## THE VICTORIA SEMI-WEEKLY COLONIST MONDAY JUNE 15 1896

AT THE PARTY AS OF



Responsibility for the Bridge Disaster Held to Rest Upon the Tramway Company.

The City Council of Victoria Found Guilty of Contributory Negligence.

After Ten Days' Investigation the Coroner's Jury Return Their Finding.

After spending ten days in the hearing of evidence, and six and three-quarter hours in deliberation upon the testidirectly responsible for the catastrophe, the City Council of Victoria being found guilty of contributory negligence; and is in full as follows:

"We, the undersigned members of the coroner's jury empanelled to inquire into the cause of the death of Harry Talbot, George Farr and others, being duly sworn, find as follows, in accordment stating that he was to take charge ance with the oath administered, and under Mr. Wilmot's instructions. In in accordance with the evidence produced before us, to wit:

"That the said Harry Talbot, George Farr and others came to their death by drowning, the result of the accident which befell the Point Ellice bridge at or about two o'clock of the afternoon of Tuesday, the 26th day of May last; That the said accident was the re-

sult of the sudden collapse of the eastern Whipple truss of the said bridge, and was Witness considers himself responsible caused by the weight of car No. 16 of the Consolidated Electric Railway Company and its immense load of passengers, which was in excess of the capacity of the bridge in question as originally constructed, and that the said Consolidated Electric Railway Company is guilty of negligence in not having taken proper precautions for the safe conduct keep a record of them; he considered he of its passengers accordingly; "That car Number 16 was dangerously

overloaded with passengers, and in the Bay bridge. He could not call Cox a interest of public safety it is imperative competent bridge man. that restrictions should be imposed upon the traffic of this and similar corporations in the future.

"Furthermore, it is manifestly the duty of all corporations of this kind who are entrusted with the safety of human lives to see that all roads and bridges ond, what was the cause of their death ; secover which it passes are in a safe con-dition, and to take such steps as are necessary to ensure this condition of ginning of the history of the bridge. things being carried on by the proper Was it, when it was built, properly conauthorities.

authorities. "That the said bridge being within the limits of the city of Victoria, the city council having assumed control of when the bridge was put up in 1885 it when the bridge was put up in 1885 it the said Point Ellice bridge, it was man-was a good enough bridge for highway

terday E. A. Wilmot, city engineer, was plained to him or definitely defined, recalled to the stand, and stated that he and, moreover, it had been shown that had not absolute charge of his depart-he was completely under the thumb of ment. It had been the custom of chair-the council and the streets committee, men of the various city departments to and it was shown that his recommendagive directions regarding works coming under them; in matters not considered completely ignored. For instance, the to require particular knowledge of en- probability is that if his advice had been gineering the chairmen have not con-sidered it necessary always to consult when the bridge was repaired in 1892 him. He had no letter of instructions would have been no inquiry defining his duties; he had made re-commendations, sometimes to the street circumstances the Coroner could not committee, that had not been carried out. see how the engineer should be held re-He recalled one instance where his plans sponsible. A man to be responsible were interfered with; he had prepared must have full control of that for which plans for a bridge on the Lansdowne he was responsible. As to the city carroad and the work was not carried out penter, it was too absurd to hold him reaccording to them; the street committee sponsible for Point Ellice bridge. An had power to ignore his work. He had ordinary mechanic could not be expected no power to carry out work irrespective to do the work of a skilled engineer. astic one. The audience only numbered of the council—the council reserved Then again, had the city council taken some 25 to start with, and a number of The ceremony was performed at the British Treasury, and was private secrethe right to dismiss his assist-ants without his consent. This had inconvenienced him sometimes, and he had not the same authority over his subordinates as if he appointed them himself. He had been consulted about ed to be satisfied with that report, it condition; and as the city council seemmony adduced, the coroner's jury em-pannelled to fix the responsibility for the fatality of May 26 at Point Ellice bridge, yesterday afternoon brought in their verdict and were dismissed from the fatality of May 26 at Point Ellice bridge, wats and bridges all came under Wil-their verdict and were dismissed from the fatality of May 26 at Point Ellice bridge, yesterday afternoon brought in their verdict and were dismissed from the fatality of May 26 at Point Ellice bridges were too the applointment of his subordinates, out seems to show that they looked upon the city carpenter, cox as responsible. As to the exact applause being bestowed upon them. Mr. John Doran took the chair and called upon Dr. Milne to speak. Dr. Milne opened out by saving that mony adduced, the coroner's jury em- the appointment of his subordinates, but seems to show that they looked upon their verdict and were dismissed from son now. Witness' duties were too was undoubtedly the neglect to maintain numerous to allow him time to the bridge in an efficient state to do the broughly inspect the bridges. There further attendance. The finding holds the Consolidated Electric Railway Co. was more work for him to do than he jury not to put the blame on half a dozen that that policy was to oppose the pre-

tired shortly before 11 o'clock, and the history of the question, repeating

A SENSIBLE SPEECH.

1895 as street foreman he took orders for The readers of the COLONIST have no any religion in the schools. Next he James Bay bridge. When asked how it of the 5th inst.:

James Bay bridge; if the work was not done properly he would "kick" to Mr. Wilmot, and if Mr. Wilmot did not interfere that was where witness' responsibility ended. On important points his y. Their strong point to him had been the Mr. A. H. Scaife followed Dr. "kicks" were in writing, so he could should have been consulted before the men were engaged to work on James This completing the testimony, the

coroner proceeded to address the jury. There were three main things they had to consider, he said. First, when and structed for the traffic it had to carry; was pinion, works out for the great good of

The Opposition Candidates Get a Decidedly Cool and Undemonstrative Reception.

They Try to Bolster-Up Their Position With the Usual Stock Arguments.

THE VERY ALL ALL PROPERTY

ne "

last night was by no means an enthusi- last week to Miss Betsy Geraldine St. these got tired and left before the speak- Church of St. James the Apostle, Rev. ers got through. The speakers were Dr.

Street Superintendent Wilson, also re-called, stated that he was appointed bridge inspector, his letter of appoint-

He dropped the subject after stating that his position was that he objected to

Mr. Carscallen thanked the audience for its kind reception, but wanted everyone to understand that he was no convert to the same remarks he had made at former

Mr. A. H. Scaife followed Dr. Milne.

the said Point Ellice bridge, it was man ifestly their duty to the public to main-tain it in a proper state of repair and efficiency, and to take steps to restrict the traffic of the said railway company within the limits of safety to the study ture, and consequently of the public; "That if they do not possess this power legally, it was and is their duty to obtain this power by legislation accord-ingly, as it is to the mayor and council that the citizens look for protection in matters of this kind against the imposi-

SIR CHARLES RIVERS WILSON THE CITY.

The Veteran Financier and President of the YESTERDAY'S noon train from "up the Grand Trunk Railway Pays Vicbrought to Victoria a choice lot of toria a Visit. outter, the first product of the Cowichan Creamery Association. It is of good

Sir Charles Rivers Wilson, president quality and attractively prepared for the of the Grand Trunk Railway of Canada, market. arrived here accompanied by Lady

A "BABY committee," whose duty it Wilson by last evening's Charmer, hav-will be to take charge of and amuse the ing left their palatial private car at Vanvery little folk brought to church, during couver, whence it will be sent ahead to the progress of the Sunday services, has await their arrival at Seattle. The been formed in connection with the visitors proceed to that city to-Metropolitan Methodist church. morrow, and will return East over Great Northern route, visitthe

The Opposition meeting at Esquimalt ast night was by no means an enthrei-last week to Mice Determined in Montreal in Montreal C.B. was born in England in terms. Clair MacDougall, eldest daughter of Oxford and tech in Balliol College, Oxford, and took his B.A. degree in Mr. and Mrs. Hartland MacDougall. tary to the chancellor of the exchequer, Mr. Disraeli (1867-8) and Mr. Lowe Canon Ellegood officiating. (1868-73.) He acted as secretary to the

MR. J. RALPH CHAMBERS, of Rossland, A. H. Scaife, and their remarks were re-ceived very coldly, only occasional feeble ish Columbia, being introduced to the ceived very coldly only occasional feeble ish Columbia, being introduced to the ceived very cold by only occasional feeble ish Columbia, being introduced to the ceived very cold by only occasional feeble ish Columbia, being introduced to the ceived very cold by other ceived very ceived very cold by other ceived very cold by other ceived very ceiv Supreme court, Mr. Justice Drake pre-siding, by Mr. H. Dallas Helmcken, Q. C., and taking the usual oaths. In part-hership with Mr. H. E. A. Courtier of the sector of t nership with Mr. H. E. A. Courtney, Mr. Chambers will practise his profes-ision in the city of Porchard dispute with the Khedive; and was apsion in the city of Rossland.

pointed an administrator of the Suez thoroughly inspect the bridges. There was more work for him to do than he could accomplish in office hours. He had never had a vacation since he had been appointed, not that he had been refused, but he had felt he had not time to take one. than a month ago from Mr. E. N. Bouche Paris exhibition, and in the same year by Mr. J. E. Bethune, secretary of the was acting president of the inter-Stock Exchange of British Columbia. national commission of inquiry into the resources of Egypt. In conse-

AT THE annual meeting of the British Columbia Phurmaceutical Society just held in New Westminster, the following officers were elected: President, Mr. E. Minister of Finance; but the plan The readers of the Colonist have no any registration in the schools. Next have no any registration in the schools in the school i weeks ago openly and manifully left the the tariff he stated that he did not be-Liberal party and joined the Conserva-lieve in fostering infant industries by protecting them, and held that because toria; J. McPherson, Kamloops; and J. was that someone else had employed men to work on a structure he had charge of, witness replied, "That's what I want to know myself?" Witness considers himself responsible for all the bridges in the city, even for the work being done by those men on James Bay bridge; if the work was not

Sultan of Turkey, as a result of a de-MR. A. J. PINEO was yesterday after noon elected president of the Victoria Teachers' Institute, at a special meeting of that association held for the purpose son Mehemet Tewkif Pasha. Prior to principles of the form point to him had been the trade question, and for twelve or fourteen years he had urged that some fixed trade policy be adopted by the Reform party. But, as the editor of the Times said, the tail could not wag the dog. (Laughter.) He did not know whether in this instance the thought it was. (Cheers.) In coming over to the Conservative party it had taken all the courage he could command, but it was with him a question of principle, and he tail guestion of principle, and he thing unless he believed in it him-self, unless, perhaps, it was a losing self, unless, perhaps, it was a losing self, unless, perhaps, it was a losing areate. Following this Mr. Scaife conservative party to be the party of principle, and thing unless he believed in it him-self, unless, perhaps, it was a losing self, unless, perhaps, it was a losing areate. Following this Mr. Scaife gent the mining, the agricultural and brief. (Laughter.) He believed the the mining, the agricultural and brief. (Laughter.) He believed the the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining, the agricultural and brief. (Laughter.) He believed of the mining,

PRESIDENT DAVID STARR JORDAN of above referred to. on under the Grit regime. Mr. Templeman was the last speaker created by the U. S. congress to inquire and most satisfactory.

> Positively Cures COUGHS and COLDS in a surprisingly short time. It's a sci-entific certainty, tried and true, soothing

and healing in its effects.



A Leader of Whom N

Farmers of Th Will Endo

A remarkable ing and most in meeting held at I the interest of candidates, Ho Thomas Earle. a person than Victoria, who in the intere tion candidate ing to the force srs. Earle and Helmcken gave h that upon certain ing he would vote 23rd of June. did one in p chair was take by unanimous The chairman with a short thanking the having secured proved postal i He called first u Mr. Earle, ta hearty applau course of events of Metchosin h other districts dorsed his can mons. He call efits derived by ations of the Nati contrasted with th the Mackenzie rapidly bringing when the igen brought a change. timents of the pe them expressed d vass, he thought what they want in continuance of (hear, hear); and the conditions du know that under th would be an im island, for it wou with the surpl ing states. He no prevailing sentime the local candidat declare that they and that if the I to power the pro will not be int be that Mr. Temp candidates, has so fluence with shape their trade the policy of his le (Hear, hear.) He protection not only ished to a greate fore, but manufac been built up, and ovided for th He referred to the vious night's meeti young farmer wl been with the L

close and advocat

for the farmers.

ound

prise that that

supporting a par directly opposed and those of the

He next touched

that the citizens look for protection in the carwere beyond the bridge's capa-in and abuses of corporations enjoying privileges within the city for their profit. Jordan and his mad uses of corporations enjoying privileges within the city for their profit. Jordan and his mad uses of corporations enjoying privileges within the city for their profit. "That the bridge in question was adequate in strength to the ordinary traffic for which it was constructed and was under ordinary raiway company obtained permission to use it from the govern-ment department for whom it was construction obsele, and the system of construction obsele, and the system of construction by the contractors. "We desire to call attention to and the bridge was strong for construction by the contractors. "We desire to call attention to and the bridge was province as system of the rainway company had nei-ther show as their legal and moral obligation to find out if the bridge was system of construction by the contractors. "We desire to call attention to and the call the could to elect that was their legal and rafe as for construction obsolet, and the safe condition. No company had nei-right to take it as a matter of fact that will be had at the bridge was strong the time results that would surely follow if the time results for in power with their shift-ing policy. (Cheers.) The Globe has said the speaker, "and we will have in Canada are weith of the trainf all along the line." said the speaker, "and we will have in Canada are province was, he declared, united states, when with the Wilson bill the bemocrats tinkered with the tariff of the trainf all along the lariff."

of the city. We find that the city engin-eer and heads of departments under him who should be held personally responsible for the good and efficient execution of the details of their department, are so hampered and interfered with by untechnical, elective superiors, that they are without authority necessary to carry on their work, and are consequently without responsibility, which is certaining in or upon a railway, or aids or

ly not conducive to good results. We further find occasion, in the interests of public safety, to call attention to the fact that the government department under which this bridge was con-

"It is quite evident from the evidence be dangerous to life, is under a legal produced before us, that the primary duty to do that act, and is criminally recause of the accident was the breaking sponsible for the consequences of omitof one certain iron hanger, shown as number 5 on the diagram produced in that duty." ting, without lawful excuse, to perform evidence, resulting finally in the col-

and that the city council is guilty of contributory negligence.

"E. A. MORRIS. "W. S. CHAMBERS. "F. T. SHERBOURNE. "W. WALKER. "W. WALKER. "W. RIDGWAY, WILSON." To this verdict the following rider was appended: "We desire to suggest to the authorities the desirability of all bridges, trestles, etc., both municipal and the property of railway companies, being placed under complete govern-mental inspection and control, and the mental inspection and control, and the bility of looking after the bridge fell on carrying capacity thereof posted there-the city engineer, others that the city ar." On the reopening of the inquiry yes-city engineer never had his duties ex-

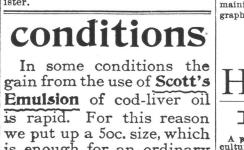
system of construction obsolete, and the oral obligation to find out if the bridge was in contract was not carried out according. "We desire to call attention to and to to take it as a matter of fact that which has been and we believe now is in vogue in the public works department of the city. We find that the city engine. because they were given the right to that because they were given the right to run over the bridge, the structure was safe. He proceeded to read from the Criminal Code the following sections bearing on the broad principle of responsibility: "Every one is guilty of an indictable offence and hable to two years' impris-ment who, by any unlawful act, or by any wilful omission or neglect of duty endangers or causes to be endangered the safety of any person conveyed or be-ing in or upon a railway, or aids or

that. erects, makes or maintaine anything ada's ills. Well, the elections came on, wards charged the government with be-whatever which, in the absence of pre-and that cock didn't fight (laughter), and ing corrupt, and said it could not be oth-we heard not a word about it afterward. erwise with Sir Charles Tupper and Hong be the we heard not a word about it afterward. Then came the doctrine of unrestricted 're-Mr. Haggart in it. He left it with the structed did not exercise proper super-vision over the construction of same, particularly in the matter of ironwork. We find that the specifications call for weldless iron, but that the ironwork is in almost all cases welded, and in many many is to perform that duty. idn't fight either. (Lauchter., And now referred to, said that if Mr. Richards Mr. Jones to the 1,000th person making somes the free trade as it is in England wanted to get some information about policy, and I venture to predict that it will "the nest of traitors at the corner of placing in position of the new cash reg-Now is your time. Among other goods still rebe a dead cock in the pit on the night of June 23. (Cheers.)

ting, without lawful excuse, to perform that duty." The jury should consider whether or the duty about the perform of the performance of the perfo justification for it. At the close of Mr. Templeman's speech, the chairman in winding up the The jury should consider whether or part of the original construction. "We find therefore that the Consol-idated Electric Railway Company are primarily responsible for the accident, and that the city council is guilty of maring responsible for the accident, is guilty of thrid accident, eer nor to have tried to find out if the bridge was safe. Then the jury must is to the destruction or disturbance of the trade of the bridge was safe. Then the jury must imagine the bridge had been utterly neglection of it. There was not the least doubt that ""S. CARTER.
"W. LORIMER.
"E. A. MOBRIS.
"W. S. CHAMBERS.

ed with foreign made goods. Our duty is rity and honesty of purpose. I also notice to aid home industries. It is now the duty that Mr. Templeman does not deny his fol-of every citizen of Canada from Halitax to lowing me out of the Imperial restaurant

customs tariff on a revenue producing & Co., and to devote their entire atten-basis only. He expressed his regret tion to the wholesale trade, Mr. C. E. that. aids or assists therein. "Look at them. What have they had in the way of policies? First, they had com-mercial union, and the leading men of their party said this was the cure of all of Can-wards charged the government with be-the way of policies? The wards charged the government with be-the wards charged the government w all, and some of the leaders who spoke for regard to Mr. Amorsen's charges against ley & Co. for the filling of prescriptions regard to Mr. Amorsen's charges against ley & Co. for the filling of prescriptions him, and while denying all there, will find time saved them by noting the changet. Mr. James Stewart, of to her who were not sincere in their ad-rocacy of a fad. (Cheers.) Well, that referred to in the published Kingston street, was the lucky customer rock was taken into an election pit, and it affidavits in which Mr F.G. Richards was who secured the \$5 gold piece given by



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report in a letter that Prys-Pectoral cured Mrs. C. Garceau of chronic cold in chest and bronchial ubes, and also cured W. G. McComber of a brog-standing cold. MR. J. H. HUTTY, Chemist, 528 Yonge St., Toronto, writes: "As a general couch and lung syrup Pyny-Pectoral is a most invaluable preparation. It has given the utmost satisfaction to all who have tried it, many having spoken to me of the benefits derived from its use in their families. It is suitable for old or young, being pleasant to the taste. Its sale with me has been wonderful, and I can always recommend It as a safe and reliable cough medicine." Large Bottle, 25 Cts. DAVIS & LAWRENCE CO., LTD. Sole Proprietors MONTREAL ONLY Saturday Night we Close our Clearance Sale of Braund & DAYS Co.'s Stock. If you want any **Bargains** in Stationery and Fancy Goods maining unsold there is a fine line of Photograph Albums, Ladies' Hand Bags, Photo Frames, and many useful articles. HIBBEN & CO. FOR SALE

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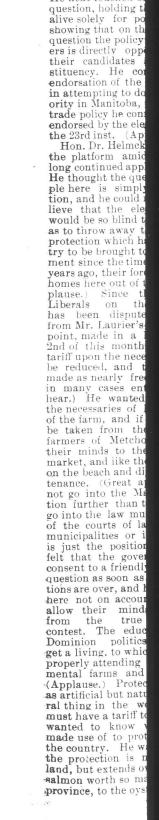
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