SCHOOL

HELD NG. LAST NIGHT

of Heating Exnitect---Tender Rock Blasting

lay's Daily.) ting of the school ne city hall, Noah ed the board with the history of the g its develop he national flags at Britain and Ire

tioned that Mr. roached him osed presentation e felt sure it would re approval of the

making his pres wished to furnor the use of each essed the great o have the oppor presentation. He thing to stir and girls, and he a good thing if he the public schools expressly sent to er to obtain and he board. He sufficient for ter should be very uld accept them ed that the ciated the kind nakespeare had i nportance of the ore the children the attention of ly endorsed this peare in a few

pard for the kind ess of the meet pied in the selecblasting the rock idering the fur-



o by A. S. Barton.

rater with plenty

ing the truth, they would not hesitate to come from behind the shield which the law places in front of them and the leash places in front of the school in the fill ask verining, and I was different places in the licenses before the expiration of the difficulty and be requested in the licenses before the expiration of the titre sales d the rock accordere submitted by ssrs. G. Garchie, J. at a cost of \$1.320. st side only had to of 2 feet 6 inches st would be \$1.070. d W. Butterskill for blasting 18 vel at \$1,500, and level at \$1,000; was as follows school one foot back of school, level, \$870, and 2 floor level, \$580. claim the rock hat \$300 would be nder as the value in the blasting serted conditional , and after the ned that a small d be required for

hat a huge quan left over, it was hat Mr. James' cepted, omitting t of the building. ould remove th agreement.

tted his plans for the suggestion plained the sysposed to adopt o plans more of detail. He statwas working on pted in Seattle ct all about the ined that the of electric fans. ugh the furnace lues and then round the buildwould ensure ilation: at the would be drawn aust shafts. He in the sanitary use. He profor the children or, and in every perfect and ing. n carefully conpage 8.)

TEST TO BE MADE IN COURT

A EFFORT TO SOLVE

Discussion of the Subject at Last

Evening's Meeting of the

City Council.

been given under the provisions of Sec. 3 of the by-law, which requires A contention was made before the board of Mr. Higgins and Mr. McPhillips, K. C., that the words in Sec. 3 the occasion, however, and produced it. It was in amendment to Ald. Hanna's a statutory court day, as defined by sub-sec. C before quoted, and cannot "Whereas by the LICENSE QUESTION

Notices requiring certain holders to

apply at this adjourned sitting had

(From Tuesday's Daily.)

Under the eyes of nearly one hundred spectators, mostly members of the citizens' League, the city council fought the license question out to a finish last evening, a resolution being passed which may yet result in a "dry passed the liquor regulation where the statute, but also under the by-law.

Ald. Vincent asked the solicitor for an opinion on the courts are opinion to the courts where the best ones to make tests of.

"I think this course is entirely unnecessary," was Ald. Vincent's remark.

he licensing court as to any alleged of the by-law, himself violated the provisions of the Municipal lauses Act and the by-law and simply made it impossible for the licensing out to punish a license holder who

we were asked further by the countries should be run with the separate liminumunications came up in the of the regular routine. The Monday proposing an appeal to the Monday pro icitors gave the following legal executive government is a proceeding and the Mayor took advantage of it to which the council should follow. As rship the Mayor and Board of stated by the writer at the council made to the effect that he had kept his meeting on Monday, this involves a brother commissioners in the dark remen,-We have the honor to question of policy and not of law, and garding the license question. On June upon the action of the Board of me think it only necessary to point out the and the other commissioners (Commissioners (Commissioners that unless there is very ample evi-Ross and Phillips, His Worissenting) in ordering by resoluissuance of renewals of libursuant to the provisions of the above by-law, and we but to defeat the operation of the bylaw, and we but to defeat the operation of the bylaw, and we but to defeat the operation of the bylaw and the city solicitor and agreed upon what appeared to be a definite course of action. Later, at a private meeting, he had a large batch of communications dealing with the question in hand which the operation of the by-

to a subsequent date, and that the ter can be taken under further advisecourt further adjourned until the 15th ment

Yours obediently, MASON & MANN.

"What is your pleasure with this been given under the provisions of Sec. 3 of the by-law, which requires notices to be given for "the next (regular) count of licensing commissioners" said Ald. Hanna, amid laughter. Ald. Ross stood up. "I second the motion," he added.

"Whereas by the report of the city

sub-sec. C before quoted, and cannot mean an adjournment of such regular court.

Under Sec. 184 of the Municipal Act the board may adjourn their sittings from time to time.

Moreover, under Sec. 291, the court may sit for purpose of hearing complaints at any time, and the complaints which they may entertain at the court when so convened, are not only complaints arising under the statute, but also under the by-law.

"Whereas by the report of the city solicitor it appears, that by section 184 of the Municipal Clauses Act all licenses for the sale of liquor issued by the majority of the board at their last sitting are open to the contention that they were illegally issued, and therefore null and void, resolved that city solicitor be instructed in conference with the Mayor to select one or more test cases for the opinion of the courts."

Ald, Vincent asked the solicitor for

passed which may yet result in a "dry coments, it is clear they did not purtown." It was agreed to submit one port to decide this point.

one of the average of the court is sentirely to good the service of the court of th

by us at the last sitting of the board of licensing commissioners. The Mayor and Ald. Fullerton and Gleason, upon the introduction of the said resolution but we do not further allude to these than the major contest upon evidence to be called, and upon the report of the chief of police, but we do not further allude to these than a similar motion to delay mataging the contest upon evidence to be called, and upon the report of the chief of police, but we do not further allude to these than a similar motion to delay mataging the contest upon evidence to be called, and upon the report of the chief of police, but we do not further allude to these

and Ad. Fullerton and Gleason, upon the introduction of the said resolution of the said resolution make certain turing and defamatory but we do not further allude to these means to further allude to the said commissioner, unfairly using these statements as a means to justiff themselves for supporting the resolution. Since these remarks were made by these men, I have requested them to reduce the brought forward under the case as no our opinion it is not open to the beart of the said coverage of the said cover

the at the last sitting.

Mayor, by taking the matter into

The penalty for infraction of the others.

The penalty for infraction of the others. own hands, and keeping all informon from his fellow commissioners on plicensing count of the courts to see their action taken into the courts to see if it

That part of section 205 bearing upon this issue reads as follows; 205. The council of every municipality may pass by-laws, not, however, contrary to or inconstrent with the conditions of this act:

that time the temporary permits for cipal Voters' Association, Phil. R. transfers so that they might be dealt with Smith, was the first to speak. "We

of the by-laws at the adjourned sitting.

lines:
To at once grant renewals to those who had almost completed the required changes in their premises, the license to remain with the city treasurer till work was complete. To those not completed the reguired changes in their premises, the license to remain with the city treasurer till work was complete. To those not completed the reserve, when it was settled the completed the reserve when they already had a site, As the understood that question of the Indian reserve when they already had a site, As the understood that question of the Indian reserve when they already had a site, As the understood that question of the Indian reserve when they already had a site, As the understood that question of the Indian reserve when they already had a site, As the understood that question of the Indian reserve when they already had a site, As the understood that question of the Indian reserve when it was settled the completed the reserve when they already had a site, As the understood that question of the Indian reserve when they already had a site, As the understood that question of the Indian reserve when they already had a site, As the understood that question is that the boat caplicense to remain with the city treasurer dian reserve, when it was settled the till work was complete. To those not continuations but who needed a longer ground.

C. P. R. got the first call on the found of the other missing man, John prohibit the export of ostriches, J. T. contumacious, but who needed a longer time to comply the renewal to be granted subject to a surety that the work would be completed in a stated time, say about thirty days.

Ald. Hanna: "You might as well say you will not sit with the aldermen in the council."

The two commissioners in forcing this preconcerted action prevented the hearing by the board of the communications on thing applications for renewal, did not hear or determine on a single case you are playing for. You are looking for cheap advertisement."

The following resolution from the citizens' League was read during the course of the discussion:

To the Mayor and City Council:

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The enclosed resolution was unanimously carried at a special meeting of the Citizens' League, held at five of clock to-day.

R. W. COLEMAN,

Sec. Pro Tem.

With the chairman dissenting.

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Chairman O'Kell then asked if the action of the board of the course of the discussion:

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The the dation prevented the hearing by the board of the communications and nincrease the cize.

Chairman O'Kell then asked if the school board could not see its way to wait until the arrival of Mr. Templeman was coming soon they would walt.

In reply Trustee Jay said that it was undifferent the board was coming soon they would walt.

Secretary Smith then asked if the school board had considered the site to the south of Esquimalt road?

Trustee Jay replied that it was understood that there was no hope of the city obtaining ground on the south side. "There is," he said, "a meeting and deepen the Bowker creek sufficient and place the culverts necessary to properly drain the district, would call the council

in connection with the new requirements of the by-laws at the adjourned sitting.

The resultion passed on the second slighted by the school board. The members were invited to attend this clauses Act and the by-law and simply made it impossible for the licensing by made it impossible for the licensing by made it impossible for the licensing border who will be asked to settle.

We have now to advise the council to purple the several courses open to them should be adopted:

We have now to advise the council to purple the several courses open to them should be adopted:

We have now to advise the council to the several courses open to them should be adopted:

We have now to advise the whole have been taken from the water. Another is known to be in the license of all iscenses of the licenses of all iscenses with a discense that the water and the water. Another is known to be in the license of all iscenses that the water and the wa

the license.

The board met on the 15th. Mr. Mann appeared on behalf of the city and explained that the city council had no intention of dealing harshly with the licensees, but that it would satisfy the requirements of the city if the rew sees, but that it would satisfy the re-rements of the city if the new regulaons were dealt with on the following had been fighting for was a school.

Ilcense commissioners who introduced the blanket resolution at the last license board meeting to state their reasons for doing so in writing.

The Mayor then made the following statement: "If I am to sit at the license hoard wetten in office, gentlemen, it will be impossible to do justice to the citizens on license questions. I have no personal spite against either commissioners, but in view of their conduct up to the present I do not think if is possible to do my duty in a further opportunity strong language, Mr. Mayor. Do you mean that you cannot administer justice while they are sitting with you?"

"I mean just what I say," was the Mayor's rejoinder.

Ald Boss: "Louise commissioners who introduced the blanket resolution at the last license commissioner Phillips, on behalf of licensees, objected to the proceeding, as being irregular, both as to notices and the sitting of the court.

Before ar. McPhillips had concluded his remarks Commissioner Phillips proceeding, as being irregular, both as to notices and the sitting of the court.

Before ar. McPhillips had concluded his remarks Commissioner Phillips propared resolution, signed by himself and Commissioner Rous. I have gone over the reserve. Since then I have gone favourient in favourient subject to the preserve in a careful manner with tice while they are sitting with you?"

"I mean just what I say," was the Mayor's rejoinder,
Ald Boss: "I object to your remarks. The other commissioners are quite as law-abiding and every bit as good as law-abiding and every bit as good as shown me that the other commissioners are not the proper men for their positions."

The Mayor: "My experience has shown me that the other commissioners are not the proper men for their positions."

Ald Hanna: "You might as well say you will not sit with the aldermen in the council."

The Mayor: "Yes, I might say that, The contestion was then moved by Commissioner Phillips and seconded by Commissioner Ross. The chairman asked the advice of the city solicitor and was advised that he had no choice but to put the resolution. Before doing so, however, he felt it his duty to again warn those concerned, including the commissioners, of the danger of passing such a resolution, referring to section 184 of the act. The resolution was then moved by Commissioner Phillips and seconded by Commissioner Phillips and seconded by Commissioner Ross. The chairman asked the advice of the city solicitor and was advised that he had no choice but to put the resolution. Before doing so, however, be felt it his duty to again warn those concerned, including the commissioners, of the danger of passing such a resolution, referring to section 184 of the act. The question of building on the old site. The question of building on the old site was carried at the meeting of the school board without a dissenting. I am of opinion that it would be a mistake to delay any longer. As far as the present site goes it is not situated in a hole. There is plenty of room, and the playground for the children can be enlarged. It would be possible to buy more ground and increase the rize.

The Mayor: "Yes, I might say that, the chairman dissenting of the school board without a dissenting of the school bo

there was good. He made some allusions to the lack of enthusiasm which prevailed among the inhabitants of the public meeting convened by the Municipal Voters' Association of Victoria West. By 13 votes to a motion was carried to the effect that the action of the school board in proposing to erect the new school board in proposing to erect the new school board in proposing to the school board in proposing to the school board in proposing to erect the new school board in proposing to erect the ne

Gave Way, Precipitating Them Into River.

Loraine, Ohio, July 22.-A score of was decided to have the engineer seeting to-night, and only one of them men were precipitated into the river port on the advisability and the difis present. We only wish we could get this morning and several drowned. ference of the cost between the two them up here to say what they think. Two bodies have been taken from the methods.

of James McLeod, one of the missing at a point about two miles below the town, it having lodged on a sandbar. The boat was found near at hand

ABOUT OAK BAY

SUBJECT LAST NIGHT

the level of the roadbed. Whatever work was done the company would look to the council for re-imbursement. It

ried. It was felt that hitherto much latitude had been allowed in opening new streets and that more stringent measures should adopted.

The meeting then adjourned. AFRICAN OSTRICHES.

Capt Town, July 23 .- In the House of Molteno suggested that the prohibition Mr. McLeod has friends in Trail, B. be extended to Angora goats, because but to defeat the operation of the bylaw, and we
hisdered the conditions under
his resolution was passed.

teting of the board on the 15th
luly was by way of adjournhe regular sitting fixed by the
Sec. 182 Sub-sec. C.) for
he were applications before
were applications before
the were applications before
the pending and standing over
the second Wednesday of June

but to defeat the operation of the bylaw, the suggested course would apmissioners refused to examine. Comhissioner Phillips took up most of the
time at that meeting declaring that he
would not vote for enforcing the byleft on the appeal case.

Upon invitation Trustee Jay,
he when the resular sitting in the same way.

Winning and standing over
the pending and standing over
the suggested course would apmissioners refused to examine. Comhissioner Phillips took up most of the
time at that meeting declaring that he
would not vote for enforcing the bylow, the suggested course would apmissioners refused to examine. Comhissioner Phillips took up most of the
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Sec. 182 Sub-sec. C.) for the
Sec. 182 Sub-sec. C.) for the
served and the the operation of the bylaw, the suggested course would apmissioners refused to examine. Comthe inhabitants of Victoria West were
powerless.

Upon invitation Trustee Jay,
he man also referred to those cases
the filled in a stated time, say about
thity days.

These have all been communicated
what it was going to do, in his opinion
the inhabitants of Victoria West were
powerless.

Upon invitation Trustee Jay,
he would not vote for enforcing the byto premises not complying with the act,
and so necessitating a correction if the
scision on the appeal case.

With.

Winning of the school board that decided
what it was going to do, in his opinion
the inhabitants of Victoria West were
powerless.

Upon motion it was decided to resal and the work would
what it was going to do, in his opinion
the inha