

### CHARGES AGAINST THE CONTRACTOR

#### EX-ALDERMAN YATES IS ON THE WARPATH

#### Claims Plans and Specifications for the Carnegie Library Building Are Not Being Carried Out.

Ex-Ald. James S. Yates, in a letter to the city council, makes certain charges against the contractor of the Carnegie library building which a special committee will investigate. He alleges that the contract is not being carried out in accordance with the plans and specifications, and he mentions a number of technical instances in which this has not been done. The letter, which was read at Monday's meeting of the council, is as follows:

Gentlemen—I have been informed on good authority that the contractor of the Carnegie library building is not carrying out his contract according to the plans and specifications, and I think it right to let you know the facts in order that you may ascertain how far such is the case.

I will mention some of the particulars given to me wherein the building, so far as it is at present erected, varies from the plans and specifications:

1. The bases to the main entrance should be in one stone, showing no joints. They are not so in the building.
2. The dias above steps to main entrance are also shown to be in one stone. They are in two or more in the building.
3. The caps to the same place are also to be in one stone; but they are not so in the building.
4. The caps to the first story windows should be clear-faceted between moldings, whereas they are simply rock-faced.
5. One course of ashlar over first story windows should be tooled; instead of which it is rock-faced.
6. In the cornice over main entrance, under the columns, each stone should run clear through under sill in one piece; instead of so doing, the stones only run a small part of the way. The balance will probably be covered with tin or copper.
7. The wall of the stock room should have finished corners; but, instead of all the corners are rock-faced.
8. The moulded coping of the stock room has been dispensed with entirely, and a simple plain course has been substituted therefor.
9. In the basement walls, concrete has (I believe with your consent and approval) been substituted for the rubble walls, and this (if proper concrete is made) is possibly an improvement; but I am informed that the concrete was filled in with large pieces of trap rock, the rubble walls, and gravel. Moreover, this class of work (concrete) has been carried up to the highest grade line on a level, leaving the same height of gravel in the walls, and showing that there should be about 2 feet 3 inches of granite in front and increasing as the wall runs back to the rear to about four feet. And this amount is shown to be built in two and three courses, whereas in the building there is simply one course of granite of about two feet.
10. As per the plans, the granite sills in the basement windows (30 in number), nor does there appear to be any preparation for having them put in.
11. In some parts of the upper story the ashlar (in total) of the plain chiselled instead of being tooled.

I have had the plans and specifications placed before a practical mason, and had him estimate the cost of doing the work as it ought to have been done and as it is done, and his estimate shows a saving to the contractor of an amount slightly over one thousand dollars.

This amount I do not think should be allowed to go into the contractor's pocket, for he has not done the work specified, and should be saved either to be offset against any extras that may be made, and it may be that some of these alterations may have been allowed. But in view of the large amount of work eliminated from the stonework contract alone, I think it behooves the council to examine very carefully into any extras which may have been or may yet arise before the building is completed.

I trust, gentlemen, that you will not regard my action as being officious; but I deemed it right to let you know what had come to my ears in connection with the matter.

I know you have an inspector of the works, and it may be that he has unwittingly allowed variations to occur. That is for your honorable board to inquire into.

I will only add that I am ready on any investigation you deem necessary to hold to produce the person who made the estimate for me. The building is there and the plans and specifications are in your possession.

Trusting that you will regard this communication in the spirit in which it is sent, viz., as from one of Victoria's well-wishers. I have the honor to be,

Your obedient servant,

J. STUART YATES.

#### Seizure of Smuggled Liquors—Discovery of Huge Nugget—Sluice Box Robbery.

A big shipment of various kinds of liquors, consigned to Murray & Ross, of the Vancouver salaroom, was seized on being unloaded from the steamer Selkirk, at the White Pass dock, Dawson, some days ago. A barrel and case, purporting to be granite and generally so marked, broken open and found to contain intoxicants.

To No. 3, American gulch, belongs the honor of producing the biggest nugget ever found in the Yukon territory, or for that matter in the entire North. The monster weighs 450 ounces, and if it were all gold it would be worth \$100,000. It was found in a hole in the rock, broken open and found to contain intoxicants.

The details of a big sluice box robbery successfully carried out on Last Chance creek on the evening of June 19th have leaked out at Dawson. Thieves removed the greater portion of a twelve days' cleanup from the riffles of a sluice box owned by W. F. Collins, who has a claim, opposite left limit, No. 3 above. It is estimated about \$3,000 in dust was removed from the riffles. The mounted police have taken impressions of footprints found in the clay about the boxes and with other clues are running down several suspects, hoping soon to get some idea of the guilty. On account of this, knowing how much in all was in the riffles, the owner of the property is unable to closely estimate his loss.

A rich gold strike was made a few weeks ago by miners in the employ of the Syndicate Lyonnais, on their concession on Tom-Mile creek, a tributary of the Stuart. The gold is very coarse, and for the first time is exhibiting a richness of \$500 in nuggets, which was taken out by two men with crude appliances in eight days.

News of a good strike on Old Pan creek, a tributary of Edmondson creek, which flows into Mayo lake, has been received in the mail from Duncan. The strike was made on June 13th.

A Dawson mining expert says: "The recent rain and snow were worth \$250,000 to Klondike miners. Every day of rain is worth to this camp, at a low estimate, \$50,000."

Reports of new and rich gold discoveries at the head of the delta on Wild Horse creek have reached Valdez. It is said that the gravel in the new field pans from 5 to 40 cents.

M. Brewer returned to White Horse from a week's trip to the Big Salmon country, where he reports considerable activity considering the conditions, the camp being rather difficult of access with machinery and provisions. During Brewer's visit to the camp Jack Blied, foreman of the N. C. Co.'s property, made the first clean-up of the season, the amount being satisfactory and sufficient to show a profit as the result of 16 men's work for 15 days, eight men working to the shift. Mr. Brewer says there are a number of the most extensive quartz ledges there he has seen in the country, one of which he traced the length of a mile, and is a specimen that makes one's very indigestible—but pleasant, quick and harmless—eye tablet to carry in your pocket. \$6 cents. Sold by Jackson & Co. and Hall & Co.—104.

### FINE IMPOSED ON CITY OF NANAIMO

#### FOR A VIOLATION OF INSPECTION ACT

#### Excursions To and From Port Angeles Were Stopped and Vessel Detained.

On a technically the E. & N. Railway Company's steamer City of Nanaimo was Monday fined \$500 by the collector at Port Angeles on a charge of a violation of the Customs Inspection Act. The steamer was yesterday engaged in the excursion business between this city and Port Angeles, and officials on the American side maintain that she should have first passed American inspection before carrying passengers to the Canadian side.

She had made two trips across the Straits, and was about to return when the customs officers came down on her and took possession. The vessel had one more run to make from this city. There were a number of American people ready to cross to Victoria, and the vessel was many others at that home were anxious to take in the last voyage. Furthermore there were 100 Port Angeles residents who had come to this city to meet the return trip, and who wanted to go home.

The whole proceeding of fining the ship seemed very unfortunate. If the American officers acted with discretion and did not have pursued a course that would have worked greater to the inconvenience of the public both on the American and Canadian side. The vessel was held up regardless of consequences, and was detained until a fine of \$500 was paid. This took considerable time. It was late in the evening before all the business could be transacted, and the ship was released.

In the meanwhile the E. & N. officials acted as promptly as possible. The vessel was held up for a passenger steamer in port that could be secured at once for the emergency. The Alaska Steamship Company planned the Whatcom, and some time after her arrival from the Sound she was ordered to proceed to Port Angeles, taking home the 100 excursionists there here. In Port Angeles there were 833 Victorians. The Whatcom has accommodation for 550 passengers, and she had her full complement returning. Nearly 300 hundred Victorians, however, had to be left behind, and for these the Koskile called on her way from Seattle this morning. The special run for the Whatcom left here late in the evening.

The City of Nanaimo got back shortly after the Whatcom's return, and this morning sailed on her regular east coast run. Whether her owners will appeal to the collector at Port Angeles, or whether she will be left behind, and for these the Koskile called on her way from Seattle this morning. The special run for the Whatcom left here late in the evening.

### LOWEST TENDER ON ALGOA CONTRACT

#### VICTORIA COMPANY BEATS ALL RIVALS

#### Underbids Biggest Shipbuilding Concerns on Pacific Coast—Question of Towing Being Considered.

(From Wednesday's Daily.)

The Victoria Machinery Depot, of this city, are successful bidders for the work to be done on the steamship Algoa, the big Pacific mail liner which struck on Point Bonilla, off the California coast, some short time ago and sustained damage which nearly sent her to the bottom.

The company have been notified by their agent in the Bay City that their tender was the lowest of all that had been sent in, and to expect the contract. A question of towing to this port has yet to be settled, and correspondence regarding this is passing to-day between the company and the underwriters in England.

It is thought, however, that satisfactory arrangements can be entered into whereby there will be no obstacles placed in the way of the big undertaking coming north.

All the important shipbuilding companies on the Pacific coast have tendered on the Algoa, including the Union Iron Works and the Ribson Works of San Francisco, and others in Seattle and elsewhere. That all these old established firms should have been beaten out on a contract which all had strenuously endeavored to capture is a matter for just congratulation. The work is the first that has ever been brought here from so far south as San Francisco, and goes to show what an enterprising local firm can do when it comes down to tending on repairs to a ship.

Nothing of the size of the Algoa has ever been in dry dock at Esquimalt. She is 455 feet long and over 7,000 tonnage. With these proportions there will not be a particle of room left in dock over and above that required to accommodate the steamer. The plates needed will be five, eight and three-fourth inch. These and other material for her repairs are all on hand.

When the ship is placed on the stocks a force of about two hundred men will be put to work on her, and for three or four months the work will proceed. In addition to the work to be done on the hull there is to be between ten and twelve thousand dollars expended on the machinery.

The injuries to the vessel, as previously described, are very serious. It is fortunate for her that she has a double bottom; otherwise she would have never reached port. The whole lower section of her hull has a huge rent in it, through which the cargo poured after she was placed in dock at San Francisco. This will have to be made good, as will also the stem, which was broken and twisted in the impact with the rocks.

Bidding between the different tenders on the Algoa is said to have been very close, and to a comparatively new firm like the Victoria Machinery Depot have beaten all their rivals has created no little surprise.

The firm has for several months been equipping a new shipbuilding plant in the upper harbor, and at the same time has been prosecuting routine business in a manner almost wholly independent of this engrossing matter. The company have had on hand in addition to other work no fewer than eight propellers, one of which has just been completed and attached to the steamer Tese. The propellers are of various sizes, and indicate that no matter of what character the undertaking the company is capable of handling it.

Every fifth boy in India's at school, and only every fifth girl.

### FULL COURT WILL DECIDE QUESTION

#### IMMIGRATION ACT TO BE TESTED THERE

#### Chief Justice Hunter Suggested Course When Habeas Corpus Proceedings Came Up To-day.

The habeas corpus proceedings relative to the refusal to allow seven Japanese a landing from the steamer Shawmut came up before Chief Justice Hunter this morning. Again an adjournment has been taken, and the full court will decide upon the question of the right of the province to pass the Immigration Act.

Upon the opening of the proceedings this morning W. Moresby, in his argument, held that the Immigration Act was ultra vires, on the ground that it was repugnant to Dominion law. The Dominion had legislated with regard to immigration. In that enactment there was no educational test provided for.

The Chief Justice thought that this educational test would not clash, as it was additional to the other.

Mr. Moresby proceeded to point out that two reports of the minister of justice bore out his contention.

The Chief Justice interjected that he thought a matter of this consequence should go before the full court, otherwise an application could be made to one judge after another, and trouble might follow. He proposed that a case should be submitted.

Counsel were agreeable to this, and the question of procedure then came up.

A. E. McPhillips, K. C., representing the Attorney-General, suggested that a stated case might be taken to the full court, after which the Chief Justice, bound by the decision of the full court, would take up this application.

This was agreed to, and the hearing before the full court was set for Thursday at 10:30.

The question of allowing the Japanese women held in the case on bail came up. Mr. McPhillips pointed out that ordinarily the Japanese authorities objected to any barriers being put in the way of their immigrants landing in this country.

The Chief Justice added: "Don't you think they had good ground for that at the present time, in view of the fact that Japan is fighting the battles of the Empire?"

In this instance, Mr. McPhillips continued, the Japanese authorities represented by the consul were opposing the landing, and the women had left the ship without the usual permission being granted.

The Chief Justice said the usual course would have to be adopted in this case, as it was the laws of this country which had to be adhered to, and not those of Japan.

The women will remain in jail unless sufficient surety is put up.

Supreme Court Sittings.

The Supreme court opened this morning with Mr. Justice Duff presiding. It was noticeable that the new Supreme court judge appeared without a wig, as did Mr. Justice Duff, in the British Columbia courts. At the opening there was a large gathering of the legal profession, and these followed the example in wearing their hats.

The first case called was that of Centre Star vs. Roseland Miners' Union, et al. Coupled with the union as defendants are the officers of the body, the trustees and executive of the union, the Carpenters' and Joiners' Union, the Blacksmiths' and Helpers' Union, the Roseland Cooperative Association and 15 individuals.

The case was not proceeded with until this afternoon. It arises out of the strike which broke out in the Roseland mines. These were the Le Roi, Le Roi No. 2, Roseland & Great Western, Centre Star and W. Eagle. All entered action against the union for \$50,000 each, and an injunction against the union. The first three of these were withdrawn by the union, the balance of the action being paid by the plaintiffs. The action taken by the War Eagle has been allowed to stand over, pending the decision of the court in the other cases. A special jury empaneled for the trial.

The plaintiff company is represented by C. G. Galt, of Rossland, and Sir Chas. Hibbert Phipps, K. C. The defendants are represented by S. S. Taylor, K. C.

Deadman's Island Appeal.

Argument in the appeal taken in Attorney-General vs. Langley was completed yesterday. Judgment was reserved. The Chief Justice expressed the opinion that if it was clearly established that the island was a military reserve then its having been set apart as a reserve, however.

HAS BETTER LUCK.

J. T. Jones, the Douglas street tobacconist, has received another letter from the navigator on the schooner Enterprise, this time containing a line to tell him that we are on our way to Halifax and will get there about the latter part of June. We have 5,000 miles to go yet. We have 530 ships. That is a big line to tell you that we are. We are all well.

Your friend,

W. H. GILLOON.

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### THE SINKING OF A JAPANESE

#### Washington, July 7.

#### Legation has received the 3rd from Tokio, dated July 6.

Admiral's report states the ship was carrying 100 tons of gunboat Kaimon special mission in the war. It was in a dense fog when it was discovered by the Russian ship. The Russian ship was carrying 100 tons of gunboat Kaimon special mission in the war. It was in a dense fog when it was discovered by the Russian ship.

### THE ADVANCE OF GEN. KUROKI

#### St. Petersburg, July 7.

#### Special dispatch from New York says Gen. Kuroki has advanced to the line.