

## MR. McBEAN'S CONTRACT.

Mayor Beaven Suggests That He Does Not Think It Binding on the Corporation.

Appointment of Commissioners Fully Discussed—The School Aid By-Law Laid Over.

Another special meeting of the City Council was held last evening, Mayor Beaven in the chair, the full board being present.

The object of the meeting was to consider by-law. The first taken up was that relating to the public health, which was recommended for the purpose of making some verbal amendments. It took an hour and a half to get through the work, and the by-law was finally reported complete and passed. One of its most important sections is that relating to nuisances on premises. Hereafter it has been made the duty of the Council to place the responsibility on any one's shoulders. For instance, in Chinatown there are a number of rooms, shops, etc., which are used for the purpose of the public health, which has been how to fix the liability and to decide who shall be held responsible for the same. The penalty being a personal one, in case the owner was a non-resident, he could not be prosecuted and "nail" the agent is a task which has rarely been successfully accomplished. Under the new by-law, however, a notice may be served on the owner, agent or occupant, or an employee or servant, or may be posted on the premises in a conspicuous place. Twenty-four hours is allowed to abate a nuisance, and if after that period nothing has been done, the sanitary inspector is authorized to do the work and charge it to the property.

A suggestion was made during the discussion that a clause should be inserted to prevent dead meat, being exposed for sale outside of butcher stalls, etc. It was pointed out that the Streets by-law, if enforced, would remedy this cause of complaint. However, it is probable that a separate and distinct by-law dealing with the subject will be introduced at an early date. It is understood one of the Aldermen has already the by-law in hand.

The second by-law discussed was to provide for the appointment of sewerage commissioners. A number of suggestions were made by the Mayor, the scope being to define the duties of the commissioners, to leave in their hands nothing else to do but to close up the McBean contract. One of the suggestions was intended to give the City Council power to annul the accounts passed by the commissioners.

Ald. BELTRA pointed out that, under the contract, the Council had nothing whatever to do with the payment of accounts. The commissioners had the whole power in their hands of dealing with the contractors.

THE MAYOR—I have grave doubts as to whether that contract is binding upon the corporation.

Ald. BELTRA—If you are going to repudiate the contract any so, but in the meantime, while the matter is under consideration, the contractor can recognize no one but the commissioners. This clause purports to give the council power to do something which the contract does not contemplate. It is a dangerous provision to insert.

Ald. MILLER wanted an explanation. Why was the proposed clause dangerous? Ald. BELTRA—The clause is dangerous simply making fools of the commissioners, and cannot vary the contract, and if repudiated, the Council will be under the necessity of collecting the accounts and then have the Council pass on them, in violation of the terms of the contract, and thus have power as all. The contractor will be bound by what the Council does. If we pass a by-law and break the contract there will be no trouble.

THE MAYOR—The Council has control of all funds.

Ald. BELTRA—Suppose the commissioners pass certain accounts and the Council does not approve of them. What are you going to do? The contractor is not going to do without his money. He will then have to recover it by suit.

Ald. MERR—The commissioners are merely arbitrators to see that the contract is carried out, and they have all the power we can reasonably give them. We want to appoint men in whom we have confidence, men who are disinterested and unprejudiced, and who will get a fair and impartial settlement in accordance with the terms of the contract, and that is all we want. If this provision is left in the Council might threaten the commissioners and thus cause endless trouble.

Ald. BELTRA—Do we want the commissioners to settle the matter without consulting us at all?

Ald. BELTRA—That is practically what the contract says.

Ald. BELTRA—But there may be reasons why the Council should not want to consent at all to the settlement?

Ald. BELTRA—That will not abrogate the contract.

THE MAYOR—Does not the statute require that the Mayor shall sign the contract? Ald. BELTRA—That does not happen to be in the contract. There is no use in blowing hot and blowing cold in this matter. If the city has a contract it is binding, then every provision of that contract is binding and there is no getting out of it. Mr. McBean has no by-law that he has made to guide him or us. We may make all the by-laws we like leading up to the contract and in connection with it, but as soon as we come to anything that is covered by the contract, then we are bound to stand by it.

Ald. BELTRA pointed out that if this clause were not left in the commissioners and might pass accounts into the Council for salary for themselves.

Ald. BELTRA said it was delightfully refreshing to hear Ald. Baker talk as he did about this matter.

Ald. BELTRA—That is not the matter. It is the fact that the Council is going to do what it likes. He fancied that if the contractor got a Mayor refused to sign it, the contractor would find a way to get his money and would not have to come to the Council either. He was not saying that the city had made a good bargain, but there was the contract, and while it existed what was the use of trying to get around it?

THE MAYOR contended that the money was in the bank at the credit of the corporation of the city of Victoria.

Ald. MILLER—Then the commissioners can have no power whatever to touch it. Ald. BELTRA—I want to see the Council have some power in this matter. Why should we appoint commissioners and give all the power to them? He continued that he could not understand why it was that some of the Aldermen always stood in with the contractor and commissioners.

THE MAYOR—There are certainly some

very peculiar provisions in that contract. Ald. HENDERSON wanted to know if the contractor was compelled to deal with the commissioners the Council appointed or if he would have any right to say that he would not deal with them?

Ald. MERR drew attention to the fact that the commissioners must complete the contract, and the Council could not do it without the commissioners, else what were they making the appointment for? He thought that any new commissioners appointed should be given at least the same powers as the old commissioners.

Ald. BELTRA read from the contract the clauses which stated distinctly that the commissioners and the engineer must deal with the contractor, and he pointed out that the Council was not referred to in the bargain at all. The Council might deduct from the contract price any sums that had to be paid for righting or repairing the work during the period of maintenance, etc., but there were no means provided for doing this. The commissioners were appointed at the time the contract was made, and the contractor had to deal with them as it was known at the time the contract was made that they were to be replaced and exactly what their powers were.

Ald. BRAGO—It is about as one-sided a contract as I ever saw.

Ald. BELTRA wanted to strike out the words giving the Council power to pass upon the accounts as presented by the commissioners, and the amendment was carried.

ATMS—Ald. McKillop, Byles, Miller, Henderson, Munn and McTavish—6.

NATS—Ald. Baker, Bragg and Styles—3.

The by-law was then put through its third reading and passed.

POLICE BARRACKS.

Ald. BELTRA asked why it was that tenders had not been called for the erection of the new police barracks as decided by resolution of the Council last Wednesday night.

THE MAYOR said that the specifications had only been received by him during the afternoon, and he had no time to look over them. Tenders would be called for at once.

THE ESTIMATES.

Ald. MERR inquired if it was the intention of the Council to have any appropriations made this year, or was it intended to bring down, so he did not put through his third reading and passed.

THE MAYOR replied that he hoped there would be an appropriation by-law. It was May last year before such a by-law was brought down, so he did not think the present Council was so very lazy.

THE SCHOOL FUND BY-LAW.

On the motion to read the by-law to grant aid to the public schools a second time.

Ald. BELTRA said that he wanted to state his reasons for voting against this by-law. He thought the Council should not take advantage of the subterfuge of section 106, sub-section 8, of the Municipal Act. If money was required for school purposes, and there was no doubt it was, and there was also no doubt that the Council was compelled to find the money, why not raise it for school purposes straight, as the act allows, and not under the guise of a vote "in aid" of the school?

After some discussion the Council adjourned at 11 o'clock so as to allow the Aldermen time to consider the question.

TO PROVIDE SURFACE DRAINS.

The by-law authorizing a loan of \$125,000 for the purpose of constructing surface drains was sanctioned by the eleventh vote of the substantial majority of 179 votes out of the small total of 331 polled.

There was very little apparent interest in the matter, the general attitude being one of apathetic indifference. There was a small assemblage at the City hall to learn the result which was officially announced as follows:

For. Against.  
North ward..... 231 107  
South ward..... 108 68  
Central ward..... 78 51  
Total..... 417 226

It will be seen from the above that there was a good majority in every ward. Under the amendment, the Municipal Act, at the recent session of the Legislature it requires merely a majority of the votes polled to carry a by-law, instead of three-fifths of the whole; but even under the old rule this by-law would have been safe.

Mayor Beaven says the work of constructing the drains will probably be completed and the drains will be in use before the end of the year. He said that other arrangements can be made.

FROM PORT TOWNSEND.

PORT TOWNSEND, April 19.—(Special)—A temporary restraining order was granted in the Supreme court Monday, returnable April 21, restraining Dr. L. C. Seavey, Paymaster General, from performing any official duties. The order was granted on affidavit of Dr. Baldwin, Dr. Seavey's predecessor, who was trying to oust him from office. Dr. Baldwin claims that the board which appointed Dr. Seavey was illegally appointed by Governor McGowan. Should the Supreme court uphold Dr. Baldwin, all commissions by the Governor since the adjournment of the Legislature will be dissolved.

Col. Henry Landis, paymaster on the Governor's staff, has received instructions to-day from Olympia to prepare to accompany the Governor and staff to Chicago, leaving by P. R., April 24, to attend the exposition.

ALEXANDER'S COUP.

BEIRADE, April 18.—It seems that young King Alexander is not satisfied to rest on the laurels of his coup d'etat, but as a result of investigations of the treasury has demanded from the ex-regent and ex-ministers reimbursement to the government of 2,500,000 francs misappropriated during the reign of his father.

The general acquiescence, if not approval, with which King Alexander's coup d'etat was hailed, has been somewhat interrupted. The Liberals have gathered courage since Thursday night, and now apparently propose to excite the people against the Government.

The Liberals have a manifesto, in which they describe the new ministry as usurpers of political power, and having invited the King to the coup d'etat in violation of the constitution by using only 3 or 4 B. H. cards state that they propose to make a stand upon the rights of the people, which they claim have been outraged and ignored by the alleged usurpation.

INDIGESTION CURED.

Government—was thoroughly cured of indigestion by using only three bottles of B. H. and truthfully recommend it to all suffering from this complaint.

MR. DAVIDSON, Winnipeg, Man.

## EPISCOPAL CONSECRATION.

Service in Westminster Abbey—Bishop Perrin of Columbia one of the Designates.

A Most Impressive Ceremonial—The Archbishop of Canterbury Presiding.

(From the Canadian Gazette, March 25.)

It would have been difficult even for the Roman Catholic Church to devise a form of ceremonial more befitting the occasion than that which marked the consecration of three Colonial bishops in Westminster Abbey last Saturday morning. No building in the United Kingdom at least lends itself so well to a solemn ceremony of this kind as does the Abbey, which is itself a record of so many noble pages in the history of the English-speaking race.

The services for the day were commenced by morning prayer and Holy Communion at eight o'clock; and by ten o'clock, when the consecration service was ordered to begin, there had assembled in the Abbey a large congregation, including many of the nobles of the three English viars who are now to represent the Anglican Church in distant portions of the Empire. The congregation had not long to wait. Hearing had Big Ben struck the hour than the procession was seen to pass from the nave into the choir. At its head was the Bishop, then came in succession the Archbishop, the three Bishops-Elect followed in plain robes, and the Rev. William Fowler, D.D., M.A., Vicar of Christ Church, Durham, now Bishop of Qu'Appelle (in succession to Bishop Anson), bearing the dignity of D.D., the Rev. Dr. Wace, Dean of the University of Cambridge, the Rev. William Wilcox, P.P., D.D., Vicar of St. Luke, Wilcox, now Bishop of British Columbia, and the Rev. 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