

TEN DOLLARS AND COSTS.

Dr. Ernest Hall Fined for Not Reporting a Fever Case to the Authorities.

He Says His Patient was Harshly Treated by the Health Officer.

Dr. Ernest Hall was fined \$10 and costs by Police Magistrate Macrae this morning for failing to report to the health authorities a case of scarlet fever which he was attending.

Dr. Hall said the society had requested Dr. Duncan to attend the meetings and discuss the manner in which the regulations were being enforced, but he had declined to do so.

Police Magistrate Macrae, after explaining the law, said the legislature must have considered it a serious matter not to report fever cases to the proper authorities, as they had provided for a fine of \$100 and imprisonment for six months for not doing so.

Dr. Hall said in view of the fact that this was the first case of the kind and the prosecution did not wish the doctor to be harshly dealt with, he would deal leniently with the case and impose a fine of \$10 and \$3.50 costs.

Continuing, the magistrate said: "Let me say publicly that householders as well as doctors are liable under the act. They must report to the proper authorities within twenty-four hours after a case of fever breaks out in their house. We have had one experience of the result of not dealing strictly with fever cases."

To the Editor: With reference to the action of the medical health officer, at whose instance the undersigned was introduced to the tender mercies of the police magistrate, I have a few statements to make:

(a) In refusing to report the case of scarletina I did not jeopardize the citizens of Victoria; on the contrary, every requisite precaution was observed.

(b) I considered the interests of my patients and conserved the best interests of the city by quietly establishing essential quarantine without resorting to the unpleasantry of city officials.

(c) I had hoped to avoid the possibility of my patients being subjected to the harsh, ungentlemanly and utterly unscientific treatment that was given some of my patients by the medical health officer.

(d) It appeared necessary to call the attention of the public to the fact that the regulations relative to the quarantine of such diseases as the one in question, as interpreted by the medical officer, tend rather to scatter and increase than to check and suppress said disease, since many cases have been suppressed, if we are to believe reports from all quarters, and not even a physician notified, lest he in turn would notify the medical health officer, who might let loose the dogs of arbitrary and irresponsible officialism.

(e) To call attention to the fact that the administration of the health department of the city of Victoria has been characterized by a disregard of professional courtesy on the part of the officer, since he violates the ethics of the profession by playing the detective and visiting patients under the care of another physician without the presence of the latter; by an unwillingness on the part of the said officer to consider the wishes or to accept the counsel of the medical society of Victoria, before which he was requested to appear for the purpose of conference in matters pertaining to his department, but refused to meet his conferees, and in a letter to the secretary stated that he did not take his instructions from the medical society, but from the municipal body, thus estranging himself from those with whom his office demands the closest co-operation.

(f) To call attention to the fact that the officer has neglected his duty in refusing to act after notification by physicians of cases of infectious diseases, in delaying to place notices on houses in which infectious diseases were known to be; in neglecting to placard others; that he has been harsh and abusive in certain cases, while lenient in others, to say nothing of the unnecessary destruction of property; that the administration of the health department of our city is characterized by a petty officiousness wholly inconsistent with the dignity and responsibility of such a body as the executive or the city of Victoria.

Finally, since other medical men have refused to report cases of infectious diseases, I am compelled to do so.

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cases; men whose wealth and influence may exert a restraining influence upon the actions of the officer more than any attempt of mine to serve my patients faithfully, and since I have reason to believe said officer was informed by a letter from a prominent physician that with his patients as he (the officer) had been in the habit of practising, and further, that members of the board of health have knowledge of another prominent medical man of this city refusing to report cases, which knowledge was given by the medical health officer, I consider this recent act of the said officer a matter of personal prejudice.

In the matter of scarletina quarantine Dr. Duncan is without the sympathy of the profession. He has frequently been remonstrated with, and in his cowardice in refusing to discuss matters with those whose experience possibly might be equal to his, he shrinks behind the technique of law, which in his public capacity he may or may not have violated.

To the board of health I will add that I am prepared to substantiate what I now subscribe to. ERNEST HALL.

KAVANAUGH'S DISAPPEARANCE.

He Left His Wife and Child Without Home or Means.

As investigations have advanced it has been found that Thomas W. Kavanaugh, the suspended constable, whose desertion of his wife and child was made public in the Times last evening, made preparations before his departure to provide himself with money.

He also ordered a sewing machine on Saturday, evidently intending to realize something on it, but luckily for the dealer it was not delivered. There seems to be little doubt but that Kavanaugh treated his wife very cruelly. When he left her in Ireland he borrowed \$50 from her and told her that he was going to Liverpool to join the police force there. He also obtained money in other ways, and besides contracted a number of debts. He had never intended to join the Liverpool police force, but came right out to California, where his parents resided. His wife did not hear from him again until last spring, when in answer to a query from a man whom Kavanaugh had obtained money from, Chief Sheppard wrote that he was on the force here. As stated last evening she came here and resided with him until he left yesterday morning.

For some time, however, they have not been living happily together. Yesterday morning when Kavanaugh commenced to remove the furniture he locked his wife in her room. She being afraid that he intended to do her some harm, as he had frequently threatened her, climbed through a window and ran to the police station for protection. When she returned every article in the house, including the bed she had been sleeping in, had been removed and Kavanaugh had disappeared. Mrs. Kavanaugh is now residing with Officer Gilchrist's family. She expects to return to Ireland in the spring.

Speaking of Kavanaugh's appointment and his suspension, Chief Sheppard said he was recommended for the force on account of the training he had received in the constabulary. As to his suspension, he had told him that if the charges made by his wife were true he was not a fit person to be on the police force and he must suspend him until all the charges could be held. Kavanaugh did not deny all of the charges.

When he first joined the force he passed himself off as a single man, and everybody in Victoria considered him single until his wife arrived here in the summer. This was also a big surprise to a young lady in Victoria.

COAL SHIPMENTS.

Vancouver Island Mines Ship Over Four Thousand Tons More Than For October.

The coal shipments from the Wellington and Union collieries for November show a marked increase over the shipments during October. The monthly statement follows:

WELLINGTON COLLIERY CO. Tons Date Name and Destination. 1—Str. Coquihale, San Francisco, 2,525 5—Str. Al-Kl, Port Townsend, 1,007 8—Ship Yosemite, San Francisco, 1,505 13—Str. Orient, San Francisco, 2,500 16—Str. Discovery, Port Townsend, 24 18—Ship Gloria of the Seas, S.F., 3,300 19—Str. Walla Walla, Seattle, 1,000 18—Str. Costa Rica, San Francisco, 2,600 19—Str. Unadilla, Seattle, 1,100 25—Str. Wellington, San Francisco, 2,800 Total, 22,346

UNION COLLIERY CO. Tons Date Name and Destination. 2—Str. Mineola, San Francisco, 3,250 9—Str. Richard Hill, San Francisco, 1,650 11—Str. Nevada, Los Angeles, 1,100 22—Str. Mineola, San Francisco, 3,150 23—Str. Rapid Transit, Nanaimo, 225 20—Str. Mineola, Los Angeles, 3,100 20—Str. City of Puebla, Everett, 1,028 21—Str. San Mateo, Los Angeles, 4,650 Total, 20,301

NEW VANCOUVER COAL COMPANY. Tons Date Name and Destination. 1—Str. Wanderer, Pt. Townsend, 52 1—Str. Angeles, Pt. Townsend, 69 1—Str. Sea Lion, Pt. Townsend, 24 4—Str. Peter Jelson, San Francisco, 4,673 4—Str. Willapa, Pt. Townsend, 37 7—Str. Coquihale, Vancouver, 336 7—Str. Tacoma, Pt. Townsend, 33 8—Str. Angeles, Pt. Townsend, 11 12—Str. Sea Lion, Pt. Townsend, 24 11—Str. Willapa, Alaska, 228 12—Str. Willa, Seattle, 2,300 12—Str. Tacoma, Pt. Townsend, 67 12—Str. Type, Pt. Townsend, 79 12—Str. Peter Jelson, San Francisco, 4,679 18—Str. Angeles, Pt. Townsend, 72 19—Str. Rapid Transit, Seattle, 51 20—Str. Rapid Transit, Olympia, 100 20—Str. Wanderer, Pt. Townsend, 59 20—Str. General Fairbank, Seattle, 2,300 21—Str. Willapa, Pt. Townsend, 46 26—Str. Willapa, Alaska, 42 30—Str. Holyoke, Pt. Townsend, 61 Total, 30,110

During the month of October 19,110 tons of coal were shipped from the Vancouver Island mines from Wellington, 17,450 from Union and 16,967 from the New Vancouver mines.

The vocal cords in action have been photographed by Professor Hallowell and Mr. Munday, who have thus shown the pitch of a note is raised by rotating the arytenoid cartilage without stretching the cords at all, much as a violinist makes his high notes by shortening the string by the pressure of his finger.

Prompt relief in sick headache, dizziness, nausea, constipation, pain in the side—constipation guaranteed to those who use Dr. Tait's Little Liver Pills. One a dose. Small price. Small dose. Small pill.

BOARD OF ALDERMEN.

The Petition Asking for an Electric Fire Chief Left Over for a Week.

Ald. Macmillan's Motion Regarding Craigflower Road Carried Unanimously.

The large crowd who gathered last evening at the city hall with the probable object in view of listening to the discussion on the petition asking for an electric fire chief were doomed to disappointment, as the consideration of the petition was postponed until the next regular meeting.

Nothing else of special importance came up. Mayor Teague presided, and all the members of the council were present, with the exception of Ald. Wilson, who is still unwell.

J. B. Smith, provincial auditor, asked by whose authority the five old men whose keep has been paid for by the provincial government, were admitted to the Home committee and the city clerk with power to act.

W. Ridgeway Wilson wrote on behalf of W. Jensen, of the Occidental hotel, asking for the usual bonus for laying a cement sidewalk around the Occidental building. Referred to the street committee and city engineer.

H. L. Salmon complained that street evangelists and loafers blocked the corner at his place of business, thus preventing people from coming to his store. He asked the police commissioners to inquire into the matter.

C. C. Pemberton wrote regarding the blocking of the roadway between the Fairfield estate and Ross Bay. Referred to the street committee.

H. Kent notified the council that a building at the corner of Yates and Cook streets was a great annoyance to pedestrians passing that way. Referred to the street committee.

Joseph Baird applied for the position of day man at the electric light station during the winter months. The application was laid on the table for future consideration.

J. L. Raymur, water commissioner, reported to the council that owing to the building of the dam Elk lake would be raised about five feet. There are at present several low spots which require damming to prevent the neighboring lands being flooded. The estimated cost of this work is \$1,500. The report was tabled for the present.

The city engineer presented the correspondence between himself on behalf of the city and E. Baynes Reed, agent for the trustees of Christ Church cathedral in the matter of grading the property between the cathedral and Blanchard street. The trustees offer the city the privilege of doing the work for a year and getting the use of the material excavated. Referred to the mayor and city engineer. Members of the council pointed out that the city had need of the gravel that could be thus obtained, and it would be cheaper to get it from the city than to buy it from Mr. Hutchison, the superintendent of the electric light station, reported numerous breaks in the electric light system during the storm, and asked for new arms to replace the broken ones. He also reported that the employees of the contractor for the brickwork had agreed to repair the work where defective.

Ald. Bragg said that this report showed that the work done by Stickells was defective and would have to be replaced before the work was over.

Mr. Hutchison's report was referred to the electric light committee.

Market Supt. Johnson reported that the revenue obtained from the market for the month of November was \$122,35. Received and filed.

A petition, signed by Lee and nine others, asking for an electric light at the corner of David and Elizabeth streets, was referred to the electric light committee.

The petition praying that the office of chief of police be made elective was then taken up. It is signed by G. Campbell and 1,040 others. The petition was laid over for one week to allow the aldermen to look into the power given to the council in the matter by the municipal act.

The finance committee recommended among other matters the payment of \$30 to the steamer Alert for taking supplies to Darcy Island.

Ald. Macmillan wished to know on whose authority the Alert was chartered for the trip, as it was understood by the council that the Alert was to do the work. The finance committee will inquire into the matter and report.

The electric light committee reported that they had instructed the superintendent to install fifteen new lamp arms. They also reported that a great deal of the brickwork was defective. The report was received and adopted.

The Old Men's Home committee reported that owing to there being at present a number of men at the Home who should be removed to Kamloops they could not favorably consider the application of George Good for admission. The committee further reported that they could not favorably consider the request of the provincial government to send George Thomas to the Home at Kamloops at the expense of the city and pay for his maintenance there. The report was adopted.

The sewerage committee reported that if \$240 for this year's rent of the property leased on Pandora street for storing pipe is paid out of the general revenue there will be a balance of about \$100 available for sewerage purposes left out of the sewerage loan for 1894, should be recommended that this balance be applied to building a sewer on Pandora street eastward from Cook street.

Ald. Macmillan thought it advisable to save the rent of the pipe shed on Pandora street, as the city had property that could be used for that purpose.

The sewerage committee's report was adopted.

Ald. Williams inquired as to certain additions and repairs to manhole covers, which cost \$387, and asked if the matter were brought before the council.

Ald. Macmillan explained that the matter was brought before the council, and after discussion was left in the hands of the engineer, who reported that 129 covers were fixed. Several horses were injured in these manholes. The work done is satisfactory in every way. New covers would cost about \$1,000, the repairs made thus saving the city nearly \$600.

Ald. Williams pointed out that great blame is attached to the electric light committee for getting some trifling work done without the consent of the council, and here nearly \$400 worth of work was done without asking for tenders or bringing the matter before the council.

Ald. Partridge thought only four or five holes had to be repaired, and he was surprised to think such a sum had been spent without the knowledge of the council.

Ald. Bragg was also surprised, and thought the work should have been divided up and the matter should have been brought before the council.

Ald. Cameron thought a good deal more was made out of the matter than the circumstances justified. The samples of repairs were satisfactory, and there was an understanding that the engineer should go on with the work.

Ald. Macmillan did not at any time look upon the work as belonging to the sewerage committee, but rather to the street committee. He thought it better to advertise for tenders, but owing to threatened law suits arising out of horses being injured in the manholes, the council had to be done the better. The only blame that could be attached to the engineer was that he did not report the matter to the council, but he had spoken to the majority of the members of the council individually, who seemed to be satisfied that the work should be done.

Ald. Humphrey pointed out that the work had been going on all summer, only one or two holes being repaired at a time, and the work could not be conveniently done in any other way.

Ald. Macmillan's motion dealing with the removal of the sidewalk from Fernwood road by the Rev. E. G. Ellison was seconded by Ald. McLellan. In supporting his resolution Ald. Macmillan said his object was to set right a question that not only refers to the Craigflower road, but to all the highways of the city. A party in Victoria West had just fenced in the road and then removed the sidewalk. The city should secure the transfer of the title of the road from the first owners to the city. It had been suggested that private parties should go to lay in the matter, but he thought the council were the custodians of public property, and should therefore deal with the case. If the matter is allowed to go on any man more gall than fairness in his disposal of several low spots in the city with the object of forcing compensation from the city. The motion was carried unanimously.

The council adjourned until Friday night, when they will consider Ald. Williams' milk by-law.

SELF-DENIAL WEEK.

Plans of the Salvation Army for the Raising of Funds.

A few days ago it was announced that the Salvationists throughout Canada and Newfoundland are having their self-denial week from November 30th to December 7th, inclusive. Consequently the most strenuous efforts are being made on the part of the Army generally throughout the Dominion and locally in the separate towns and villages where the Army operates. From the contents of their local gazette, the War Cry, as well as from some special pamphlets and appeals which are being distributed by the soldiers and officers, it is evident they intend this year's total to far exceed last year's. It is a cause for surprise that the amounts collected during the past self-denial weeks in Canada have been continually increasing, and there are many reasons for believing that this year's effort will exceed any former one. Many of the officers and soldiers have determined to live on bread and water (others next to it) in order to raise more money and reach the goal aimed for. Soldiers have been told off to visit from house to house and solicit contributions. In other places members of the Army's brass band have arranged to serenade, and by this means raise something towards the target.

THE ORPHANS' HOME.

The Ladies' Committee of the British Columbia Protestant Orphans' Home met at the home yesterday afternoon. Mrs. Charles Kent, president, occupied the chair, and Mesdames Hayward, Sargison, Hutchison, Haughton, McCulloch, Clarke, Earle and McGreor were also present. The local Council of Women requested the committee to nominate two candidates for the approaching election for school trustees. Mrs. Gordon Grant and Mrs. William Angus were chosen by the committee to contest the vacancies at the next election.

Mrs. James Hutchison and Mrs. Thomas Earle were appointed the visiting committee for December, with instructions to make arrangements for a Christmas tree, to be placed in the dining hall of the home on December 27. Friends were asked to contribute presents for the little ones.

Mrs. Walker, the matron, reported that there were now 23 boys and 31 girls in the home; all well, and the receipt of the following donations during November was acknowledged: with thanks: The Colonist (daily), milk (daily) and one ton potatoes. Mr. Knowles: apples and dripping. Mr. Jack: sack of pairs. A Friend: \$4.65, the grand jury; color pen Willie Winkle, Lady Marjorie Gordon; clothing, Mrs. Peters; cakes Mrs. Redon, and clothing, Mrs. Pettin-gall.

The subscribers are holding a special meeting in the city hall committee room this afternoon. Business of importance is being discussed.

Exposure to cold damp winds, may result in pneumonia unless the system is kept invigorated with Hood's Sarsaparilla.

TORONTO FLIES HIGH.

Wants the Prince of Wales to Open Her City Hall.

Toronto, Dec. 4.—According to arrangement the British Association will meet in Toronto in August, 1897, and steps are being taken to ask the Prince of Wales and the Rt. Hon. Joseph Chamberlain, secretary of state for the colonies, to visit this city and assist at the opening of the municipal buildings, which will cost between two and three million dollars.

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GUARDIANS APPOINTED.

Messrs. Smith and Penberon Appointed Trustees of Hon. Mr. DeCosmos' Estate.

Doctors Give Their Opinion that the Aged Politician is of Unsound Mind.

This morning in the supreme court before Mr. Justice Drake a petition was presented asking that Hon. Amor De Cosmos be declared a lunatic and that a committee of his person and estate be appointed. Mr. H. D. Helmcken, Q.C., appeared in support of the petition.

Charles McKelver Smith, brother of Mr. De Cosmos, testified that Mr. De Cosmos is and has been at 291 Yates street in this city in care of a day and night nurse, and in his opinion he was not capable of managing his own business.

Dr. E. S. Hasell and Dr. C. F. Newcomb gave evidence as to the delusions under which Mr. De Cosmos is suffering, and both were of opinion that he is of unsound mind and unfit to manage his affairs.

His lordship made an order appointing Mr. Smith and Joseph Despard Penberon trustees.

Mr. De Cosmos has been seriously ill for some time past. He was previously out of his mind, but recovered, and last summer seemed to be in good health. A few weeks ago he was again taken seriously ill, and has been out of his mind since.

THE HEALTH OFFICER.

To the Editor: With reference to the article appearing in your columns yesterday by Dr. Ernest Hall, and as my time is fully occupied without entering into a newspaper controversy, I have only to say: That if Dr. Hall, or any other medical practitioner for the matter of that, has agitated to say against my actions as medical health officer of the city of Victoria, there is a tribunal before which he can make special charges and have them thoroughly investigated, and before which tribunal he will find me ready and willing and also prepared to meet and refute his charges. That if such complainant has anything to say against me for unprofessional or unscientific treatment there is also a society (the Victoria Medical Association, or the Victoria branch of the British Medical Association) open to both of us, where the matter can be adjudicated upon and a decision rendered that will clearly determine whether he is justified in the statements to which he has given publicity. In this as in the other he will find me ready to defend and substantiate my actions either from a professional or scientific standpoint.

G. H. DUNCAN, Victoria, Dec. 4.

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