V. & E. HAS GAINED VICTORY

POSSESSION OF AND ON RIGHT OF WAY

Which Will Permit Company Work on Line Near Midway.

ria. Vancouver & Eastern led this morning in its authority to take possesls on its right-of-way near ight to which was disputed oia & Western, a company the C. P. R.," says Saturrms a portion of the grant government to the Columas an aid in the construce. The workmen of the ered upon the land for the ing its construction work, ted by the employees of the

application came on for ning before Mr. Justice was an imposing array senting the V., V. & E., Mr. A. H. MacNeill, of Mr. H. B. McGivern, its . after formally placing the V., V. & E., wild ion of this land was of rtance, as there was a

ner on the ground ready

the construction of the

Marshall desired to have adjourned on the ground sufficent time to look in

ll vigorously opposed any ie application having alourned once before. He hat the order should he order that the deposit ired by the Railway Act ing of banking hours at

ip considered that he pplication to proceed. larshall to state his of rder being made, and addlittle sympathy for any ay or evade the determincoming up before him cation, as he had no asked His Lordship.

d Mr. Marshall, id Mr. Marshall. can have your order, de-The latter gathered and made a rush for the \$1,810.50 required

SHIPPED TO THE PACIFIC COAST

arm Products Will Come ver the Grand Trunk Pacific.

Hayes, president of the Pacific railway, said in an Iontreal that, in his opinion of the new transcen-, would see the beginning in the grain and grain e Pacific coast, which rease until the shipments be as great as they are e present time.
is forecast on a strong sibilties for the developin the commodities with a provided an open door maintained in the celes-In giving his reasons for ent said that Canada is ent lately, but trade was new channels and he felt ominion could take a large ing the demand in China

rails be laid for a great rovision would also be ship and cable connection Atlantic and the Pacific, they would be operated P. or by a separate com-not say, but the telegraph ervice would be a part of stem. It was added that would be pushed ahead as

ER AND SUICIDE

hot His Wife and After Inded His Own Life,

Cal., Nov. 6.-Ira Caler. shot and instantly killed rday, and then shot himthe hospital five hours

After quoting considerable authority iate cause of the tragedy on this subject, His Lordship then dealt over four dollars, but the with the grounds for appeal. ot lived together happily He holds that no notive of intention to in had recently begun suit pass the expropriation by-law was necesary on the part of the city, and hence came here from Pennsylthat the first ground of appeal that the the year,

SEEDS

Grand Stock of AND CLOVER ALSO WHEAT SEED 125 GOV'T. ST

VICTORIA.

DISMISSED EVERY

matter for the council to determined. The latter, he held, had shown consideration

for Mrs. Cameron in expropriating all her

land instead of only a portion, which

would have left her with an unsaleable

He agreed that the plan was defective,

that a certain piece of land not shown

lude the cost of sidewalks in the amount

d in the council's resolution of June

The court also refused to uphold the

claim that the proctedings of the council at which the by-laws were dealt with

were irregular, and the proceedings there-fore contrary to the Municipal Clauses

Act and City By-law No. 331. The claim

that Mrs. Cameron had been deprived of

voice in the question of these by-laws was also denied, it being held that she

and all the voice in the matter which the

The appeal was therefore dismissed,

-Under Chief Langley's instructions

Barward, when spoken to about the mat-ter, said that he did not know that the

olice had taken such an action, but

then the announcement was made at

Freight Trade Has Been Settled

Upon.

hast Monday's meeting of the council

TO REACH COAST BY

equence of the complaint made

Mr. Justice Morrison concurring.

legislature conferred.

assessed, although this was not mention

6th, 1904.

JUDGMENT GIVEN BY MR. JUSTICE IRVING

Decision Against Mrs. Cameron in Case of Birdcage Walk Extension By-Law.

Owing to the interest that has been ken in the recent appeal of Mrs. Camthe case of the Birdcage Walk on By-law, a synopsis of the t delivered by Mr. Justice Irvwhich, as reported in Friday's dismissed the appeal, is as fol-

Birdcage Walk Extension By-law Cameron, the owner of the westerly foot strip of lot 1767, which piece d the council of the city of Victoria termined to expropriate in order to ng Birdcage Walk, applied to Mr. ustice Martin to quash two by-laws, amely, By-law No. 441, a by-law to exthe above-mentioned fortyfoot rip, and By-law No. 442, a by-law for carrying out the extension of Birdcage Walk as a local improvement at the exof the persons benefited thereby. "The learned judge came to the concluion that there were no merits in the apcation and discharged the rule nisi. The two by-laws are separate and disinct by-laws, although both relate to he same object, namely, the extension Birdcage Walk, and as incident to that the expropiration of Mrs. Cameron's pro-

"The facts are not in dispute, and are as follows: On the 6th June, 1904, the cil passed the following resolution: That the council hereby determines t extend Birdcagee Walk from Michigan street to Carr street, and for this purto expropriate the necessary land and do all acts necessary for the purpose opening, grading and macadamizing he said extended street, the whole work done under the provision of Local Improvement General By-law.

"It will be observed that this resolution the common foundation of both byaws. A good deal of confusion has, in my opinion, arisen in consequence of failng to recognize that the preliminaries to the passing of a local improvement by aw are quite different to steps taken i passing an expropiration by-law: I shall ndeavor to point out the difference between the course adopted with reference to the passage of a local improvement by-law and that to be followed in the ase of an expropriation by-law." After explaining at length what this

difference is, His Lordship said. "From this it will be seen that the great difference between the by-laws of the expropriation class and the local imifficient number of people having a sufficient amount of property involved in

The judgment goes on to say that "Mrs. Cameron was one of the signatories to this petition, notwithstanding the fact that she had not been assessed as a person benefiting thereby. For reasons already given, in my opinion she had no status as a retition, either for or against

ness. This was the course adopted at

above-mentioned by-laws were consider

have striven to avoid undue strictness in

the insistence of exact performance of

statutable formalities, where they could

the clear omission of some condition pre

mistake had been made in perfect good

faith and with an honest purpose of

oheving the law, although unintentionally

ance-where the objection was wholly

sechnical and nothing had occurred to

The claim that the by-law was un-

viating from its strict formal observ-

the meeting of the council when

ed and passed.

had been affected."

"Mrs. Cameron's agent attended at the council chamber on the following days, 8rd, 17th and 24th October, and the 7th better route for the carrying of freight. It would appear now as if the company is about to adopt the northern route November, with the object of watching formerly surveyed by way of the Yellow Head Pass. Prompted by a feeling of the proceedings of the council in relation to said undertaking, and on none of the said days did the council meet in the council chamber within 5 minutes of the the Grand Trunk Pacific into the northtime appointed for the meeting of the council, namely, 8 p.m., nor did the ern part of the Northwest and British Columbia, the C. P. R. has prepared to meet the competition. ceedings of the said council commence at Charters have been acquired by the any one of the said meetings until after 8.25 p.m. Upon these facts Mrs. Cam-C. P. R. by which a most direct route is provided from Winnipeg to Edmonton eron bases her seventh ground for appeal. The road is almost as the crow flies, pass-Referring to this statement the clerk of the council says in an affidavit that the ing through Saskatoon en route. Work on it will, it is said, be pushed forward rule contained in section 1 of the council with all dispatch until the line reaches by-law as to the time of meeting has, for many years past, been suspended. Power to suspend rules is reserved in section

From the latter point the road will pass on to the Pacific Coast. The route ex-pected to be taken is the old survey 107 of the same by-law. The rule and practice now is for the council to asthrough Yellow Head Pass, and thence semble in the committee room at the city to Bute Inlet or Knight Inlet, and to hall previous to 8 o'clock, to consider Vancouver Island. An easy way is thus matters of administrative questions of provided, the only part remaining to be an urgent character with the mayor in surveyed being that section along Bute the chair, and as soon as these are dis-Inlet, if it is selected. posed of the aldermen proceed to the ouncil chamber and continue the busi

The latter route contemplates the bridging of Seymour Narrows, with the ocean port either on the west coast of Vanconver Island, near the northern end, or at Victoria, which can be reached by the E. & N. line extended to the northern "But the courts from the earliest date

On the other hand, should the obstacles along Bute Inlet be found too great to warrant railway construction, the line, it is generally supposed, would be desee that the objection did not reach to flected somewhat so as to come out on Knight Inlet. From that point a ferry cedent required to be performed; where a route to Fort Rupert exists, which is all that could be desired. It is not long, and after being examined by practical rail-way men has been pronounced as ideal for the purpose, being amply sheltered.

It will therefore be no surprise if what ereate a suspicion of unfair dealing, and will become really the mainline of the there was no reason whatever to believe C. P. R. by way of Edmonton and the

that the result of the whole proceedings Yellow Head Pass to Vancouver Island is pushed forward without delay. The rivalry which the Grand Trunk Pacific has prompted may, according to those well informed on railway subjects, lead to a race among the three linesthe Grand Trunk Pacific, the new route of the C. P. R. and the Canada Northern -to reach thir respective terminals on the expropriation by-law included land not Pacific ahead of each other. shown on the original plan, was not well

It is known that every move on the part of any one of these companies is watched with the utmost interest by

aws, was also held to be of no effect, pieces of timber in a Howe truss, when business

in the engineer's plan, as required, was being expropriated, but this mission he LOCAL INDUSTRY IS regarded as so trifling that it could be ADVANCING RAPIDLY He held that it was permissible to in-

> Albion Iron Works Plant Cannot Meet the Demands of the Market -Improvements Contemplated.

A local industry, one only recently taken over by a syndicate of Victoria capitalists, has been advancing so rapidthe capacity of the plant is contemplated. The industry referred to is the Albion Iron Works stove factory. Some time

every gambling den in Chinatown was closed last night. The action was taken branches at Moncton, N. B., and Mon- ant was dismissed. at last Monday night's meeting of the eity council that gambling houses were canning wide open. His Worship Mayor treal, to acquire the business. The staff has been augmented by a number that gambling houses were running wide of expert moulders, imported from differpen in Chinatown he gave instructions that if such was the case the police must enforce the law. More than this he does and all are kept busy almost night and day in the effort to fill the orders which not know about the gambling sensation, keep pouring in from West and East coast points, the Mainland and the Yukon.

That the product of the Albion Iron ROUTE FOR C. P. R. Works is so much in demand that it should be called for by merchants throughout the West as soon as it was generally known that the plant was once more in full operation speaks well for its quality. Those in a position to know estimate that no less than \$1,000 worth of stoves are being manufactured in Vic-YELLOW HEAD PASS oria every week at present. And it is an undisputed fact that if the plant's capa city were double it would hardly be sufficient to supply the market. Of course the season just before the winter is al-It is Reported That Main-Line For ways busier to stove foundries than any other part of the year, but the directors of the new company are confident of being able to keep their trade up to such a standard as to make the augmentation of the plant, at least in many departments, an absolute necessity.

Advices from Winnipeg are to the On Saturday a Times reporter called at the office of Victoria's store emportum effect that the C. P. R. is pushing construction of their line to Edmonton, and and was courteously received by T. E. that the policy is to continue the line Wood, superintendent of the works. The thence to the Pacific. This is but in latter explained the manufacture of thence to the Pacific. This is but in accepting with what has been recognized as the line which would of necessity be pursued by the C. P. R. The various railway lines of late have been laying the Glasgow and then, pointing to another arrive in port. The official notice on the gram from Ottawa saving that work provement by-laws, is that in the former no opportunity is afforded persons owning land required, whereas in the latter the resolution of the council can be defeated by any person affected obtaining and presenting a petition signed by a proving trade of the council can be defeated by any person affected obtaining and presenting a petition signed by a person affected obtaining and presenting a petition signed by a proving trade of the council can be described by any person affected obtaining and presenting a petition signed by a proving trade of the council can be described by any person affected obtaining and presenting a petition signed by a proving trade of the council can be described by any person affected obtaining and presenting a petition signed by a proving trade of the council can be described by any person affected obtaining and presenting a petition signed by a proving trade of the point of the council can be described by any person affected obtaining and presenting a petition signed by a proving trade of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining and presenting a period of the council can be described by any person affected obtaining any person affected obtaining any person affected obtaining an stove-making outlined. At one end are the boilers from whence the molten pete with any line in the carrying trade. metal is procured, and through the skill of the mechanics, with the assistance of The present main line of the C. P. R. through British Columbia, while recogtheir delicate moulds, turned into the many shapes required in the construction nized as one of the most interesting roads in the world from a scenic standpoint, is always pointed out by engineers as in no way lending itself to competitive trade that since the new company had assum-

is so accustomed to look upon as an indispensible feature of domestic comfort, while others were almost ready for ship particular attention to was an exceptionally large range, which two or three boys were industriously polishing. "A hotel slove," said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove, "said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove, "said Mr. Wood, "one was a large of the slove," said Mr. Wood, "one was a large of the slove, "said Mr. Wood, "one was a large of the slove within the five shore within the five shore within the five shore within the city solicitor for report.

D. K. Chungran smade a request for a permanent sidewalk on Broughton streeth and the same was granted.

T. J. Evans wrote to the council stating the city had for removing gravel from the foreshore within the city limits. The matter was referred to the city solicitor for report.

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There is some coal underlying the surface of the island, which seems to be of a fairly good grade. As to other min streeth and the same was granted.

T. J. Evans wrote to the city solicitor for report.

There is some coal underlying the surface of the city solicitor for re rivalry, due to the construction of the particular attention to was an ex-"A hotel stove," said Mr. Wood, "one that is so equipped as to permit the maintenance of a uniform heat with the least possible inconvenience." He went on to say that two had already been sent to Vancouver and that the one just being completed was to fill an order from another Terminal City customer. One article of which Mr. Wood appeared to be particularly proud was the Empress air tight heater, a specialty of the Albion Iron Works Co. It is firshed very elaborately and lined with a coating of cast-iron, which Mr. Wood asserted proudly would stand the roughest treat-

ment without being affected. In the course of the inspection the reporter was shown the plating apartment. probably the most interesting in connection with the factory. Here, as in all other parts of the building, there was the whirl of machinery and a general air of activity bespeaking prosperity. The man to the C. P. R.'s uses as ticket office. in charge was engaged in polishing the legs and other parts of the stoves preparatory to giving them the required baths. Of the latter there are no less than five varieties, namely, nichel, cop-per, brass, bronze, silver and oxidized copper. Each of these is applied to the stove metal by the same process, by placing it in liquid thoroughly saturated with the minerals mentioned, and the use of a strong electric current. The effect was demonstrated by putting a piece of copper in the nickel bath and turning on the electricity. Within two minutes the submerged part of the former had become covered with a coating of nickel. Wood, however, pointed out that such rapid work was not possible for commercial purposes, the nickel having to be administered slowly in order to prevent it peeling with use.

ired by the Victoria syndicate considerable money has been expended in improvements, and it is now a modern and up-to-date in every respect. It is understood that a total of \$3,500 has been spent by the present directors in Permanent Loan & Savings Company reing people. This new sewer is to be computting everything in shape. The principal part of this went towards the purchase of six entirely new sets of patsolution of the question being one, in the opinion of the court, for the city engineer and assessor.

The presentation of a contra petition, representing names and values competent to prevent the passage of the by-laws assisting in putting on several laws as a resting each of the fact that the course tell them to favor Victorians, and there only the men. We can of these fish there, that the course tell them to favor Victorians, and the course tell them to favor Victorians as as abundant supply of good directors contemplate many of these fish there.

There is a was assisting in putting on several the company will reach out for more money savers and investors in towns eral complaints on this score."

Mayor Barnard: "It sometimes hap-

chairman and secretary respectively, and the board of directors, intend following an enterprising policy, being of the firm opinion that there is an opening here for the development of the largest stove mdry of the Pacific coast.

FULL COURT APPEALS

Judgments Were Handed Down To-day in Four Cases-Birdcage Walk By-law Stands.

The Full court handed down four judgnents to-day. Two of these affected the city, which in each case won on the appeal. The appeal taken on behalf of Catherine Cameron in connection with the Birdcage Walk Extension By-law was dismissed. The city by-law author izing the extension of that street is thus

The Broad Street Improvement matter the city of Victoria. In that case the city appealed. The Full court allowed by Ald. Hanna, who made a polite de-

appeal taken on behalf of the defendant, Mrs. Joan Dunsmuir, in Sayward vs. night council meeting. Dunsmuir. In this case the plaintiff was allowed by the trial judge a claim for It was just before the council adjournago, it will be remembered, an effort was made by the Recard Foundry, with ments. The appeal taken by the defend-

ent large factories, and other workmen, and all are kept busy almost night and the mail was only ten days, which is a sen effort was made to keep the white record for so early in the winter season.

STEAMER ST. CLAIR

BY THE PROVINCIAL TIMBER INSPECTOR

Alleged to Have Towed Timber Beyond Confines of Province Before Royalty Was Paid.

Vancouver, Nov. 3 .- A new move was chain at the back of the stall. nade to-day in the action which the department of lands and works has lately

selzure of the steamship St. Clair for same could be drawn up. seizure of the steamant of the perpetra-laving been used in siding the perpetra-tion of a fraud on the revenue by moving the council what had been done with the the council what had been done with the

NEW QUARTERS FOR C. P. R. Ticket Offices of Company Will Be

Changed to Premises Occupied By

Westside. premises now occupied by the Westside. The intention is to shortly transfer the tions I shall continue to walk in the ticket office to the new quarters, which are admirably situated for the purpose. Ald. The premises taken front on Government

street, and extend along Fort street, thus occupying a very prominent position.

The new offices have also the advanto do it? tage of being rather more convenient to the new hotel in course of construction which I understand is the cost." and the wharves of the company. Some little time will necessarily elapse before the change can be made, as it will have to be fitted up to adopt itself

RETURNING HOME. Robert Finlay and Charles Grant Have Reached London From Russia.

A special dispatch to the Times to-day rom London, England, says: "Robert Finlay, of Victoria, and Chas. Grant, of Nova Scotia, who were taken prisoners when the Russian warship capared a Japanese sealing schooner some months ago, arrived in London to-day, bringing a letter to Lord Strathcona from the British consul at St. Petersburg. Lord Strathcona is arranging to next few days. send the men home, as both are penniless. They tell of great privations and lerton made a few remarks concerning Although the plant cannot be said to have been extended since it has been extended as the since it has been ex

A RECORD BREAKER.

cently made a great record in one of the East Kootenay towns by securing thirty

INTERESTING REMARK

Ald. Hanna Accuses Ald. Fell of Raising Gambling Question For Cam. paign Purposes.

mand on Ald. Fell that he apologize to

tion on gambling in Chinatown by Ald. In Dickson vs. Drake, Jackson and Fell at the last meeting of the council. Helmcken, a case involving a question of the amount of rent which should be paid but out just at this time. Evidently to Eastern company, however, did not offer as large a sum as that of the newly incorporated local concern, and the latter company, the Full court dismissed the appeal taken by the plaintiff.

the amount of rent which should be paid put out just at this time. Explaining the chances of certain citizens with the church people at the coming election. To make a good story the name election. To make a good story the name election. To make a good story the name election. election. To make a good story the name of the chief of police was brought into -The first mail to reach Dawson by it. I saw the chief in regard to the mat-

stage arrived in the northern city on ter, and he said that although there was people away. I do not think I would be doing my duty if I allowed a city official to be brought into such notice. I think that Ald. Fell ought to explain his re-marks and that he owes an apology for making them.'

Ald. Fell, "All I have to say is that he chief of police is a personal friend of nine and I would be the last person to do him an injury."

A deputation made up of the representatives of the Victoria Transfer Co., eaded by Anton Henderson, and Chief Watson, of the fire department, waited on the council in regard to the horse be longing to the company which had been injured while in the city's service. Mr. Henderson said that the horse was perfectly sound when loaned to the fire

lepartment last December, but that when it was returned in January that the horse had a bad cut on one of his hind legs; that for 42 days the horse was under the veternary surgeon's care, and could not be used, and that the horse was injured by getting his leg fastened in a A bill of \$42 had been paid for the days

in which the horse had been laid up. The been taking in the scizure of booms and city held up payment on this bill. Chief outfits belonging to certain Vancouver Watson, however, said that the horse loggers. Steamer St. Clair, owned by

t. Clair to-day reads:
"Take notice that T have made a Bay bridge, and that the contract for

timber beyond the coulines of the prov-ince of British Columbia without the avenue, and the cinder walk on Blanroyalty thereon having been paid, chard street. City Engineer Topp re(Signed) "R. J. Skinner, provincial ported he had investigated the matter to have towed belong to J. S. Emerson, etc., for the drain, but the cinder walk ed control this building had been refloor- of this city, who to-day declared that the would be repaired. The matter was laid

erty on Williams street, in Victoria West, had been moved in as advised by city surveyor, and that now he desired the promised sidewalk. Said Mr. Evans: "I have moved my fence in to within four inches of the property line, and is impossible to move it in more The C. P. R. has leased half of the out injuring the trees. If you refuse to

Ald. Fullerton: "That is a bad place, and I move the walk be laid." Ald. Hanna: "I would like to see the walk put down, but have we the money

Mayor Barnard: "We surely have \$60. Ald. Fullerton: "He surely needs the walk. The mud is about nine inches The walk was ordered laid.

Messrs. Pemberton & Sons wrote to say that the city could lay the sewer through their property provided places were left every 100 feet for com and the property was left in good shape. The offer was accepted and the city solicitor instructed to prepare an agree-

Ald. Oddy inquired if a request for a ewer on Powell street had been made. City Engineer Topp replied that he Ald. Hall inquired when work would be amenced on the new sewer. Mayor Barnard replied that active

The sewer question being up, Ald. Fulworkmen. He said in part: "There is a said that outsiders could come in and trip.

of the town men."

struct the city engineer to do all he can to have city men favored."

Mayor Barnard: "The new sewer will POSTPONEMENT OF take about all the laboring men in the city, and I don't believe there will be iny complaint."

It was reported by the city engineer

that an open drain on Landsdowne road needed fixing, and that \$50 would cover necessary repairs. It was ordered Mayor Barnard called the attention of

BY MAYOR BARNARD the aldermen to the street sprinkling proposition, and said something ought to be done. That if the city was to take up the offer of the city railway in this matter some action ought to be taken, as it ould take several weeks to build a car for sprinkling purposes.

City Engineer Topp now got the floor. and modestly made a request for a horse and carriage. Said Mr. Topp: "I really need a horse and carriage so that I may get around over the city. The new sewer A little spice was injected into the is to be commenced in a day or two, and was also adjudicated upon in Meston vs. meeting of the city council last evening with that and other city matters to attend to the city ought to have a conveyly during the past few weeks that more buildings and a corresponding increase in Of the remaining two cases one was an the council for his remarks on the China-hire for the department, and to buy a aged at least \$30 per month for horse horse and carriage would be a saving

ost?"

As the Full court opens in Vancouver on Tuesday, Mr. Justice Duff, who is will probably have to pay \$250." Ald. Hanna: "I move that a sum be set aside to purchase a horse and car- fixed for the hearing.

The council decided to buy the horse and carriage.

After a few remarks by Ald. Hanna regarding Chinese gambling and a short reply by Ald. Fell, the council adjourned.

RICH RESOURCES OF

OLD SETTLER TELLS OF NATURAL WEALTH

Better TransportationFacilities Require -Openings For Agricultural, Fishing and Mineral Development

C. Harrison, who enjoys the distinction of being government agent at Masset of being government agent at Masset portance. There was no attempt being and has the privilege of signing S. M. made by him to delay the trial, but it at the Dominion.

rather up among the Queen Charlotte islands, for the past 22 years. He documentary evidence could not be sepwent there first as a missionary, later Mr. Peters said this could not be done being appointed to the government service. This is his first visit to the lower to put the evidence in piecement. To would be eleven witnesses called. S. M. Tuck and others wrote to ask here about a month, when he expects preferred to proceed with the evidence

Mr. Harrison is quite enthusiastic about the future of the islands, especially Graham island, where he is located. were conceded by both sides, so that and found that it necessitated quite an He thinks that there is oil to be found the taking of evidence should not be very The booms which St. Clair is alleged expenditure of money in making cuts, there, as crevices in the rocks in various places are filled with liquid bitu- dence and to argument, insofar as freight carrying is concerned.
These grades on the line are too great, and it has been recognized that with the greater development of the trans-Pacific and here were found stoves at all stages.

The matter was laid oweld be repaired. The matter was laid over until next meeting.

The matter was laid oweld be repaired. The matter was laid oweld be repaired. The matter was laid owell be repaired. The matter was laid oweld be repaired. The matter was laid owell be repaired. The matter was laid over until next meeting.

Mr. Emerson says that until this seizure was made he has been in the habit of the was made he has been in the habit of the was made he has been in the habit of the was made he has been in the waters there. Mr. Harrison bear of the concrete.

Mr. Emerson says that until this seizure was made he has been in the waters there. Mr. Harrison bear of the concrete.

Mr. Emerson says that until this seizure was any advantage to be derived from miles. There are no indications of oil in the waters there. Mr. Harrison bear of the concrete.

Mr. Emerson says that until this seizure was any advantage to be derived from miles. The matter was laid over until next meeting.

Mr. Emerson says that until this seizure was any advantage to be derived from miles. The matter was laid over until next meeting.

Mr. Emerson says that until this seizure was any advantage to be derived from miles. The matter was laid over until next meeting.

Mr. Emerson says that until this seizur minous matter. This pitchy substance

There is some coal underlying the sur-face of the island, which seems to be of erals there is not much trace, and very little prospecting has been done along this line. In some parts of the island there are excellent places for farming and stock raising on a limited scale.

In speaking of the islands Mr. Harrison said: "The islands have been unsidence could not be completed to-mornison said:

der reserve up to July 21st of this year, consequently the development has been hearing. It was always preferable to been many prospectors in there, and albeen many prospectors in there, and arready there have been 35 petroleum claims located, 16 timber claims, 18 placer mines recorded, and 7 locations placer mines recorded, and 7 locations and the same claims of the same claims.

A short adjournment was then taken in order to allow of counsel agreeing upon a date for the hearing.

claims have done some little prospecting, but not enough to come to any definite with fixing that date was that there was conclusion. It is the intention to put a boring machine to work early in the

ransportation facilities. Only one steamer a year comes to the Islands with mail and provisions. If we want to communicate with the outside world oftener we can do so only by getting the Indians to go to the Mainland in their boats. It costs us 25 cents for letters and preportionately high teamer a year comes to the islands with two cases were to be tried separately. each way, and proportionately high prices for other articles. That is one reason that the islands have been held was so ordered. back-there is no way at present to get anything away from the island should we find it there.

"As to climate, we can compare it Crofton Smelter May Be Connected B? very favorably to that of Victoria, and in many respects it is the same. In all the years I have been there we have had only two severe winters, and then the cold did not last long. I have flowers blooming in the garden all the year. The distance is only about three miles, round, and make it a point to wear a and would prove of great value to ownbouquet at Christmas time.

neglect and loss of money and goods.

They were compelled to pay their cwn passage to St. Petersburg, where a claim for compensations as a fair chance on the city work. I think they are not given a fair chance on the city work. I think they are not given as fair chance on the city work. I think they are not given as fair chance on the city work. I think they are not given as fair chance on the city work. I think they are not given as fair chance on the city work. I think they are not given as fair chance on the city work. I think they are not given to give credit to Mr. Sloan, M. P. of the Comox-Atlin district, district, for what he has done for the island.

The project has been spoken of for some time, but hitherto the main obtained to give credit to Mr. Sloan, and the project has been spoken of for some time, but hitherto the main obtained to give credit to Mr. Sloan, and the project has been spoken of for some time, but hitherto the main obtained to give credit to Mr. Sloan, and the project has been spoken of for some time, but hitherto the main obtained to give credit to Mr. Sloan, and the project has been spoken of for some time, but hitherto the main obtained to give credit to Mr. Sloan, and the project has been spoken of for some time. we ought to see to it that the married men especially of the city should have work. We should take care of them first, then the single men. It could be a stage of the married for mail and transportation has the present time. It is felt, however, then the single men. It could be a stage of the married for men and transportation has the present time. It is felt, however, then the single men. It could be a stage of the married for getting the stage of the married for getting the stage of the married for men and transportation has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the line at the way has been the light ship-ments which are tribulary to the light ship-m then the single men. It ought not to be cient. The steamers demand \$150 a ore to the smelter there would

ced now, and we ought to take care this line. The best halibut is caught up ichan station, as mentioned in the Times among the islands and the Vancouver a few days ago, are now commencing to Mayor Barnard: "It is up to the fore- boats go there for their fish. The dog- ship. The route is a roundabout

pieces of timber in a Howe truss, when business with interior, Northwest, one of the timbers slipped and in falling Yukon and Manitoban points. This, it tories, Mr. Todd, had withdrawn his name, rendering the petition insufficient ly signed.

His Lordship further held that whe-like the force of the falling timber was larger number of new shares than they who want an easy job."

In the former have regular gangs one of the timbers slipped and in falling timber who have found it necessary to withdraw whom he gets accustomed to, and he wife and one son are there looking after the force of the falling timber was lessened by striking a brace on the way lessened by striking a brace on the way lessened by striking a brace on the signal.

His Lordship further held that whe-like timbers slipped and in falling struck him on the head. Had it not been is thought, will necessary to withdraw whom he gets accustomed to, and he where old intenders who have found it necessary to withdraw whom he gets accustomed to, and he where old intenders who have found it necessary to withdraw their shares have been so well satisfied with results that the force of the falling timber was lessened by striking a brace on the way larger number of new shares than they who want an easy job."

His Lordship further held that whe-like lightly and the former have regular gangs is thought, will necessary to withdraw the former have found it necessary to withdraw the struck him on the head. Had it not been is thought with results that the former lave regular gangs have found it necessary to withdraw the struck him on the head. Had it not been is thought with results that the former lave regular gangs have found it necessary to withdraw the former lave regular gangs and the latitude of the latitu

THE WATER CASE

HEARING STANDS OVER TO DECEMBER FOURTH

Representations Were Made That the Evidence Could Not All Be Taken This Week.

The hearing of the case in which it is sought to restrain the city of Victoria from obtaining a record of water at Goldstream has been postponed until December 4th.

This postponement took place in consequence of the representations made be-fore the court this morning that the evioroposition to the city."

Mayor Barnard: "How much will it dence could not all be put in this week. hearing the case, could not sit later than this week. Another date was therefore

riage for the city engineer."

Mayor Barnard: "That may be a good idea. Maybe if the city engineer gets a chance to ride over the streets the streets will be fixed up better."

This morning the case was called, the following counsel being present: For the plaintiff company, the Esquimalt Waterwill be fixed up better." K. C., and R. T. Elliott; for the city of Victoria, W. J. Taylor, K. C., E. well, K. C., and E. P. Davis, K. C.; for the Victoria Power Company, which it is also sought to restrain from obtaining & record. A. E. McPhillips, K. C., and

> In addition to these were many repre nting the various interests conce including Mayor Barnard, J. L. Raynur, water commissioner; T. Lubbe, of the Esquimalt Waterworks Company. who will be the principal witness; Frank Barnard and others of the Tramway

After the case was formally called Mr. Peters proposed a postponement of the hearing. He urged that it was absolutely impossible to complete the taking of evidence this week. He therefore

wished the hearing stood over.

Mr. Justice Duff called attention to the fact that in setting the trial he had stated that he would not sit on Monday. Mr. Bodwell said they were all here and he thought it should go on.

His Lordship said he would not sit later than to-morrow. It would be a pity, he thought, to break the hearing.

Mr. Peters said that there was no pos sibility of concluding the hearing to-mor-row. The case was of the greatest imafter his name, is in Victoria, registered was most important that the evidence should not be broken into. It was abso-Mr. Harrison has been at Masset, or lutely impossible to complete the hearing of the evidence to-morrow.

His Lordship wanted to know if the

and argument at one time without a Mr. Bodwell thought that there were lengthy. It was a case which readily lent itself to a separation of the evi-

Mr. Bodwell said there was no advan-

tage in separating, but he did not think His Lordship said that in view of the

evidence could not be completed to-m held back. Since that date there have have the evidence and the argument

"The men who have located on the oil aims have done some little prospection gested November 20th.

would be completed the It was finally agreed that December "The great disadvantage we have is 4th should be the date for resuming. His Lordship wished to know if the was to be heard first.

This was agreeable to all present and MAY BUILD SHORT LINE.

Rail With E. & N.

The C.P.R. is said to be seriously con-

ers of in nes on Vancouver Island. strong inducement to owners to develop

"The fishing is good up there and their properties.

The King Solomon mines, near Cow-