

## PROVINCIAL LEGISLATURE

### Premier Davie Has no Hope of Getting Through Business by Christmas.

**Mechanics' Lien and Workmen's Wages Bills Discussed Yesterday.**

#### EIGHTH DAY.

Monday, Nov. 28.

The speaker took the chair at two o'clock.

Mr. Rogers presented a petition from Messrs. Holt, Mann and others for the incorporation of the Victoria Hydraulic company.

Mr. Kennedy presented petitions from the corporation of the city of New Westminster and the Burrard Inlet and Fraser Valley railway company for amendments to their charters.

Mr. Eberts presented a petition from the Columbia & Kootenay Railway & Navigation company for an amendment to their charter, and from J. C. Armstrong in reference to certain lands in the municipality of Delta.

The petition of the Red Mountain railway company was received.

The private bills committee recommended that the time for receiving petitions for private bills be extended for two weeks.

The report was received and Mr. Eberts moved that it be adopted.

Mr. Semlin said it was the same old story. Each legislature had in turn extended the time, but in doing so had stated that that would be the last time.

Hon. Mr. Davie thought there was good reason for the extension of time this session, as the session had been rather hurriedly called.

Mr. Sward asked if bills brought in after the regular time would be subject to double fees.

The speaker answered that they would. The report was adopted.

Mr. Graham moved that an order of this house be granted for a return of all timber dues collected from pre-emptors to the east of the Cascades and of the amounts collected by the different officials. He considered the present dues were unjust and he hoped the government would see their way clear to amend the act.

Hon. Mr. Martin had no objections to the motion. The act might be amended in respect to timber dues for timber cut by pre-emptors, but much care would have to be exercised.

The motion was adopted.

Mr. Semlin moved that an order of the house be granted for copies of all tenders for departmental bookbinding received during the year 1894.

Hon. Mr. Davie thought that the members would probably be disappointed to hear that although tenders had been called for no contract had been awarded. The work was at present being done by arrangement with the contractor, who was doing the work much cheaper than it was formerly done.

This contractor had put in a large plant with which to do the work, he having been given to understand by the late provincial secretary that he would be given the work for some time to come. It would therefore be unjust for the government to take the work away from the contractor who had put in this big plant.

He had no doubt that some of the tenders put in were bona fide, but one of them at least was simply put in with the object of driving the present contractor out of the business.

Tenders had been received from the south, Ontario, Vancouver and Victoria, but it was necessary that much of the work should be done in Victoria under the supervision of the government. Under the circumstances it would not do to make any radical change until the expiration of the present arrangement, after which the work would be given out by contract.

Mr. Semlin said he was certainly disappointed to hear that a contract had not been awarded. The gentleman who now does the work told the committee last session that he did not have any arrangement with the government; in fact, had been told by the late premier that he would have to take his chances with the other bookbinders. The province should be given the advantage of competition.

Hon. Col. Baker presented papers relating to the acts passed at the last session of the legislature.

Mr. Kennedy asked the attorney-general—Does the government intend to establish a better system of police protection amongst the islands of the Gulf of Georgia and the various settlements on both Vancouver island and the mainland north of Howe sound; and, if so, what system is to be adopted?

Hon. Mr. Davie—The subject of adequate police protection throughout the whole northwest coast of the province has received the serious consideration of the provincial government, and in view of the fact that the population of that region principally consists of Indians, whose management devolves upon the federal government, the provincial government has urged upon the federal government the duty of patrolling the waters which wash the northwest coast with an armed cutter. An order in council on this subject was forwarded to the federal government early in the present year, to which no reply was received from the federal government, and upon the occasion of the recent trip of the attorney-general to Ottawa the subject was discussed with the Dominion executive, with the result that the latter government promised to favorably consider the propriety of putting an armed cutter on the coast for the preservation of peace with the Indians and for the protection of the fisheries.

Mr. Prentice asked the attorney-general—Does Thomas Barton, road superintendent for East Lillooet still receive pay as constable at Clinton; and, if so, at what rate per annum?

Hon. Mr. Davie—He does, and receives \$400 per annum.

Mr. Prentice asked the chief commis-

sioner of lands and works—How many road superintendents are at present employed in Lillooet district?

Hon. Mr. Martin—Two; one for each riding.

Mr. Kennedy asked the chief commissioner of lands and works—Have the appointments of official scalers, in accordance with the provisions of Bill No. 77 of 1893, intimated an act for the appointment of official scalers of saw logs and other cut timber, been made? If not, why not, and when will they be made?

Hon. Mr. Martin—No appointments have been made. The government have the matter under consideration.

Mr. Semlin continued the debate on the second reading of the workmen's wages bill. He favored the principle of the bill, but there were sections in it which should be altered.

Mr. Booth said the bill was a step in the right direction, but he also thought some changes should be made in it. There were many farm hands who did not wish to receive their wages weekly as mechanics, they received them once a month when they wished.

Hon. Mr. Davie said clause three, mentioned by Mr. Booth, was merely a model and could be amended in committee. Exceptions might be made in regard to the payment of wages at collieries and on railways.

Mr. Williams agreed with the principle of the bill, but there were some parts of it which were impracticable. It might be incorporated in the mechanics' lien act.

Mr. Cotton said there were clauses in the bill which conflicted with the mechanics' lien bill. The house should decide whether it intended to do without the latter act before they dealt with the bill before the house.

Mr. Braden favored the bill as it stood. The mechanics must be protected. The present bill was very good for the lawyers, but it was not much use to the mechanics. Any technical amendments could be made in committee.

Mr. Hume would like to see a clause in the bill prohibiting the issuance of time checks. In Kootenay many firms issued time checks, and the men had sometimes to travel several miles at their own expense to have them cashed.

Mr. Kennedy agreed with the heading of the bill, "An act relating to workmen's wages and to make better provision for the payment thereof," but he could see nothing in the body of the bill that would bear out the title. There were several very objectionable clauses, but he would favor the second reading of the bill if he knew that it would be changed in committee.

Mr. McPherson considered the bill a very poor one as it stood, but it could be made a good one in committee.

The bill was read a second time, Mr. Cotton dissenting.

Hon. Mr. Davie moved the second reading of the mechanics' and laborers' bill, which he said fitted in perfectly with the bill just passed. This bill gave the workmen a lien on the work. The bill was almost identical with the one introduced in 1888, which had been carefully prepared and which had worked well until repealed. There was no reason why the material man should not have some protection. At present a worthless contractor could obtain material and when the contract was finished and the contractor had disappeared the material man had no means of receiving his pay. Both the material man and the workmen should be protected. There was an example in Kootenay, where a man who had supplied material for a railway was unable to obtain a lien for what he supplied. There were very few cases under the act of 1891, where either the material man or laboring man had recovered his lien. There were several amendments that would have to be made in committee. The crucial point was that the present bill gave a lien to the material man, while the act of 1891 gave the advantage away from the material man.

Mr. Cotton opposed the second reading of the bill. It was the intention of the act of 1891 to benefit mechanics and laboring men, and not for the material man. He contended that the act of 1891 worked to the satisfaction of the workmen. The act of 1891 had benefited men who had no money, but who were responsible and industrious. There had been no delays, but as a matter of fact as soon as a lien was placed on property the money was immediately paid without trouble or litigation. The only way to insure the payment of the workmen's wages was to make the property responsible for it. There was a strong distinction between the material and the laboring men, the amount that is likely to be due to the latter being much less than the material man's account. The amount it would cost the material man to enforce his lien would be small in comparison with the amount due him, while it would be a large amount to the workmen. He held that the present act was a protection to workmen. The material man had many advantages over the workman and could not be placed on the same plane. By passing the present bill many advantages would be taken away from the mechanic and laborer which were given them by the act of 1891. He would therefore vote against the second reading of the bill.

Mr. Booth said the workmen's wages bill and the mechanics' and laborers' bill should be read together. Both the material and laboring men should be given means to collect what was due them on short notice.

Mr. Williams thought the laborers should be protected before the material men. All that was necessary was an act to carry out that principle. The attorney-general would find that there were as many defects in the working of the act of 1888 as there were in the working of the act of 1891. The latter act had worked well.

Hon. Col. Baker said there were several clauses in the bill that should be amended in committee. The workmen's wages bill protected the laborers, while the mechanics' and laborers' bill protected the material man. Therefore both were being looked after, and the laboring man first.

Mr. Eberts favored the second reading

of the bill. If passed it would be the very best machinery provided for the collection of wages. The laborer had a preferential right for a month's wages, which gave him ample protection. There were many defects in the act of 1891 which were amended by the bill before the house.

Mr. Kennedy was strongly in favor of giving the mechanics and laboring men a first lien, and also thought the material man should have a second lien. The workman would have no chance against the material man when they had a lien on the same building.

Hon. Mr. Davie—The workmen have a prior right for thirty days' wages. Mr. Semlin remembered numerous lien acts which had been introduced, and all of which were said to be defective. The act of 1888 was repealed because there were many objections against it. One of the government members saying that it was the means of driving workmen out of the province. The question seemed to be how they worked in the courts. The act of 1888 was more bitterly denounced than the act of 1891, therefore it was the same as the present bill which was the same as the act of 1888.

Mr. Braden supported the bill. He only wished the act had been in force many years ago. If it had been in force he would have had hundreds of dollars in pocket. The bill would do justice to contractors, sub-contractors, material men and laborers.

Mr. Kitchen said under the bill the material man would invariably get ahead of the workman. It was to protect the men who work for wages that the act of 1891 had been passed. The material man was well able to look after himself. The house should look after the men who were less able to look after themselves and who were unable to afford the services of legal advisers. The two bills might be dovetailed and made into a very reasonable one. If the government knew of any defects in the bill of 1891 they should point them out and then be for one would be only too glad to remedy those defects. The bill did not even try to remedy the defects of the act of 1888, but was an exact copy of that act.

Hon. Mr. Davie said as far as he knew there were no defects in the act of 1888. That was the best lien act that had ever been introduced.

The bill was read a second time on the following division:

Ayes—Messrs. Baker, Pooley, Davie, Martin, Turner, Eberts, Bryden, Irving, McGregor, Braden, Rithet, Rogers, Smith, Kellie, Hunter and Mutter.

Nays—Messrs. Williams, Kitchen, Semlin, Kennedy, Cotton, Hume, Prentice, Brown, Graham, McPherson, Kidd and Sward.

Hon. Mr. Davie moved the second reading of the bill to provide for the revision of the statutes, which he fully explained in committee. He thought the bill might go further than it did and provide for the enactment of all the old English laws as far as they are applicable to the province, thus making a complete code, to which reference could be made without having to search for just what English laws apply to the province. This had been done in other provinces and colonies. However, the bill did not go that far, and it was for the members to say whether the provision should be carried out.

The bill was read a second time.

On motion of Hon. Mr. Turner it was resolved that the house go into committee of supply on Wednesday next. This is merely a formal motion, and will be extended from day to day until the finance minister is ready with his budget speech.

Mr. Cotton presented petitions from the North Vancouver Electric company and the Burrard Inlet railway company for an extension of time in which to commence work.

Mr. Cotton asked Mr. Rithet as chairman of the public accounts committee when he intended to call that committee together.

Mr. Rithet replied that he had seen the auditor and treasurer and they had said that they would be ready for the committee in about a week.

Mr. Cotton—The committee may not wish to see the treasurer or auditor. There were lots of other things that they could do. Besides, the premier had said that the house would adjourn before Christmas. If this was the case the committee would not have much time to do their work.

Hon. Mr. Davie feared that his hopes that the house would adjourn before Christmas would not be carried out. It would take a couple of weeks to discuss the finances of the province. Mr. Rithet was perfectly right to wait until the officers were ready.

Mr. Semlin—The officers may never be ready. One thing was certain. The members could not discuss the finances until they had heard from the public accounts committee.

Hon. Mr. Davie—The finance minister will deliver his budget speech in a few days, when the financial condition of the province will be fully explained.

The house adjourned at 4:40.

#### NINTH DAY.

Tuesday, Nov. 27.

The speaker took the chair at two o'clock.

Mr. McPherson presented a petition from William Cartwright in reference to lands on Thisis island.

The following petitions presented yesterday were read and received:

From William Mackenzie, George A. Cox and others, for a private bill to incorporate the Victoria Hydraulic Consolidated Mining company; J. C. Armstrong, J. R. Brown and Jessica M. Brown, for a private bill re exemption of Harrison Hot Springs lands from Kent municipality; from the city of New Westminster, for a private bill to amend their corporate act; from the Columbia & Kootenay Railway & Navigation company, for a private bill to revise and amend their corporate act; from the Burrard Inlet &

Fraser Valley Railway company, for a private bill to amend their corporate act; from the North Vancouver Electric company, for a private bill to amend their corporate act.

Hon. Mr. Davie introduced a bill to amend and consolidate the acts relating to the legal profession. It was read a first time.

Hon. Mr. Davie presented papers relating to the protection of lands from the Fraser river overflow.

Mr. Irving moved that the house do resolve itself into a committee of the whole to consider the following resolution: Resolved, that the government be requested to take such action as may lie in their power to secure the trade of the Yukon mines for the merchants and traders in the province.

The house went into committee, Mr. Bryden in the chair, when Mr. Irving spoke in support of the resolution. This province should naturally be the place from which the miners of the Yukon should obtain their supplies. At the present time all the goods were purchased from an American company, the traders and miners having to pay big charges for transportation. A trial shipment was sent from Victoria this year, but under the circumstances none but vessels flying the American flag could navigate the rivers. The route by which supplies should go in was up the Taku river, and then by road, which would have to be about seventy-five miles long. His intention in introducing the resolution was to induce the government to impress on the Dominion government the necessity of opening up the country. If the country were opened up it would not be long before there would be five thousand people settled there.

Mr. Cotton had much pleasure in seconding the resolution. Something should be done to divert the trade of the northern country to the coast cities. He saw by a recent dispatch that the Dominion government intended to send a surveyor north next year to decide upon the best route. Any representations to be made by the province were therefore very timely.

Hon. Mr. Davie cordially supported the resolution, recognizing that the trade of the northern country was very important. At present the development of the country was retarded by the expense of transporting the goods to the coast. He had discussed the matter when at Ottawa, when he was advised of the intention to send in mounted police and a surveyor. From the information he had believed that the Taku river route would be the best. It was, however, a matter for the Dominion government, although he thought that probably when the country was opened up it would be added to the province, or at least governed from the coast, as the only entrance to the district was from the Pacific. It paid to build roads in mining districts, the revenue from the roads constructed in Cassiar having been very large.

Mr. Semlin understood that the Lynn canal route was altogether in Canadian territory, while the Taku river route went through American territory. If the Lynn canal route was practicable it would obviate any customs trouble.

Mr. Irving said he was informed by miners that the Taku river route was the only possible one. A great many portages were necessary on the Lynn canal route, which greatly added to the cost of transportation.

Mr. Booth considered that it would be more advisable to urge the government to build a narrow gauge railway, as a wagon road route would be as costly as the present water route.

The resolution was reported to the house and adopted.

The house went into committee, Mr. Kitchen in the chair, to consider the bill to authorize a revision of the statutes.

Mr. Williams endorsed the attorney-general's proposal that the commission should be empowered to also consolidate the English laws applicable to British Columbia, and it was decided that an amendment providing for this should be introduced on report.

Regarding the question as to how many commissioners should be employed, Hon. Mr. Davie said he was of opinion that one or two men could do the work more satisfactorily than a number. He estimated that it would cost \$25,000 to consolidate the provincial acts, with a small addition for embodying the English acts. However, the legislature would vote the necessary money from year to year, having before them each session the work done since the previous session.

The bill was reported complete without amendments.

The house went into committee on the workmen's wages bill.

Mr. McPherson moved an amendment making it absolutely necessary that all wages should be paid weekly.

Hon. Mr. Davie pointed out that it was necessary to make this matter optional, as it would be impossible in some cases to pay the wages weekly. As the clause was the workmen could claim their wages weekly unless there was a contrary agreement.

Mr. Bryden said it was not to the advantage of either the employer or the employees of large corporations to pay wages weekly. He had found in his experience that men who were paid weekly were not so economical. He had received a request from miners to oppose anything that would enforce the weekly payment of wages.

Hon. Mr. Davie thought it would be better to strike out the whole of the clause referring to the weekly payment of wages.

It was decided to strike the clause out.

Mr. McPherson moved an amendment to section four providing that workmen's wages shall be a paramount charge on all moneys due to a contractor by employers, without any provisions to the contrary.

The amendment was carried on a division of 15 to 14.

Hon. Mr. Fooley moved an amendment providing that a bill of sale or assignment should be good against any other claims, including wages, accruing after such bill of sale is filed.

Mr. McPherson opposed the amendment. If such a provision was intro-



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till Sickness Comes  
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**PERRY DAVIS'**  
**PAIN-KILLER**  
You may need it to-night

duced contractors would not be able to get men to work for them.

Hon. Mr. Pooley said it must be remembered that contractors had to give bonds for the proper completion of the work, and if they did not have some protection they would be unable to obtain bondsmen.

Mr. Williams—The contractor could defeat the whole object of the act by making an assignment of the work.

Hon. Mr. Pooley—The men have to have some means to start their work.

Hon. Mr. Davie also moved a technical amendment.

Mr. Adams, the chairman, got rather mixed up, and declared the section carried before the amendments were put to a vote.

During the rambling discussion Hon. Mr. Davie said the bill might as well be withdrawn if section four was left as amended by Mr. McPherson. He, however, intended to move to restore the original section on report.

The chairman ruled that section five had been passed and Hon. Mr. Pooley withdrew his amendment.

The committee had reached clause seven when they rose and reported progress.

The house adjourned at 5:45.

#### SUICIDE OF A JAP.

A Subject of the Mikado Kills Himself at Saturna Island.

News was brought to the city last night by the Princess Louise of the finding at Saturna Island yesterday morning of the body of a Japanese who had evidently committed suicide. The body was found in the cabin of the dog owned by the Jap, which had also been shot, and near the two was a rifle. The poor fellow evidently regarded the dog with affection and thought it better to have him die with him than remain behind and starve. The bodies of both the man and brute had begun to decompose, and it was believed by those who saw them that the deed was committed about three weeks ago. There was every evidence that it was a case of suicide, but there will no doubt be an investigation. The cause for the act is given as poverty.

Before the steamer left the Times informant had been unable to get the name of the Japanese, and none of the Japanese here could give any positive information on the subject. It is said that the Jap's name was Matsuo and that he had lived for some time on the northeast end of Saturna Island. If it was Matsuo he had money left over from the proceeds of last year's crop and intended going home to Japan. Matsuo's only neighbor was a Japanese who lived six miles away. Some of the Japanese here say that Matsuo had trouble with Indians and hint that they killed him.

Constable Drummond has written to Chief of Provincial Police Huesey, stating that he was at the hut of the Jap found dead and the indications are that it was a case of suicide. Drummond reports that the wound was in the neck and that a Winchester rifle, with which the shot is supposed to have been fired, was lying between the dead man's limbs and pointing in the direction of the wound. The dog lay dead a few feet away. The coroner will probably leave to-night and an inquest will be held in a few days.

#### Condensed Dispatches.

A Fort Worth, Tex., special says that on Friday night, shortly after five, packages purporting to contain \$25,000, had been received at Gulf, Colorado and Santa Fe depot, a band of men made a descent on the depot and attempted to get the money. Sheriff McGee was fatally shot while defending the depot. The band rode off without obtaining the money. It is since reported that the robbers were overtaken in the Antelope Hills and seven of them captured.

Harry Menier jumped from the centre of the Brooklyn bridge. He carried a parachute, which opened in the descent when Menier was about 50 feet above the river. He struck the water on his left side and sustained no injuries, and escaped arrest.

Admiral Carpenter has cabled the U. S. navy department from Chefoo that the Baltimore would leave at once for Nagasaki.

The Mexican man-of-war Zaragoza sailed from San Francisco yesterday morning. She is under orders to proceed to Guatemala to protect Mexican interests.

A Washington dispatch says that the cabinet meeting was postponed for the third time yesterday owing to the absence of the President. He is still suffering from rheumatism.

Last night a cable car on the Hyde street line, San Francisco, was wrecked while going down a steep hill and twelve passengers injured, some seriously, although none fatally.

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