dealing with railways were the others to the private bills commit-

reading of the bill to amend the Evidence ment on default summons. Neither Act. He said that in 1892 the Canadian Evidence Act was passed by the any criminal proceedings. from 500 miners, laborers and business Dominion House and the following men in the city of Nelson asking that year this Legislature passed a similar without debate. ers' certificates in such cases would have the eight-hour law be maintained in its act. In 1898 the Dominion Act was amended and the present bill was introduced to bring the British Columbia statute in conformity with the Federal

Evidence Act Amendment.

Mr. Green presented the second and 2. Section 6 of the Evidence Act, be-

tend to criminate him, or may tend to Hon. Mr. Semlin presented the follow- establish his liability to a civil proceeding at the instance of the Crown or of objects to answer upon the ground that paid by commission, the rate of commis a civil proceeding at the instance of the Crown or of any person, and if but for this section the witness would therefore shall be compelled to answer, yet the answer so given shall not be used or receivable in evidence against him in any criminal trial or other criminal proceeding against him thereafter taking place other than a prosecution for perjury in

"The effect is simply this." said the tion therein contained? (3) When was and some of the other provinces. Our act will now read precisely the same as

Mr. McPhillips wanted some other changes made in the act. There were, he said, several omissions from the British Columbia Act. For example, it was necessary to provide that there must he corroborative evidence in actions brought against insane persons. Then there should be provision made for con-To amend the Liquor License Act, 1899 fidential communication between a man and his wife.

Hon. Mr. Henderson felt that the desired amendments appeared to be not unconsider them in committeee of the whole.

The second reading was agreed to. County Courts Vacation.

Hon, Mr. Henderson moved the second reading of the bill to amend the County July 1st to August 1st, both days inand Railway Co.'s Act-Mr. Helmeken. had been no vacation in the County To incorporate the Rock Bay & Sal- court by statute; it had been arranged To incorporate the Crow's Nest Pass arrangement made and they had the To incorporate the Kitimaat Caledonia enjoying a vacation so far as the Sucurious anomaly of seeing the registrars preme court was concerned; their offices closing at 2 p.m., but they were obliged to remain in the office till 5 p.m., ow-To incorporate the North Kootenay ing to the fact that no vacation had been ordered for the County court, so that referred to the railway committee, and nature of a barmecida) feast. The bill the Supreme court vacation was in the provided that nothing was to interfere with the service of the ordinary default Hon. Mr. Henderson moved the second nor with proceedings for obtaining judgshould anything in the act interfere with The second reading was agreed to

Railway Companies Mortgages. Hon. Mr. Henderson moved the second reading of the bill to amend the Companies Act. It was provided by section 5, chapter 5, of the statutes of last year that mortgages made by any company third reports of the private bills commit- inc chapter 71 of the Revised Statutes, debentures or other securities, might be incorporated under chapter 44, to secure tee. The substance of the report has 1897, is hereby repealed and the follow-registered in the office of the Provincial been published in the Times. He moving section substituted therefor:

Secretary. There was no necessity for ed the suspension of the standing orders "6. No witness shall be excused from that and it might create confusion for

o allow the Provincial ees to be rom time to was underst o be the other mortga ions were try. This ance to the which were ountry. The arge fees if sked that day. Hon. Mr. eference to nember for he adjourn Attorney-Ge iews broug venment ent had n on of fees. the gover cuments ffice was ! ons search nortgages,

the office

mpany. The debate Prevent Hon, Mr. econd readi Game Act. stood at pro difficulty in dition a hi satisfy the the act. Th person shou with intent ported, any ioned in th Under that not exactly slight proce order to tal of the act. thing like t all practical fore they w er that pick another pro amend that "4. No pe tent to expo carried out vince, or s manner exp or carried vince any mentioned or in any o hide had be leather read without be in any way animals or in their ray apply to rai companies. of intent accused has the limits of

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