

SEWER CONTRACTORS' CLAIMS

Report from Sewerage Commissioners Submitting a Basis for Settlement.

Caretaker Sutherland's Services Dispersed With Music for the Park.

The regular meeting of the city council was held last evening. Present, Mayor Teague in the chair and Aldermen Humphrey, Macmillan, McLellan, Williams, Bragg, Partridge, Wilson, Cameron and Hall.

The sewerage committee submitted the following proposition for the settlement of the claims of the sewerage contractors:

May 23rd, 1892. To His Worship the Mayor and the Board of Aldermen, Victoria, B. C. Gentlemen—An Act directed by the Board of Sewerage Commissioners to report on your honorable body in respect of the dispute claim of Coughlan & Mayo, the contractors for Contracts Numbers 1 and 2, and to submit the terms upon which the said dispute should be settled.

Under the "Sewerage Assessment By-Appointment and Sewerage Assessment By-Law, 1894," power is given (sub-section 3 of Section 2) "to settle any dispute which may from time to time arise between the City Engineer, Inspector or inspectors and any contractor or contractors for sewerage, and the decision of the Sewerage Commissioners shall be final."

It is also provided in the latter part of clause 2 of the contract "and the drawings, specifications and conditions therein contained, and all other documents in connection with these works, the same shall be referred to the Sewerage Commissioners and the City Engineer, and their decision shall be final."

The final certificate was given by the City Engineer based upon the tender and contract. To this the contractors took exception as to the cost of rock trenching, but not as to the measurement of the trenching given by the City Engineer, and the contractors then in accordance with the request of the Board submitted (without prejudice) their view of the contract should be construed, and the Board unanimously agreed that that view could not be altered.

The contractors then carried the case into court before Mr. Justice Drew, claiming to be paid as for a lump sum contract and not as before, under the schedule rates, and obtained a decision in their favor. The case was then, upon appeal by the city, carried before the full bench of the Supreme Court, who in their judgment of the case below. The costs to the city of these legal proceedings have been between solicitor and client only \$492.90, and any further proceedings in court will, of course, increase such costs.

The contractors for Nos. 1 and 2 and also for Nos. 4, 5, 6 and 7, have convinced the board that they have antonically lost a large sum of money in carrying their work to a satisfactory conclusion. Contract No. 2 allotted McGregor and Jones, which was let later on by competition to the lowest tenderer and successfully executed, might be taken in the opinion of the board, as a basis for settlement of the disputed claim of Coughlan & Mayo, respectively in view of the fact that the City Engineer by resolution instructed the honorable body by resolution instructed the City Engineer to report on the cost of the work in question on the cubic yard basis and the amount of the usual and fair profit to a contractor for the work, with the view of offering (without prejudice) the total of such amounts to the contractors in settlement of their claims.

The amendment was adopted. The board therefore submit to the Council their award in this matter, feeling that an equitable decision is of the utmost importance to the city taxpayers no less than to the contractors. Where in the opinion of the City Engineer the price is less than the work can be done for, a contract should not be let, as such letting often brings loss to the innocent workmen and tradesmen who furnish labor and supplies for the work. The Board therefore recommend to the City Engineer that no contract should be let, and to recommend its conviction that no blame attaches to the City Engineer for adopting the form of tender, containing specification, all of which has been used by his predecessor in charge of the works, and which has worked to the satisfaction of the corporation and contractor.

I have the honor to be, gentlemen, your obedient servant. (Sgd.) W. J. DOWLER, Secy. to the Sewerage Commissioners.

Ald. Macmillan moved that the report be sent to the city solicitor. This was seconded by Ald. Humphrey and carried. The city engineer wrote stating that he could not ascertain the actual cost of the sewerage works, as this could only be ascertained from the contractors' books. He, however, could ascertain a basis of the cost and asked for further instructions.

Ald. Macmillan moved that the letter be referred back to the engineer with instructions to obtain an estimate of the work and submit it to the city solicitor. This motion was lost.

Mr. Northcott, superintendent of public works, reported that the contracts for the improvements to No. 2 fire hall and the Old Men's Home had been completed. Adopted.

Superintendent Hutchison, of the electric light works, suggested the purchase of a spare armature. Referred to the electric light committee.

The financial committee reported recommending the appropriation of \$3,047.50 out of the general revenue on various accounts, including teachers' salaries. Adopted.

A requisition was received from the school trustees for \$314. Adopted.

IT DREW A LARGE CROWD

The Great Potlach on the Reserve Witnessed by Hundreds of Spectators.

Dance of the Braves—A Strange and Uncanny Spectacle—still in Progress.

The potlach which had been announced to take place this morning on the Indian reserve drew a large crowd of spectators, owing to the delay which occurred in commencing the proceedings. The high trestle which overlooks the scene of the sports was simply packed with people, and another large crowd was assembled on the grounds below. Many were supplied with Kodiacs, and snap shots were taken right and left. It was worth waiting for, however.

Although it was given out that the performance would start sharp at 10 a.m., it was 12:30 p.m. when the solemn ceremony which always precedes a potlach was begun. George Cheestlan, surrounded by a number of chiefs belonging to the visiting tribes, stood in the centre of the enclosure which had been cleared and roped off for the occasion. At one side was his wife, which is to be given away during the day.

The clothing of his wife, who died a short time ago, was arranged on a pole and stood near the canoe. An aged chief harangued the crowd, who listened most attentively to what was said and seemed much impressed with the solemnity of the occasion. It was not, however, until about 2:30 that matters began to grow interesting. At that hour George, having distributed a number of blankets to a few chosen friends, called out the dancers who had for hours been preparing for their appearance. There were ten of them and as soon as they appeared the assembled spectators, who had almost grown tired of waiting, were unanimous in the opinion that "it was worth waiting for."

Ten men, attired in the most wonderful garb which can be imagined, emerged one by one from behind the curtain. They were one mass of feathers from their head to foot, and wore in front of their faces wooden masks curiously carved and painted to resemble the heads of birds. A number of squaws who sat along one side of the enclosure started a chant, keeping time by beating a board which was in front of them with small sticks. The Indians danced to this music and presented one of the most weird and uncanny sights ever beheld.

OFF FOR THE BEHRING SEA. Will Seize Every Vessel Sealing With in the Zone.

Seattle, May 28.—Unless something unexpected should happen the United States revenue cutter Grant will sail from this port to-day for Sitka and from there direct to Behring sea to join the government fleet. Either at Sitka or in that vicinity the Grant expects to meet the present captain of the cutter, who is aboard the Rush. Within the past few days there has been a general hustling aboard the Grant with a view to getting her on the way to Alaska as soon as possible. This probably means the recent arrival of small arms. There is not a foreigner aboard the Grant.

Lieut. F. Tuttle, now passed for captain, has been ordered to superintend the construction of the two new government steam launches now building at Port Townsend. These launches are to be each 65 feet long, with 9-foot beam and 5-foot draft. The diameter of the screw will be 48 inches. According to the contract the shaft must make 500 revolutions a minute for twelve hours before being placed in the hull, and after being run must remain in operation. These smuggler-chasers will be armed with rapid firing guns, and carry a crew of five men. According to general calculations the speed will be fourteen knots an hour, but some think as high as sixteen.

WILL THE EMPRESSES CALL? Some People Who Believe That There Are Reasons Why They Should.

There is a possibility that the Canadian Pacific steamships running to the Orient will call at the outer wharf before many months have passed. The last steamship to arrive, the Empress of India, dropped her anchor inside Brochic lodge, and according to marine men she could have come up to the dock without any difficulty. However, Captain Marshall, of the India, was here on Sunday and going out in a row boat at extreme low water, took soundings in the vicinity of the wharf and the approaches thereto. Upon his report, it is said, depends whether the boats will call here.

Several reasons are given why the C. P. R. are now anxious to have the boats call here. One is that the boats of the N. P. line have secured control of most of the Victoria business, the last boat of that line bringing a large amount of freight for local merchants. The Sound freight can also be handled better by present arrangements. By chartering a steamer from here, by present arrangements the C. P. R. has to charter a steamer to carry flour and other freight from the Sound to Vancouver. If the freight is shipped from here it can be brought over on the regular steamers, which, not being very busy, would carry the freight for less than it costs the C. P. R. by chartering a steamer.

ROSEBERY AGAIN VICTORIOUS British Premier Captures Another Derby—Sir Visto Wins in the Big Race.

Ten Thousand Americans Witnessed the Great Event—Notes by the Way.

Epsom Downs, May 29.—Sir Visto 1st, Curzon 2nd, Kirkconnel 3rd. Fifteen ran. Sir Visto is owned by Lord Rosebery. The great changes which have marked each succeeding Derby day for several years past were more marked than ever to-day. Glory Road, Epsom, over which everybody used to make their way here on coaches, and in all sorts and styles of carriages, is almost a thing of the past.

It is estimated 10,000 Americans assembled here to-day to see the Derby run. The most prominent trans-Atlantic visitors chose the old way of reaching Epsom, travelling in coaches which started from Trafalgar Square and from the front of the Savoy hotel.

Of course the road all the way from London was alive with vehicles of all descriptions, but now all the English swells avoid the long dusty journey which necessitates a start from London before 9 a.m., and instead they breakfast quietly at their usual dining in Hyde Park and at 12 o'clock they proceed quietly to Victoria or Waterloo railway station and are whisked down to the race course in half an hour. There were a large number of public coaches, hansoms and cabs of all sorts crowded along the rails opposite the grand stand before the race to-day, but the celebrities whom every one goes to see were nearly all on the other side seated in their boxes on the stand or strolling in the paddock.

NEWFOUNDLAND

Hon. Robert Bond Negotiations with the Dominion Government.

Colonies Wanted Those Offered by the Dominion Government.

Hon. Robert Bond, commissioner which was endeavoring to secure that island was interviewed by a Star reporter, when he was asked when he talked with the Dominion government delegation, Ottawa, he said, "My business now is the confederation of the Dominion of Canada."

"Canada's proposition for confederation were of Newfoundland could not be accepted as the government declined a counter proposition from the Dominion government. Sir William of Newfoundland, in five policy before the confederation was promulgated yesterday was amended and agreed to before I left my visit to this continent. The confederation of the Dominion of Canada is a subject which will be discussed by the government in lieu of confederation. It has been thought out and is while we will reduce the efficiency of the public no way affected. I away with, and public buildings that government wanted all department officers proportionately. The close economy would be people of the colony in conjunction with Canada. They did not consider a limitation among us. Newfoundland since the negotiations that the meant would endeavor of the recent financial a hard bargain and a limitation among us. Newfoundland since the negotiations that the meant would endeavor of the recent financial a hard bargain and a limitation among us.

SIX THOUSAND SEAL SKINS The Total Catch of the Canadian Sealing Schooners in the Western Waters.

The Sealing Schooners and Their Catches Are Enumerated in Detail.

With the exception of the Mary Taylor, the South Bend and the unfortunate Walter A. Earle, that was sunk in the gale on Easter Sunday, all the schooners sealing on this coast have arrived in port. There were thirty-four schooners out sealing on the western coast. The total spring catch falls short of 6500. From this total has to be deducted 629 skins caught by the Director in the South Atlantic en route from Halifax to this port, and perhaps 124 skins that the schooner Shelby had when boarded by Captain Hooper of the United States revenue cutter Corwin, sealed and ordered to Sitka, from which point she was sent down to Victoria. On the West Coast there are four schooners, Sapphire, Favorite, San Jose and Mary, and perhaps the South Bend may be there, as she was reported making for the West Coast several days ago. The sealing schooners and the catch of each are enumerated as follows:

Table with columns: Schooner, Master, Catch. Lists various schooners like Teresa, Pachwells, Labrador, etc., and their respective catches.

Total catch 6124. To these figures have to be added the catches of the Mary Taylor and the South Bend. There are 22 sealers on the Japanese coast. No information has yet been received of their catch.

MULKEY GOES TO JAIL.

The Ex-Special Treasury Agent Denied a New Trial.

A dispatch from Portland says: Following the conviction of ex-Collector of Customs James Lotan and Seid Back on the charge of conspiracy to illegally land Chinese, came a mandate from the United States supreme court denying a new trial to ex-Special Treasury Agent C. J. Mulkey and P. J. Bannon, convicted on the same charge. The mandate was received this morning, and Judge Bellinger immediately issued warrants for the arrest of Mulkey and Bannon, who surrendered themselves this afternoon and began serving their sentences. Bannon was sentenced to six months in the Multnomah county jail, and Mulkey was sentenced to one year in jail and a fine of \$1,000. Judge Bellinger to-day fixed the bond of ex-Collector Lotan and Seid Back, pending an appeal of their case, at \$5,000.

The bark Enoch Talbot, Captain Johnson, 63 days from Santa Jose de Guatemala, has arrived at Port Townsend. About three weeks ago provisions were getting scarce and the vessel was in a bad predicament, as a calm prevailed and she was out of the ordinary track of ships. After a very anxious time she spoke the ship Speck and received a supply of beef, pork and flour, which enabled her to make Port Townsend.

Lawn mowers at Shore's hardware, cheap for cash.

YACHTING.

RACES DECIDED.

The yacht races were finally decided yesterday afternoon, there being a good breeze. The Myth won the A class race,

being followed closely by the Rainier and the Xora. The boats to start in this class were the Josephine, Dawdencia, Rainier, Xora, Volage and Myth. The Josephine got caught in a strong tide and lost so much that she returned to the harbor. The Myth took the lead, which she maintained. She was closely followed by the Xora, but the latter's jib tore out and she lost second place to the Rainier. In class B the Hornet took the lead from the start. The Irene got into the same trouble as the Josephine, leaving the race between the Hornet, White Star, Kate Thomas and Eddie McKay. The Daisy Bell came in first in C class, but only takes second prize as the first prize in this class was won last Thursday by the Defiance. The official record follows:

Table with columns: No., Name, A Class, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th.

THE WHEEL. ANOTHER RECORD. Buffalo, May 27.—A special from Louisville, Ky., to the Courier states that Mike Drenth, the crack bicyclist from this city, rode the exhibition mile yesterday, paced by a quadruple, in 1:59 1-15.

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