

THE SESSION OF THE CITY COUNCIL

NUMBER OF BY-LAWS ADVANCED A STAGE

The Naming of the New Street in James Bay—Routine Business Disposed of Expeditiously.

It was 8.30 last night before the city fathers had mastered the intricacies of municipal policy in the committee chamber sufficiently to consider it in the more public session. There were present the mayor, Aids, Kinsman, Williams, Cameron, Beckwith, Cooley and Hall. Later in the evening Aids, Stewart and Yates arrived.

In accordance with the principle established at the last session the minutes were taken as read.

Dominion Government Engineer Keefe wrote informing the council that an order-in-council had been passed at Ottawa giving the city a piece of land at James Bay for the purpose of building a retaining wall. Received and filed.

The purchasing agent reported that J. W. Mellor had completed his work in painting and whitewashing at the exhibition buildings, and was entitled on the work being approved to the sum of \$1,440, the amount of the contract, and \$15 for extras.

The report was adopted.

The standing committee on finance recommended an appropriation of \$3,307.50 for current accounts. This report was also adopted.

A supplementary report from the finance committee reported adversely on a proposition of F. A. McKenzie of an advertising scheme to which the city was asked to contribute \$500. They also reported that they had no power to reduce the license of the Wells Fargo Company, although regretting that they intended withdrawing their agency. The report was adopted.

Ald. Cameron's motion to introduce a by-law to be known as the Victoria Real Property Tax Sale By-Law, 1901, was next reached and passed. The by-law was read a first and second time.

It will be committed at the next meeting.

The Douglas Street Extension By-Law was committed with the mayor in the chair. There was much consulting of plans in committee on this by-law. The by-law was reported complete and adopted.

A by-law to authorize the opening of a street around James Bay and the expropriation of real property therefor was next committed.

"Shall we name the street?" queried the mayor. "Shall it be Comeaway street?" Ald. Beckwith suggested that the naming of the street be left to the committee which has in charge the re-naming of the city's streets.

On behalf of that committee Ald. Cameron intimated that a report would be forthcoming in a week or two, and that the name of the King, or the Duke, of a number of generals in South Africa war, ex-mayors and members of the present council would be immortalized in the committee's work.

The by-law was reported complete, and passing through its final shape was passed.

The Rock Bay Bridge Regulations By-Law, 1901, was read a second time and committed. The by-law removes the restrictions regarding small cars on this bridge. It was passed.

A report from the city engineer which had been omitted was then submitted in a report as follows:

To His Worship the Mayor and Board of Aldermen:

Gentlemen—I have the honor to submit the following report for your consideration:

1. Petition from J. J. Fisher and others asking to have Alderman road improved, Victoria West. After looking over the ground I am of opinion the improvement is not very important at present. Estimated cost for grading, graveling and sidewalk, \$250.

2. In regard to street lines, I would suggest that the application be made to the council, with the usual fees, after which time the lines in question can be given.

3. Communication from W. Ridgway Wilson re drainage of Johnson street ravine, between Broad and Government streets. I understand it has been the custom for the city to furnish the pipe in other similar instances, but as I believe a recent committee of the council have refused to assume any of the cost of same, I herewith submit present price of 15-inch pipe without making any recommendation. Total cost of above pipe, \$115.

4. Request from Captain Radlin to have Johnson street improved, east of George street. After making an examination of the above locality, I would respectfully recommend the street be widened at lots 1 and 2, block 21, Spring Ridge, thereby allowing the street to be graded in the centre and making a marked improvement on the locality in question.

I have the honor to be, gentlemen, Your obedient servant,
C. H. TOPE,
City Engineer.

Ald. Kinsman said residents on Johnson street had applied for pipe a year ago, and the request had been ruled out. They could hardly take a different course now. Regarding Johnson street he thought the improvement should be carried out if possible.

On motion of Ald. Stewart the work on Admiral's road was held over for the present for want of funds; that portion of the clause relating to the street lines was adopted.

In regard to the pipe for the Prior building, Ald. Kinsman thought the pipe should be furnished.

Ald. Yates asked if this was not furnishing pipe for private property.

Ald. Beckwith said he couldn't see his way clear to support this expenditure, while a number of pressing needs in other parts had not been met.

Ald. Stewart said he had been on a committee last year which had gone into the matter fully a year ago, and they refused absolutely to spend anything on

private property. He could not support the proposal.

Ald. Williams thought it the duty of the council to help the merchant along. It was an old natural watercourse instead of merely draining one lot.

Ald. Stewart corrected the last speaker. All the water had been cut off from this course.

The vote resulted in a tie, Aids, Hall, Cooley, Kinsman and Williams voting aye, and Aids, Stewart, Yates, Beckwith and Cameron voting nay. The mayor's casting vote was given in the negative, and the motion was lost.

In connection with the widening of Johnson street, Aids, Kinsman, Williams and Cooley were deleted from the list of the property owners and endeavor to arrange a basis of settlement.

Ald. Beckwith, before adjourning, suggested the holding of a public meeting to increase the information in regard to the by-law to be voted on next Thursday.

Ald. Yates suggested moving the Native Sons' arches to the park, otherwise they would have to come down.

Ald. Williams criticised the architecture. The roofs were not the proper shape. It had "the straight touch instead of a bit of bend."

The mayor announced incidentally that the general decoration committee would meet to-morrow afternoon.

Ald. Stewart suggested that the shell erected was hardly a fair representation of the old fort, which was built solidly of logs.

The council then adjourned.

BOARD OF TRADE.
The Council Held a Meeting This Forenoon—C. P. N. Company's Action Discussed.

A meeting of the council of the board of trade was held this morning, President McQuade presiding, and the following members being present: Messrs. Earle, Todd, Sealrook, Kirk, Cox, Mara, McCandless, Leiser and Moss.

The secretary received a letter he had addressed to the manager of the C. P. N. Company, protesting against the holding of the Hating at Vancouver and the injury this done to Victoria trade. No reply had been received, but Mr. Vincent said he had wired in regard to the matter to Capt. Troup.

A considerable amount of discussion ensued, the members of the board holding that some explanation should be forthcoming for the holding of the boat and passengers at Vancouver.

One of the members suggested that a telegram be sent to Capt. Troup urging a modern boat for the ferry service between Vancouver and Victoria. This was ordered to be done. It was stated that a twenty-knot side wheel boat was contemplated, which would make the trip in four hours.

The failure of the company to even acknowledge the receipt of the letter excited a considerable amount of resentment, and the secretary was instructed to send a copy of the letter to Montreal asking a reply.

A. C. McCandless also referred to the fact that on one or two occasions when the Hating did come down she left the mail at Vancouver to be brought down twelve hours later.

A letter was received from Pittsburg asking the co-operation of the board in having anti-trust laws enacted. Received and filed.

A complaint was also lodged through a legal member of the board from C. Dubois Mason of Ladangins being workmen of the board of the failure to appoint a County court judge or deputy sheriff. The same matter has previously occupied the attention of the board. Ald. Kinsman said the board had no power to do this.

In the opinion of Mr. McCandless, the presence of such a judge during the summer would remedy the matter. The letter was sent on to the attorney-general for consideration.

Capt. Cox brought the attention of the board to the fact that the captain of the dredge had received instructions to remove the dredge to Fulford harbor. Four days would complete the work sufficiently to make good wharfage at Point Elliot. A telegram was ordered sent to Ottawa asking that the dredge remain here until the work is completed.

The meeting then adjourned.

OUTPUT INCREASING.
Tobacco Grown in Province as Good as That Cultivated in Texas.

On Sunday last L. Holman, representing Le Quin Smith & Holman, of Kelowna, handling the only tobacco grown in British Columbia, arrived in the city on his first business trip in the interests of the firm. He states that he has met with great encouragement. In every city visited he had conversations with prominent tobaccoists and all said that the Kelowna tobacco was of an excellent quality and equalled in every point tobacco grown in the central states. He says there are about 35,000 acres of the popular weed under cultivation at present at Kelowna.

There is at present on hand, says Mr. Holman, about 80,000 pounds ready to sell. Lately the company has been branching out and extending its business and its output has been increasing every year. It has been found necessary to appoint agents in different cities where they do much business, and it is in this connection principally that Mr. Holman has made this trip. He will appoint, he says, as his agents in this city Messrs. Boyd & Deasy. Inside of a year the company expects to dispose of between 35,000 to 40,000 pounds of their tobacco in Victoria.

Last year a large amount of seed was imported from Cuba and planted and experiment at Kelowna. This proved very satisfactory, the result being that tobacco was grown which equalled that cultivated in Texas. The experiment proved so successful that this year the company increased their crop in this direction and reaped 15,000 pounds from Ernest when he was struck.

The fruit crop of Kelowna, says Mr. Holman, was this year very good, but in spite of this the demand could not be met. He says the feeling is very strong in Kelowna that the failure of the government to build the Coast-Kootenay road.

CANCER CURED.
No knife, no plaster, no pain. Send 6 cents in stamps for new booklet, "Cancer Cured by Equinoid." Bowdoinville, Ont.

STEVENS BEFORE THE MAGISTRATE

PRELIMINARY HEARING RESUMED YESTERDAY

Particulars of Shooting of Hasenfratz Furnished By Several Witnesses— Case Adjourned Till Monday.

The preliminary hearing in the case of Ernest Stevens, charged, with shooting Isaac Hasenfratz with intent to kill, was resumed in the police court yesterday afternoon before Magistrate Hall, lasting until nearly 6 o'clock.

Quite a number of witnesses were examined, including a number of the boys who were in the party, whose stories were practically the same. The prosecution is being conducted by Superintendent Hussey. Stevens, the accused, a dark, stoical lad of about fifteen, occupied a chair beside his counsel, Geo. Powell.

The first witness, Jack Borgeson, a lad of 11 years of age, who lives with his parents in Spring Ridge, under examination by Superintendent Hussey, said that on Thursday last he went hunting with the accused and Jack Allen. The former had a 22 calibre gun, the weapon produced, but neither witness nor Jack Allen had any firearms.

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ing with Ernest Stevens and Carl Borgeson. They went to the Transfer field, Stevens having the 22 calibre rifle. The others had no firearms. Witness identified the gun produced as the one Ernest Stevens had. They met Mr. Hasenfratz and his two boys and Mr. Rutan and his son in the Transfer field. Mr. Hasenfratz and party walked on ahead through the field followed by witness and the others, who were about thirty or forty feet behind.

Witness, Carl Borgeson and Ernest Stevens kicked manure at Mr. Hasenfratz, who told them to stop. They continued, however, and he turned round and said he "would wring their necks"—then they stopped.

Ernest Stevens just then started for the bush followed by Carl Borgeson and witness. The former said a short time before that he saw a woodpecker in the bush. The bush was on the right hand side of the field. Before Ernest started for the bush they were about fifteen or twenty feet from it.

When Stevens entered he looked around and fired, witness showing with the gun how it was done. He fired very quickly. The gun was pointed in the direction of Mr. Hasenfratz. Witness was twelve feet away. There was nothing that he could see between Mr. Hasenfratz and the gun which could be fired at. After the gun was fired Mr. Hasenfratz holstered and witness ran to see him.

Witness had been out four or five times this season with Ernest Stevens, going once or twice a week. Ernest was a good shot and usually aimed quite a while when shooting at birds. He shot more quickly this time than usual. Witness never saw him shoot so quickly before.

The boy then demonstrated the relative periods occupied by the accused in aiming at birds, and aiming in the bush on Thursday afternoon.

Witness saw no birds of any kind in the woods. After Ernest Stevens fired he ran toward the track. Witness saw him afterwards, and the accused asked him what he had done. Witness told him that he had shot Mr. Hasenfratz, and Stevens cried, telling him not to tell.

Cross-examined by Mr. Powell, witness said he remembered Ernest firing at the snipe in the middle of the field. They were going toward the bush as Ernest had said there were birds there. Ernest aimed at the snipe—longer than usual, and missed.

They met Mr. Hasenfratz at the top of the hill. Ernest asked Hermann Hasenfratz if he wanted a woodpecker, and Hermann replied "No." Ernest then said: "There goes one."

Witness and the others walked behind Mr. Hasenfratz. Neither Carl nor Ernest shot at Mr. Hasenfratz with manure. When accused entered the woods he looked around at one time, turning his back on Mr. Hasenfratz. He also looked upwards. When they heard Mr. Hasenfratz holler after the shot was fired, both witness and Carl ran out.

Witness could see Hasenfratz from where he was standing when the gun went off. Carl went inside after the shot, and was met by witness and the others afterwards. Ernest told witness he fired at the snipe, but he did not shoot at Mr. Hasenfratz. When they were in the woods it was getting dark. Witness got home about 6 o'clock. Witness was in the place where Ernest fired the gun last Saturday.

Stewart Rutan, an engine driver, the next witness, resident on Vinig street, Victoria West, being sworn, said that on Thursday last he and his son went hunting. They met Mr. Hasenfratz and his two sons. Hermann had a 22 calibre gun, and Mr. Hasenfratz a double-barrelled shot-gun. Witness met them about 5 o'clock near the Naval cemetery. They were along the railway track, and towards home, turning off into the Transfer field.

Just after they had entered the field three other boys, Allen, Borgeson and Ernest Stevens, kicked horse manure in the direction of witness and party. Witness heard nothing said to them. The boys left them, and witness heard a shot fired at Mr. Hasenfratz. When they were in the woods it was getting dark. Witness got home about 6 o'clock. Witness was in the place where Ernest fired the gun last Saturday.

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his father fell witness and Carl ran to Buckland's house and got water. Detective Geo. Perdue identified the rifle and box of cartridges as those he had taken from the prisoner's room. The hearing was then adjourned until next Monday.

DISMISSED THE CHARGE.
Woman Who Shot Sweeney Did So in Self-Defence.

Magistrate Hall yesterday afternoon dismissed the charge of shooting with intent to do grievous bodily harm preferred against Mrs. McMillan. The case occupied the greater part of the day, the prosecution taking up the morning and the defence the afternoon.

As was chronicled in these columns last evening, Sweeney, Nunn and Downey swore positively that Sweeney, the arduous man who was shot, did not threaten Mrs. McMillan nor use insulting language toward her. In the afternoon, however, Messrs. Tassdale and Higgins, of the Dominion department of agriculture, and others, testified that Sweeney in abusive language threatened to wring the accused's neck, clean out the gallery, and was in the act of getting over the counter apparently to carry out his threat when he was shot. The charge was therefore dismissed.

The evidence of Sweeney showed that he had had a couple of fights that evening with civilians, and was evidently in a quarrelsome and aggressive mood. Alexis Martin was counsel for the defendant.

**SUPPORT SOLICITED
FOR HUMANE SOCIETY**
Conversers Now on Their Rounds Seeking Financial Assistance—Work of the Past Year.

The solicitors for subscriptions to the funds of the Society for the Prevention of Cruelty to Animals are now on their rounds. The following appeal for support to this deserving institution is made by the committee:

The committee of the Society for the Prevention of Cruelty to Animals again makes its appeal for support in carrying on its work. It cannot but appreciate the good-will and sympathy of the public, to whom no visible return is made, except in the bettered condition of animal life.

As the years pass on, the work by no means diminishes, but a far greater number of cases, and many most difficult to deal with, are brought under the notice of this society.

Through the good-will of the press, which always comes to our assistance, gross cases of cruelty have been reported as they occurred, and the work of the society generally brought under the notice of the public. We need only refer to the fact that more extreme cases of cruelty have been brought into the police court, and heavier fines inflicted, than have ever occurred before; and not only is this the case in Victoria, but this experience is confirmed by reports from Vancouver and other places, so that this phase of the work causes the committee considerable anxiety.

On the islands, and on stations and wharves where cattle and poultry are loaded and unloaded great cruelty exists. The committee would like to deal with this difficult matter, but will be unable to do so, unless sufficient funds are available to watch and prosecute cases.

A matter of still greater importance is to teach children to be gentle and humane in their treatment of animals. It is impossible to estimate the good that may be done by this careful training of the rising generation. A great number of children were enrolled as junior members of this society; we must keep these together, by lectures, meetings, suitable literature and rewards; our chief hope is in educating the young.

Sermons were preached in the summer on the objects of the society, in the principal churches of the city. The committee is glad to take this opportunity of thanking the ministers, who so cheerfully acceded to the request, that they would bring this subject under the notice of their congregations.

The subscription list has improved but very little from last year, for though there are very many new names added, many old subscribers have fallen out. We hope we may secure their assistance this year; there are only a few over 200 subscribers, or less than one per cent, of the population.

The expenses incidental to taking a more permanent office have been greater than before, but the increased work required this. The sending out of circulars, letters and other printed matter for the year shows that over 1,500 have been distributed through the post by the secretary; and the correspondence is eight times more than last year.

There is no margin for the adequate payment of professional service. The work, which is entirely voluntary, falls heavily on the few, and is cheerfully rendered, the committee is only now seeking funds to enlarge its sphere of work, which will mean still greater demands on its time and energy in the future.