Eugene Brooks Found Guilty

Elder of the Christian Catholic Church Given Three Months in Jail.

Held Guilty of Criminal Negligence—He Will Appeal—Granted Bail.

The trial of Eugene Brooks, elder of the Christian Catholic church, on a charge of manslaughter of Victoria Helen and Cecil Alexander Rogers, children of John Rogers, took place yesterday at the Court House before Mr. Justice Drake. Mr. McLean, deputy attorney-general, conducted the case for the Crown. The prisoner had no counsel and conducted his own defence. As in the case of John Rogers, who was convicted before Mr. Justice Walkem on September 25, and admitted to bail on suspended sentence, there were eight counts in the indictment against Brooks. Four of these related to the death of Victoria Helen Rogers and four to the death of Cecil Alexander Rogers, and covered all degrees of the crime alleged, viz.: Manslaughter, being in charge of a sick person and not procuring medical aid, aiding and abetting the father in his neglect to provide the necessaries of life for the sick children, the counts being laid under the criminal code and also the common law.

The prisoner on being arraigned pleaded not guilty.

After opening the case for the Crown Mr. McLean called Harvey Combe, registrar of the court, who proved the conviction of Rogers and produced the record in that case, which was put in as evidence.

The evidence given by Brooks at the Rogers trial was then read to the court under oath by Mr. Gilbert, stenographer. Brooks swore on that occasion that John Rogers and his wife had been members of his church, the Christian Catholic church in Zion, for 18 months. The church laid stress on Divine healing without the aid of doctors; he would not say they laid great stress on it. It taught that the Lord was the healer and not man, but he could not remember ever telling anyone not to employ physicians, although it was the doctrine of the church not to employ doctors. To him it would be a sin for him to employ doctors or medicine, and he taught that. He presumed that he had talked to the prisoner on the question of Divine healing and he believed Rogers had acted upon the teachings of the church since he joined. Some time ago Rogers' children had scarlet fever and he sent for witness, who prayed over them and they recovered. The witness also prayed over the children in their last sickness, the prisoner, as far as he knew, not employing what are called remedies—in fact, so far as he knew, Rogers lived up to the teachings of the church. The eldest boy took ill first about two weeks before the death of Victoria Helen. The boy was quite sick and he had a sore throat. He could not remember whether anything was said about the temperature. Witness simply prayed for the child. No physical means were taken while he was there to relieve the child. After witness left he was told that the boy had spat up something. Mrs. Rogers also had difficulty in breathing and he prayed for her, nothing else being done. Witness told the family not to let anyone go in or out, as it might be contagious. He recommended this, as the other members of the family seemed to be taking it. On Tuesday evening, September 2, he went to the Rogers house and found Victoria Helen and Cecil Alexander Rogers ill. The symptoms were the same as those in the case of the mother and elder boy. Witness might have suggested to the mother and father that the children were suffering from croup or diphtheria. The soreness of the throat and difficulty in breathing suggested that it might be diphtheria. In his mind, the disease was no more than any other disease. Before he joined his present church he considered diphtheria a very dangerous disease. Nothing was said about getting a physician or employing remedies. The child was prayed for and kept warm. If his prayer was not answered, he generally telegraphed to headquarters, and this was why he sent a message to Dr. Dowie. The child was getting worse, the breathing was worse and she was getting weaker. After sending the despatch and going home for a time, he returned to the Rogers home. The child improved during the early morning hours. At 4 o'clock the breathing thickened up and remained so until a short time before the child died, when there seemed to be relief. The mother said, "I believe the child is dying," and witness looking saw that the child was dying. No physical means were taken to relieve the child. The baby Cecil Alexander was peevish and fretful at the same time, but the same symptoms were present as in the other children. He wired to Dr. Dowie that Victoria Helen and Cecil Alexander had diphtheria, as that was as near as he could guess at that time, and could not go into a long explanation in a telegram. He did not notify the health authorities of the disease in the Rogers house. The first information was given to the public through Mr. Hanna, the undertaker.

Mr. Justice Walkem—Did you inform Mr. Hanna or the health authorities what the disease was, or did you know that it was your duty to do so?

Mr. Brooks—I could not say whether I told Mr. Hanna, and I did not know that it was my duty to report it.

Mr. Justice Walkem—As a minister of the Gospel you are required to report the cause of death, and it is also a public duty.

Mr. Brooks—If I had been asked, I would have told.

Mr. Justice Walkem—It is required by law and it is a very sensible law.

His Lordship then asked the witness whether he considered it right for him or anybody else to discard the invention of a man whom the Almighty had created a genius.

Mr. Brooks—I quoted from Scripture to show that it was not right to employ doctors or medicine.

Mr. Justice Walkem—Do you say it is right to discard the discoveries of thousands of years?

Mr. Brooks—Not the useful ones. Medicine is not useful. It was proved otherwise in the case of President McKinley.

Mr. Justice Walkem—That is your opinion against that of the most eminent medical men. You do not suppose that I will adopt your opinion against that of all these men?

Mr. Brooks—Every reference in the Bible about doctors is averse to them.

W. Wrathall, night clerk in the C. P. R. telegraph office, identified the telegram sent by Brooks to "Doctor" Dowie on the night of September 7.

Prisoner acknowledged sending the despatch, and that it was in his handwriting.

John Rogers, father of the child, and who is now at large on suspended sentence, having been found guilty of manslaughter as a result of his trial before Mr. Justice Walkem, was then sworn. Sickness broke out in his family about the middle of August. It spread from one member of the family to the other. They thought it was sore throat at first, but it turned out to be diphtheria. Sent for Brooks to pray for the children. Did not call in a doctor nor give any medicine as he had no faith in doctors nor drugs. Considered it wrong to employ doctors or administer drugs or alcoholic stimulants. Brooks' teachings were to the effect that the employment of doctors and drugs was contrary to the laws of God. Brooks' teachings and the books which he had read convinced the witness of the truth of this doctrine. Brooks suggested sending a telegram to Dowie, as the child was not improving, and witness approved. After sending the despatch Brooks returned to the house and stayed all night with the child who died about 8 o'clock in the morning. Mrs. Maltby and Mrs. Brooks were there part of the time. There was no doctor. Accused prayed for the child and laid his hands on it. He did not advise the employment of a doctor.

Mrs. Rogers, wife of the last witness, corroborated her husband's evidence, and declared her belief in the doctrines taught by Brooks. She knew diphtheria was a dangerous disease, but she felt that God could cure it, if it was His will. Did not realize that Cecil Alexander was dangerously ill till shortly before his death. He was nearly seven months old.

Questioned by Brooks, witness said she had been cured of measles and diphtheria and other members of the family had been cured by prayer.

W. J. Hanna, undertaker, told of Brooks' coming to him and telling of the death of Victoria Helen Rogers of diphtheria. Witness being informed that no doctor had been employed in the case notified the coroner and health officer.

Court then adjourned for luncheon.

When court reassembled in the afternoon, James Wilson, the city sanitary inspector, told of having been informed by Mr. Hanna of the death of the child Victoria Helen, and having notified the coroner and the Medical Health officer. He had taken the body to the morgue where the post mortem was held on the following day. He returned to the house on the same day about 6 o'clock and found that another child—Cecil Alexander—had died. He removed that body also to the morgue.

Doctor Hart, coroner, testified to having been notified of the death of Helen Victoria. Went to Rogers' house and found the dead body and that the other members of the family were in the convalescent stages of diphtheria, except the baby, which was in a state of collapse. Was present at the post mortem on Helen Victoria. She died of diphtheria. The child was a healthy, strong child, and under modern treatment for the disease might have been saved. There are always chances of saving life, up to the last stages of diphtheria. Had known cases where the patient was apparently dead and had lost all sense of pain where tracheotomy saved life. At the inquest Brooks gave evidence under protest, but subsequently, at an adjournment, he volunteered a statement.

Witness identified the statement as taken in writing at the inquest and signed by the accused, which was read to the court.

Cross-examined by Brooks witness said the baby was over the acute stage of diphtheria, but very weak when he saw it.

Q.—Had the other children, medical treatment? How do you account for their recovery?

A.—All cases of diphtheria are not necessarily fatal.

Q.—Have you known of cases where patients died after tracheotomy had been performed?

A.—Yes.

Q.—Will you swear positively that the child's life would have been saved by an operation?

A.—Could not be positive. Much would depend upon after treatment. The chances were that her life would have been saved.

Dr. Fagan deposed to having found the bacilli of diphtheria in mebrane taken from the throat of the dead child. Witness described the treatment employed in diphtheria and said that in all cases proper remedies would prolong life and save it in many—in 90 per cent. of cases. He also told of examining specimens from Cecil Alexander's throat. The child died from the effects of diphtheria—exhaustion following the poison of the disease.

The accused asked witness if he understood him to say that 90 per cent. or over of cases could be saved by treatment. He then read extracts from Rathwaitt's Retrospective Medicine to show that the percentage did not exceed 33 per cent.

Dr. Frank Hall, who had conducted the post mortem, described the general condition of the child's throat after death. The whole throat was filled up with diphtheritic membrane. The immediate cause of death was stynosis of the larynx, which prevented oxygen reaching the lungs. Witness told of the treatment which usually proves successful in cases of diphtheria and gave an illustration of the case of one of the Maltby children who was in extremis but was cured by tracheotomy. The other child—Cecil Alexander—also died from the toxic effects of diphtheria.

In cross-examination the witness acknowledged that he would be careful in his diagnosis of diphtheria, as it was a dangerous disease. Doctors were not always positive in their diagnosis, they sometimes had to depend on symptoms for their line of treatment.

The proceedings here developed into a discussion of doctors and their methods of treatment, between the witness and the accused, who tried to show that doctors continually differed in their opinions as to the nature and treatment of diseases. Many of his questions were irrelevant but His Lordship allowed him unusual latitude in his cross-examination.

This closed the case for the Crown, and the accused, on being asked if he had anything to offer in his defence said:

"I would ask Your Lordship to reserve the question as to whether or not medical aid is a necessary of life."

His Lordship said that was the whole question involved in the case.

Brooks then addressed the court. He said it was a matter of conviction on his part and he wanted to know if he had committed an offence against the law by praying to God for the sick and following the teachings of the Lord, Jesus Christ. The common law of England conferred the right of conscience and religious opinions to all men. If his was a criminal act he argued that any minister of the Gospel who prayed for a sick person was equally guilty. Suppose a Baptist caught cold and died from being immersed in cold waters would the minister who baptized him be guilty of his death? All that he had done was to follow his convictions and preach to others what he firmly believed himself. He had never attempted to force his belief upon anyone. He had had experience with doctors, having been treated by them without receiving any benefits, but when he went to Chicago and had Alexander Dowie pray for him he was cured. He urged the court to consider the numerous diversions into which the medical profession was split, all differing as to the nature and treatment of disease. Medicine was not an exact science and doctors were continually making fatal mistakes. He quoted from medical journals and the writings of doctors to prove his contention and ended with numerous quotations from Scripture condemning doctors and medicines.

Mr. McLean in summing up, pointed out that the common law of England did not relieve parents from the duty of providing their helpless children with necessaries of life, which included, in cases of illness, medical attendance and medicines. Prisoner had told the parents of these children that it was wrong and sinful for them to employ a doctor to save the life of their child who was strangling to death for need of a simple surgical operation. He was responsible for the death of the child equally with the parents. He went to the house and advises them to quarantine themselves, he laid his hands upon the sick children and prayed for them. When he saw that his prayers were not saving the child he telegraphed to Dowie:

"Pray for baby and Nellie Rogers. Very sick with diphtheria."

Up to the very last he neglected to call in medical aid or to advise the parents to secure the services of a doctor, although he must have known that the child was dying. He was the moving spirit and the accomplice of the parents, and made himself equally guilty by his presence and participation in the crime.

Mr. McLean quoted the case of Regina vs. Senior, in which a father neglected to furnish medical aid to his sick child and in which Lord Russell held accused guilty of criminal negligence, and many other recent legal decisions in which it was held that the words "necessaries of life," used in the statutes, included medicines and medical attendance.

His Lordship, addressing the prisoner, called attention to the sections of the statute under which the parent neglecting his child was criminally culpable. According to the criminal code any person assisting, aiding, or abetting another in the commission of a crime was held to be equally guilty. That was the case of the accused. He had been there in attendance, had prayed for the sick children and had advised the unfortunate parents that they would commit sin if they employed a doctor or gave them medicine. The result was that the children died while the evidence of the medical witnesses went to prove that their lives might have been saved or at least prolonged by proper treatment. Accused had a perfect right to his own opinions, but he had no right to influence his followers to commit criminal acts. He was more guilty than his deluded follower Rogers.

He found prisoner guilty on all the counts of the indictment except one, and five, those accusing him of manslaughter, and sentenced him to three months in jail without hard labor.

Prisoner said he desired to appeal on the question which he had asked to be reserved and His Lordship granted the request, instructing that bail be accepted, the prisoner to furnish $200 and two sureties in $100 each.

This will give the accused an opportunity to appeal to the full court.

TOM KAINS DEAD.

Former Surveyor-General Dies Suddenly at His Home.

In Victoria and throughout the province there will be widespread regret at the death of Tom Kains, who passed away last night at his residence on Dallas road.

Mr. Kains came to this province during the construction period of the C. P. R., of which he was one of the engineers on the Western survey. Energetic and an exceedingly able man at his profession, he became Surveyor-General of British Columbia, a position he held until a few years ago he resigned to enter into private practice. He made a trip to Dawson and returning was stricken with paralysis, which for the past two years had made him practically an invalid. He was out for his usual walk yesterday, but in the evening the fatal stroke came and ended his life. He was 51 years of age, and leaves a widow and three daughters. He was highly thought of as a friend and in his profession.

LECTURE ON SEISMOGRAPH

Mr. F. Napier Denison Discusses That Instrument as a Sensitive Barometer.

At a meeting of the Natural History Society last evening, Mr. F. Napier Dennison, of the Victoria Meteorological office, read an interesting paper on "The Selsmograph as a Sensitive Barometer," the same subject that he took up at the meeting of the British Association, held during the summer at Glasgow. The talk was illustrated, Mr. A. Maynard manipulating the slides. There was a large attendance and long discussion. A condensation of the paper read at Glasgow and issued by the British Association follows:

Since the installation of a "Milne" Seismograph in connection with the Meteorological office at Victoria, B. C., in September, 1898, the author has taken up the study of the various movements of the horizontal pendulum apart from those caused by earthquakes.

In order to make a thorough investigation of this phenomenon, the author has taken the photographic records from this instrument for the years 1899 and 1900, amounting to over 3,000 feet of paper, and with a millimetre and time scale has measured the amounts and times of occurrence of all changes, including the diurnal and longer period deflections. These observations have been entered in a specially designed register, and as these observations are often of sufficient amplitude to necessitate the resetting of the boom by altering the leveling adjustment, it has been necessary to correct the above readings in order that the true and continuous movement be obtained during these years.

By including these corrected observations in conjunction with the Victoria Synoptic Weather Charts, the author became convinced that most of these movements were due to meteorological causes. In order, therefore, to be able to pursue this study further, he has plotted these observations upon .1 inch squared paper; the time scale used by 2.4 inches per day, and .1 inch to equal one millimetre. Above this curve for each month was plotted the Victoria barometer from the tri-daily observations, and surmounting this was entered the tridaily record of the direction and a velocity of the winds and precipitation.

The results from the plottings for the year 1899 when studied in conjunction with the corresponding weather charts proved so interesting that a brief paper upon this subject was read before the last meeting of the Royal Meteorological Society. Since then the author has completed the plottings for 1900, and in order to increase their value, has added the Victoria tidal curve also.

The following notes have been deduced from these observations:

1. The crust of the earth is depressed under areas of high barometric pressure, and elevated under areas of low pressure.

2. When the barometer is high over the Pacific slope from British Columbia to California and low over the adjacent ocean, the horizontal pendulum is deflected towards the east.

3. When the barometer is high off the coast and low over the Pacific slope, the horizontal pendulum is deflected towards the west.

4. The horizontal pendulum tends to move east during the winter months and west throughout the summer.

5. The total westerly movement (signifying a depression of the coast) exceeds the easterly swing for the year 1899 by 54.0 millimetres and by 20.7 for 1900.

6. When an extensive ocean storm area is approaching the coast of Vancouver Island, while the barometer is high over the Pacific slope, the pendulum will steadily travel eastward before the coast barometers begin to fall, or its presence is noticeable upon the synoptic weather chart.

7. Should such a storm be followed by an extensive high pressure area, the pendulum will turn and move steadily towards the westward, some time before the local barometer begins to rise and before the winds have shifted to the westward.

8. Should an important storm area move down the coast from Alaska and be followed by an extensive one of high pressure and a cold wave extending from the Yukon southeastward, the pendulum swings to the westward, usually before the storm has reached this latitude. These are termed abnormal winter movements, and cause the few cold days experienced in this vicinity.

9. The great monthly range occurs during the stormy winter months, and the smallest range takes place during the summer type of almost continuous fine weather.

10. The diurnal range is most pronounced during the summer months, when the greatest amount of sunshine is recorded, and the least amount of rain.

11. Fine weather is usually preceded by a westerly movement of the pendulum, due to an approaching ocean high area which spreads inland over the province, while further south the barometer is comparatively low.

12. A careful perusal of the two years' plottings proves that during the normal type of summer and winter barometric distribution the barometer and pendulum curves tend to come together as areas of low pressure approach the coast, and diverge when high areas follow the same course.

The above brief and incomplete summary of deductions derived from these two years' observations is respectfully submitted with a strong desire that this investigation be taken up by a special committee, and if this study of the pendulum's wanderings tends to aid the forecasting of ocean storms upon this distant seaboard of the Empire, may not a similar study at home lead to the adoption of simple seismographs throughout the kingdom to be used as sensitive barometers, as an aid in warning the advent of the great Atlantic storms before they reach the western coast.?

CAPT. BERNIER.

Leaves For Europe in Interest of North Pole Expedition.

Quebec, Nov. 25.—Capt. Bernier leaves for Europe tomorrow in the interest of his North Pole expedition. He has raised $20,000, and the federal government has promised $60,000 if he raises an equal amount. He expects to get something from the Quebec government and the city of Quebec.

The Contract Awarded

Point Ellice Bridge to Be Built By the Puget Sound Bridge And Dredging Co.

Price Agreed Upon, $92,600—Mayor and Three Aldermen Oppose the Bargain.

Last night's meeting of the city council was the most important gathering of that body held for some time past. The report of the city engineer, recommending the acceptance of the tender of the Puget Sound Bridge & Dredging company, was submitted, and after a long and somewhat acrimonious debate, the report was adopted and the contract was let to that firm, the price agreed upon being $92,600. Aldermen who favored the letting of the contract to the Seattle firm laid stress upon the fact that the company agreed to purchase all material used in construction, except steel, in Victoria, while those opposed pointed out that as the bridge was essentially a steel one, the benefit to the city would not be material.

Before proceding with the regular business, His Worship called attention to an article in the London Daily Express, which was a libel on Victoria, the incident having occurred in Vancouver. He read from the article as follows:

"A less pathetic and more amusing story is related of the Royal trip to Victoria (B.C.), when they traveled across the Gulf of Georgia on R. M. S. Empress of India, of the Canadian Pacific railway's Oriental fleet.

"For a few hours during their short stay the public were permitted to go over the vessel for a hasty glimpse at the suite of state rooms and cabins set apart for the Royal guests. Both the camera fiend and the souvenir hunter were ably represented. For, although nothing of any real value was removed, flowers and ferns were dragged piecemeal from vases and bowls to be hoarded up by loyal Victorians in remembrance of the visit.

"A thousand and one other methods were observed as a means to the same end. But the "lady" who must really have felt that her afternoon had not been spent in vain was the enterprising female who climbed on to the Duchess' bed—boots and all—and lay there while a friend 'kodaked' her."

COMMUNICATIONS.

The following communications were received:

From Mr. Buntzen, manager of the B. C. Electric Railway company, approving plans of the Seattle Bridge & Dredging company, provided they conformed to specifications as to margin of strength, etc.

Laid on the table to be considered at the same time as Mr. Topp's report.

W. F. Bullen, manager of the British Columbia Marine railway, informing the council that they would be prepared to tender for Point Ellice bridge in the case of new tenders being called for, providing that proper working plans and specifications were prepared for the use of tenderers.

Ald. Cooley thought the application came too late.

Ald. Williams moved that the letter be laid on the table.

The Mayor said that no working plans and specifications had been prepared by the city engineer. All that the plan showed was the style of truss and the length and width of the bridge.

Ald. Yates and Beckwith considered the plans specific enough for all purposes.

The city engineer, in answer to a question, said the plans which he had prepared were not what might be called working plans, but they were definite enough to enable any firm to tender intelligently.

Ald. Cameron thought the council should recede from their present position and call for new tenders. It appeared now that there were two local firms ready to tender if proper and definite plans were submitted by the city.

Ald. Kinsman agreed with Ald. Cameron. There were lots of mechanics who were quite capable of building a bridge who could not make plans for it.

It was finally decided to consider the letter with the engineer's report.

Thos. Shaw wrote on the same subject and expressing a desire to tender for the bridge, if proper plans were furnished.

To be considered with the engineer's report.

W. G. Eden wrote on the subject of licenses.

Referred to the city solicitor.

T. M. S. Bain, in reference to changing the name of Chatham street to Caledonia avenue, and suggesting that the avenue be only named from Douglast street East.

Laid on the table to be considered when the street names by-law comes up.

Ald. Cameron explained that the report sent in was not intended to be final or binding; it was only suggestive and open to any advisable change. The whole matter would come before council.

H. P. Johnston, secretary of the Poultry association, asking for aid for a show to be held in January.

Referred to finance committee for report.

POINT ELLICE BRIDGE.

The city engineer presented the following report:

To His Worship the Mayor and Board of Aldermen:

Gentlemen: In accordance with resolution of November 12, 1901, I have considered the undermentioned subject and beg leave to report as follows:

Re Tenders of Point Ellice Bridge.

Dealing with the width of the proposed structure herein are extracts taken from a letter received from the Hamilton Bridge Co., some months ago, and which reads as follows:

C. H. Topp, City Engineer, Victoria, B. C.:

Re Point Ellice Bridge.

Dear Sir: In figuring out the preliminary information, would say that we notice you require a 30-foot roadway and two five-foot sidewalks. Of course, you ought to know what is required, but we would call your attention to the fact that the width of roadway is excessive, and we really cannot see that it is necessary. We would think that an 18 or 20-foot roadway would be sufficient. It may be you will say that two teams may want to pass one another at the same time as an electric car; such a state of affairs might possibly occur once or twice a year, and therefore it would be no hardship for the parties to slow up until the car would get by. As an illustration we may say that we have built a number of bridges through this province under such conditions, and we have lately built two for the City of Toronto, one over the Don and one over the Humber rivers, and the roadways were in both cases 20 feet. The reason we bring this matter strongly before you is because the extra loading of the trusses on account of the extra width will add very materially to the weight of the structure itself, and the floor beams would require to be excessively heavy. Trusting to hear from you at your earliest convenience, we remain

Yours truly,

HAMILTON BRIDGE CO.

I have examined carefully all the tenders referred to me, viz: The Albion Iron Works; Puget Sound Bridge & Dredging Co; King Bridge Co., and the Dominion Bridge Co., and as I understand your honorable body has the sum of $95,000, which is the limit available for the construction of the bridge in question, I have considered it my duty to recommend that which in my opinion, is the best possible structure coming under the above amount. I therefore, after due consideration, concluded to respectfully recommend proposal B 1 of the Puget Sound Bridge & Dredging Co., which appears complete in every respect, including paved flooring, concrete piers and abutments, the same being strictly in accordance with the advertisement, and covers the entire structure ready for traffic, the total cost of which is $92,600.

In conclusion I may say, after satisfying myself upon the whole matter, I visited Vancouver and New Westminster on Friday last, and laid all the proposals before Mr. Buntzen, general manager of the B. C. Electric Railway Co., and Mr. Keefer, resident engineer of the Dominion Public Works Department, both gentlemen expressing themselves very strongly in favor of my recommendation.

Trusting the foregoing will meet with your approval,

C. H. TOPP.

Mr. Topp said the plans included a margin of safety of 4, and all other requirements.

Ald. Yates moved that the report of the city engineer be adopted and that the contract for the construction of Point Ellice bridge be awarded to the Puget Sound Bridge & Dredging company, according to plan B.I., at a price of $92,600, and that the Mayor be authorized to sign the contract and affix the corporate seal thereto.

Ald. Cooley seconded the motion.

Ald. Kinsman opposed the motion, not because he did not consider the bridge strong enough or wide enough, but because our own people had not been given a show in the first place. He believed the proposed bridge was wide enough, but the ratepayers, who had to pay for it, did not.

Ald. Cameron would not vote for the motion. He did not consider it right to grant a contract to a foreign firm when local firms were prepared to tender for the work, if they were shown proper plans. The public seemed to want a wider bridge, but he thought the proposed bridge wide enough. James Bay bridge, only 23 feet wide, was quite enough for a much larger traffic than at Point Ellice. Another matter which should be considered was that as soon as the Indian reserve question was settled, a new bridge would be required as a short road to Victoria West and Esquimalt. He felt that it would be a mistake to let this tender to a foreign firm.

Ald. Beckwith—"No Irish need apply."

Ald. Cameron said he did not see anything humorous in the situation. He had no fault to find with the Puget Sound should submit plans and prices for other designs.

Ald. Beckwith expressed surprise at the Mayor's remarks. If it was only at this stage that the Mayor had found out that the plan prepared by Mr. Topp was only a picture, it was rather late in the day.

The Mayor—"Mr. Topp has just informed me that he cannot produce his picture of the bridge, that it is in the Times office for the purpose of having a photo made for publication. That shows what it is."

Ald. Brydon said plans had been prepared for submission to the Dominion government.

The Mayor corrected Ald. Brydon; that only prints of pier spaces had been submitted to Ottawa.

Ald. Brydon said the specifications prepared by Mr. Topp were as full and complete as could be desired, and none of the tenderers had found fault with them or asked for further information. He contended that no local firm was in a position to build a bridge according to those specifications, and he thought it strange that they should come in with offers to tender at this late day. There was no local firm with plant to do the work.

The Mayor—"And never will be if they don't get a chance."

Ald. Brydon said he did not think the ratepayers would be willing to pay $50,000 extra for the sake of encouraging home industry. He would support the motion.

Ald. Williams pleaded that there was no reason for haste in the matter. The present bridge would serve long enough to permit new tenders. Why not call for new tenders. They had shut out tenders from Eastern Canada which they might much better have opened. He moved in amendment, seconded by Ald. Cameron:

Whereas, in the opinion of this council, it is in the best interest of the ratepayers of this city that the matter of awarding the contract for the Point Ellice bridge be postponed for further consideration and the advisability of calling for new tenders.

Ald. Beckwith said as to the matter of haste, he would remind the council of a letter from the Dominion government demanding that a new bridge be built. He was for closing up the business.

Ald. Cooley said everybody had had ample time to figure on the tenders, and he could see nothing to be gained by further edlay.

Ald. Cameron was not advocating delay. The argument that local firms had no plant was not conclusive. At one time the marine engineering firms had no plant, but they had now, and were enabled to secure it by being patronized. Moran Bros., of Seattle, secured a contract to built a battleship before they had a plant, and the people of Seattle subscribled liberally and helped the firm to accomplish the work—that was the spirit which should be shown in Victoria. As the province grew a great many bridges would be required here, it was time that Victoria should be in a position to do the work.

Ald. Kinsman said that Ald. Williams intended to say that the present bridge would last long enough to permit of their calling for new tenders. Our own people had not been given a show, and he did not think the ratepayers would endorse this handing of the work to a foreign concern.

Ald. Yates would like to know what Ald Kinsman meant by "our own people."

Ald. Kinsman said he meant Canadians. He was an Englishman born, but he had lived in Canada for the best years of his life and was proud to call himself a Canadian.

Ald. Yates said the local firms had only themselves to blame. They had had ten weeks to ask for information, but failed to do so. He would like to see the money spent here. It was intended at one time to have the substructure built under supervision of the engineer. It was only after consultation with the Electric Railway company that they decided to call for tenders for the whole work. The Albion Iron Works company did not figure on the plans prepared by the city engineer, but on a wholly different structure, narrower than that called for. There was $50,000 difference in the two tenders. Did the council want to put that $50,000 into the pockets of the Albion Iron Works? The Puget Sound Bridge & Dredging company said they would buy all their material except the steel, in the city. The party most interested, the Electric Railway company, had approved the plans of the Puget Sound Bridge & Dredging company, and were willing to see the contract awarded to them. He said it was a discredit to the town that talk of "boodling aldermen and officials" was freely indulged in on the streets. He felt very indignant over such insinuations as the council was as honest a lot of men as ever served in a similar capacity. He said the manager of the Albion Iron Works had made such insinuations and the solicitor of that company had written editorials on the subject in the Colonist.

Ald. Williams regretted that all the tenders had not been opened.

Ald. Stewart charged that Ald. Williams had voted against opening the tenders.

Ald. Williams said he had voted for a reconsideration of the whole question, and he once more pleaded with the opponents of his amendment to drop the offer of the Seattle firm and call for new tenders.

The Mayor explained that he would vote for the amendment because there had been no competition in the tenders. It was a straight offer from the Puget Sound Bridge & Dredging company. Plans prepared by the Provincial government and which he had seen, were so definite and complete that five minutes after the tenders were opened the cheapest could be picked out. It was a great mistake to award such an important contract absolutely without competition.

Ald. Williams' amendment was then defeated by the following vote:

Ayes—Ald. Kinsman, Williams, Cameron and the Mayor.

Nays—Ald. Bryden, Beckwith, Stewart, Yates, Cooley and Hall.

Ald. Yates motion, awarding the contract to the Puget Sound Bridge & Dredging company was then adopted on Bridge & Dredging company; they might be a first class firm and capable of doing good work, but Seattle would never think of giving one of our firms a contract and we should reciprocate and give our own people the benefit.

Ald. Stewart said the bridge question had occupied the time and attention of the council for weeks, there had been full consideration, and it was only after the subject had been exhausted that tenders had been called for. Local firms had every opportunity for bidding on the work and they had only themselves to blame if they had let the chance slip.

Ald. Beckwith agreed with Ald. Stewart. The council would not be acting honestly if they receded from their present position. They had called for tenders in a regular businesslike way, and although they might wish that the contract should go to a Canadian firm or a local firm, he considered they were bound to accept the engineer's report, and let the contract to the Seattle firm. It had been said on the street that no plans at all had been prepared, which was quite incorrect—every facility had been given to tenderers, and he was surprised to hear the Mayor suggest anything to the contrary.

The Mayor drew attention to a certain report of the streets and bridges committee dated September 16, in which, over Ald. Beckwith's signature, it was recommended that tenders should be called for in the usual way on Mr. Topp's plans, and that in addition tenderers the same division.

Ald. Brydon declared that no one had approached the aldermen or attempted to influence their vote in this matter, and he added that during the three years he had been at the board no person had ever even hinted a suggestion to him of wrong-doing in connection with the city business.

PETITIONS.

Four petitions for electric lights were referred to the Elictric Light committee

REPORTS.

W. Northcott reported that no objections had been filed to the proposed widening of Johnson street.

The Finance committee recommended payment of $4,724.37 for current expenses.

The city clerk presented the following:

To His Worship the Mayor and Aldermen of the City of Victoria:

Gentlemen: I have the honor to inform you that the following communications have been received and referred to the city engineer for report, namely: Mrs. E. Lowe, re sidewalk, Quadra street; Wm. Emery, re condition of N. Pembroke street; Lylla Bolden et al., sidewalk Cedar Hill road; F. C. Malpas, re sidewalk Cadboro Bay road; J. N. Freeman, re condition of Andrew street, Rock Bay.

W. J. DOWLER.

Consideration of Ald. Yates' by-law to regulate wood sawing on the streets was deferred till next meeting.

The council then adjourned.

Immediately that the motion to adjourn was made the president of the Puget Sound Bridge & Dredging company, who had been an interested spectator during the meeting, approached the Mayor and requested him to have the contract prepared and signed as early as possible today.

E. B. Morton, Oakland, Cal., is at the Victoria.

Mrs. Scott and children, and Miss Marsh, Calgary, are staying at the Balmoral.

F. Peto, Nanaimo, is at the Vernon.

MARRIED IN CALIFORNIA

Miss Maud Shoobert of Sausalito Becomes Mrs Robin Dunsmuir.

From Our Own Correspondent.

San Francisco, Cal., Nov. 23.—The marriage of Miss Maud Shoobert, daughter of Mrs. John Shoobert to Robin W. Dunsmuir, son of the Premier of British Columbia, was solemnized this afternoon at 3 o'clock in Christ church, Sausalito. Rev. Charles Miel of Sacramento officiated, assisted by Rev. Andrew Wilson. The little church was prettily and artistically decorated with cerns, huckleberry branches and chrysanthemums, and the building was crowded when the bridal party entered.

The bridal party entered the church in the following order: First the attendants, Miss Georgia Shepard, Miss Constance Barrowe, Miss Reed Hutchins, Miss Addie Berthier, Miss Olive Hamilton, Miss Mamie Polhemus, Miss Elizabeth Ames and Miss Frances Jackson. They were attired in dainty frocks of blue liberty silk, and wore wreaths of baby roses in their hair. They carried bouquets of maidenhair and asparagus fern, with long streamers of tulle.

Following them came the four ushers, John Polhemus, Worthington Ames, Louis Beedy and Frederick Bancroft. Then came the four bridesmaids, Miss Fanny Shoobert, Miss Ethel Shoobert, Miss Lillian Shoobert and Miss Dunsmuir, who wore gowns similar to those of the attendants. They carried bouquets of Cecil de Bruner roses.

Finally came the bride in her bridal gown of white liberty satin trimmed with Madagascar lace. Her tulle veil was caught to the coiffure with a diamond sunburst and her bouquet was a composition of lillies of the valley and rare orchids.

The bride was met at the altar by the groom and his best man, John Rithet.

After the ceremony there was a reception at the home of the bride's mother. The house was prettily decorated with vines and fragrant blossoms.

Mr. and Mrs. Dunsmuir will leave tomorrow for New York where the honeymoon will be spent. Upon their return they will go to Victoria, where they will make their future home.

LOST OVERBOARD.

Arthur Bolton Disappears From Dominion Liner Commonwealth.

Boston, Mass., Nov. 25.—On the arrival of the Dominion liner Commonwealth at this port today, Captain McAulay reported that Arthur Bolton said to belong in Toronto, Ont., had been missing since last night, and that he is supposed to have been washed overboard by the heavy seas or to have committed suicide. Bolton when last seen was roaming about the steerage. This morning it was noticed that his bed had not been slept in and the man could not be found. It is understood Bolton was a civil engineer who had recently been in India, where he had malarial fever.

FREIGHT TRAIN SMASHED.

Railway Wreck and Two Men Hurt Near Port Moody.

Vancouver, Nov. 25.—(Special.)—The whistles of the C. P. R. shops sounded an alarm about 12 o'clock on Sunday noon. Enquiry as to the cause elicited the information that the wrecking crew had been called out to proceed without delay to a wreck two miles east of Port Moody. One of the axles of the engine of a freight train of 14 cars had broken and the engine and seven cars were derailed and wrecked. A tramp stealing a ride had a couple of ribs broken, and W. Moscrop, brakesman, was badly shaken up, but not seriously injured. The accident caused the outgoing and incoming express, and the Seattle train to be delayed several hours until the track was cleared.

Victoria Libeled For Salvage

Owners of the San Mateo Want Fifty Thousand Dollars For Work Done.

Senator Sails—Amur Leaves For Skagway—New Skagway Liners.

The steamer Victoria has been libeled for salvage to the amount of $50,000 by the Pacific Improvement company, owners of the steam collier San Mateo. The San Mateo found the Victoria adrift and almost helpless off the Californian coast near Cape Blanco, on the morning of November 15. Her tail shaft and propeller were gone, and in answer to the signals of distress, the San Mateo's chief officer and four men put a hawser on board the disabled vessel at the risk of their lives, and the Victoria was towed 300 miles through a stormy sea to this port, arriving here on the 17.

The matter will now go to the courts for settlement, for it is unlikely that the owners of the Victoria will settle the claim of the San Mateo for $50,000 without a fight. The amount received by the San Mateo as salvage will be divided between the owners and the steamer's company, all on board from captain to cabin-boy receiving some percentage of the salvage money.

Yesterday the specifications were drawn up for the new shaft, propeller and other repair work necessary to the steamer Victoria, which is now lying alongside the Esquimalt marine ways, and the contract for the repairs will be let on Wednesday.

SENATOR SAILS.

The Long-Delayed Lumber Carrier Left on Sunday for Liverpool.

The ship Senator has sailed from Esquimalt for Liverpool with two-thirds of a cargo of lumber loaded in April last at the Chemainus mills. The remainder of the lumber is being loaded on scows at Esquimalt and will be taken to Chemainus, having been purchased by Mr. Palmer from the underwriters. The Senator has been at Esquimalt since August 25, and many surveys have been held on her, but more than caulking her topsides and a small amount of other repair work, she was not thoroughly repaired. She was not hauled out.

The Senator and her troubles have provoked many columns in Coast newspapers, from the Hilo Herald to the Cape Nome Gold Digger. She arrived here in March last to load the cargo she sailed away with on Sunday, and, as on the previous visit, she had troubles. It started with the desertion of her crew at Chemainus. Three were arrested at Nanaimo and eight at Victoria, and for many days they were on trial for desertion, pleading in extenuation the lack of discipline, insufficient feeding, etc., on the Senator. They were imprisoned for desertion, though, and when the ship was ready to proceed, they were placed on board by the police, and after many incidental troubles, caused by the men refusing duty, and other causes, the Senator sailed.

Nothing more was heard of her until she put into Hilo in a leaking condition, after having a hard fight to keep her bulwarks above water. The men were kept continually at the pumps, a windmill was rigged up, and eventually, after a hard battle with the elements, the Senator reached Hilo. There her crew deserted, and were not retaken. Others were shipped, and after some temporary repairs on the beach at Hilo—there is no wavs there—the Senator proceeded in June last. As soon as she got out to sea she began to leak again, and Capt. Harrison headed her for Victoria, arriving here with his lumber cargo—which he made no attempt to dispose of at the islands—on August 25. Since then she has been at Esquimalt, and now she is off again en route to Liverpool, but with Capt. Morrissey in command instead of Capt. Harrison, carrying the same lumber loaded here eight months ago. Had she gone on to Callao or other Southern port