

CITY AND TRAMWAY.

Their Differences on the Pile Bridge Argued Before Mr. Justice Drake.

The Application for an Injunction Changed Into a Motion for Final Judgment.

The application of the Consolidated Railway Co. to restrain the City of Victoria from proceeding with the construction of the pile bridge across the Arm at Point Ellice was heard by Mr. Justice Drake Friday morning.

Mr. Davis in opening his argument briefly recited the facts of the city having begun the erection of a pile bridge to replace the structure broken down by the accident in May last.

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Another point that Mr. Davis argued was that if the bridge were built without provision for tramway traffic, the structure would really form an obstruction to the tramway.

His Lordship inquired if the city had the right to pass a by-law to specify the weight of the tram cars to be run.

Mr. Davis replied that the city had passed a by-law restricting the weight of cars to 8 1/2 tons, but it seemed doubtful if the city had the power to pass such a by-law.

Mr. C. Dubois Mason in defending the city's position remarked that the question was practically one as to what terms the city and the tramway could come to as running cars over the bridge.

Mr. Mason explained that the plan was such that the extra supports necessary for tramway traffic could be put in the trams cars to run over the bridge.

Mr. Justice Drake—The position taken by the city seems to be that they are not carrying out an agreement that they regret having made.

Mr. Mason, proceeding with his argument, held that the agreement made with the city in 1888 only applied to the city limits as they then existed.

the communication that was now obstructed by the broken bridge. Mr. Mason went on to say that the company, while they could not force the city to rebuild the Point Ellice bridge, might go ahead and repair it themselves.

Mr. Mason replied that the city did not want to rebuild the Point Ellice bridge, as they did not wish to assume any liability in the structure.

Mr. Mason spoke of the troubles of the city in not having money to go ahead with a permanent bridge.

The Court thereupon remarked amid some amusement that the laws provided for that, as a sequestrator might be put in charge and a rate levied to build a bridge.

In the suggestion of the Court the application was changed into a motion for judgment, so that instead of an injunction the court will give a final declaration of the rights of the parties.

Mr. Davis suggested that to avoid any inconvenience that might be occasioned by the construction of the bridge by the city to make the structure sufficiently strong for tramway traffic, the tramway company agreeing if the declaration went against them to pay the extra cost involved.

Judgment will probably be delivered to-day.

DOMINION PARLIAMENT

Members Chafe Over Being Kept at the Capital—Too Loquacious Grits.

Foster's Cogent Tariff Speech—Crow's Nest Pass Railway—Dobell's Meanderings.

(From Our Own Correspondent.)

Ottawa, Sept. 28.—One week more and it is expected that the first session of the eighth parliament of Canada will be at an end.

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The ONLY REASONABLE MOMENT when a Liberal may rise when it devolves upon a supporter of the ministry to get up and expound some phase of government policy, was on Thursday evening.

Mr. Martin's appointment would be most objectionable to the British Columbia. Here, again, no satisfaction was seen.

Mr. Laurier simply recommended Col. Prior to the position of High Commissioner of the Northwest Territories.

Mr. Foster made one of his best speeches on Tuesday when he dealt with the tariff question and deplored the harm which was likely to be done to business by the delay on the part of the government in tariff revision.

THE EARLIEST OPPORTUNITY should be taken of announcing the Government's policy. It is obvious that there is a marked difference between the effects of a proposal to increase and one to decrease the tariff.

THE DUTY OF REPLYING to the ex-finance minister devolved upon Sir Richard Cartwright, who made about the poorest ministerial defence that has been heard in the House for many years.

THE TORONTO GLOBE again returns to the Crow's Nest Pass matter, urging that the government should retain control of the pass, build a railway line, and then allow the C.P.R. to operate it.

Mr. Laurier made one mistake in closing his speech that is with regard to the selection of Mr. Dobell. The minister without portfolio is a gentleman of business capacity.

IN NO WAY EXAGGERATED.

Vancouver, Oct. 2.—There arrived yesterday by special train over the Canadian Pacific a distinguished party of railway men, consisting of President E.W. Winter, J.W. Kendrick, General Traffic Manager J.M. Hamford, General Passenger Agent S. Fee and Chief Engineer E.H. McHenry, of his ratiocinations came last night.

The party originally came out over the Northern Pacific on a tour of inspection, and having heard so much of the famous Kootenai country, they entered by the direct for themselves, decided to see the district of Spokane and visited Rossland, coming Coast by the main line of the Canadian Pacific.

Mr. Winter and General Traffic Manager Hamford stated that the party had experienced no inconvenience or delay from the operators' strike, and expressed surprise that the company had at such short notice succeeded in keeping trains running as usual.

STEAMER "UMATILLA"

PORT TOWNSEND, Oct. 2.—The weather continues to remain fine, and the steamer Umatilla is resting peacefully on the beach at Point Wilson.

The number of the cabinet ministers has not been reduced from fifteen to seven nor have their salaries been cut down to four thousand dollars a year.

"MAKING A RECORD."

The Liberal party is progressing. It is making a record very fast. Less than three months have elapsed since it took office, yet how much has been done in that short interval to unveil the true nature of its aims.

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