fires Spreading and, Aly Great Destruction Has Been Done

Condemns Thousan fe Preservers at San Francisco

NGHAM, Wash., Murch 20. Special).—Three fires are now coping down on Lynne. A ping down on Lynne. A hone message from there late oon states that half of the fighting the forest fires. A s coming from the northeast, of the old fire, or first one, and the ways are. gar of the old life, or lifst one, tried ten days ago. It has almped the road in one place and ally destroyed the barn of a named Tom Handy, who lives e and a half from town. Men g up ground wherever possiblers and shovels, while others the flames with wet blaukets. Others are stationed on the others are stationed of the arns and houses in the path of and with pails of water put irks and wet the roofs so as to danger. It is impossible to the exact amount of damage vicinity by forest fires du

ast few days, and it will per-ast few days, and it will per-ast few days, and it will per-ast few days, and it will per-be known, but \$100,000 is lered too high a figure. Vash., March 20.—(Special).— Jennant, a shingle bolt cutter at one of the nearby mills, was the Great Northern Flyer last he engineer says the man was as the track and he sounded a but that Tennant made no ef-tout of the way. t of the way. it., March 20.—(Special).-

o. March 20 .- (Special) nnesco, March 20.—(Special), ent inspectors have com-rigid examination of the life on the ferry boats of this ady thousands of tule preserv-Encinal have been condemned. ssionary From China

ho has been in the far interior for the past two years, arrived on the liner Coptic on her way and, Onio. With Miss Coole tchen and Kathleen Wellwood, ighters of Rev. Robert Wellmissionary in Szchen, not far border of Thibet, 2,000 miles angtse Kiang from Shanghai, mcde by Miss Coole and her g charges was one of the most haracter. Leaving Shift ou bith in a native boat, accomal lifeboat in charge of Chinese bith in a native boat, accom-a lifeboat in charge of Chinese Miss Coole and the two little ed down the river, traveling lay. On the way down their wrecked on a rock and the a narrow escape for their lives, eaching Shaughai in safety.

he snowslides all mines in the bod of Silverton, Col., have d and 3,000 miners have fled on for safety. Sixteen men at \$500,000. A train which four days on the road reached utt, the terminus of the branch enver & Rio Grande, running m Gunnysons, last night.

IDER IS SUSPECTED.

Albert, March 20.—The body man named Linklater was a house this morning and murrongly suspected. The police by investigating.

EARING THE END.

is, March 19.—The opinion has sund all day that a settlement ranco-German controversy beonference on Moroccan reforms a matter of hours. It was reported tonight that the terms promise had been practically and that announcement of an ttlement probably would be next plenary sitting of the the date of which has not definitely fixed, but which is o be held either tomorrow or

oth the the concessions reoth the police and the bank
he outstanding points of which
et to mutual recession from
ently rigid standpoints which
nd Germany hitherto have
i. It is understood that the
hove is the result of the presthe representatives of the
wers, who have displayed commpatience over the delay and
increased efforts be made by
h and German delegates to
olution of the difficulties.
March 19.—The German attilegelras is a passive one. She
to consider in a friendly
proposition for the superMoroccan police embracing
iational principle, but beyond
have the conference adjourn
agreement than give up the

ational principle, lany will not go. have the conferen

have the conference adjourn nagreement than give up the nal idea.

March 19.—In the opinion reign office here, the basis of ment on the Moroccan quesche reached at tomorrow's seshe conference at Algedragement will be based on on of the German demandence to the police, whill concede part of what asking for in regard to thank system, the details willished until the meeting of the six willing to concede many has placed her cards the. The committee meetalgedras have been so harthat the foreign office does a hitch is possible. Every seen discussed between tain and France.

# FORESHORE RIGHTS

Full Text of Recent Judgment by Privy Council in Case of Attorney Gen. vs. C.P.R.

APPEAL IS DISMISSED WITH COSTS

Exhaustive Review of all Facts Bearing on Important Points By Sir Arthur Wilson.

Following is the judgment of the lords of the judicial committee of the privy council on the appeal of the atorney general for the province of British Columbia vs. the Canadian Pacific Railway company, delivered February 27th last, by Sir Arthur Wilsen:

Railway company, delivered February 27th last, by Sir Arthur Wilson:

This is an appeal from a judgment, dated April 15th, 1905, of the full court of the supreme court of British Columbia, which affirms a previous judgment of a single judge of the same court.

The suit out of which the appeal arises is of the nature of an information by the afforney general of British Columbia, on the relation of the city of Vancouver against the Canadian Pacific Railway company. The statement of claim alleged that the public was entitled to certain rights of way over the foreshores of the sea in the city of Vancouver, and that the defendants had so constructed their railway and works upon the foreshore as to obstruct those public rights of way, and it asked for a declaration of the rights of the public and for consequential relief.

The defendant company denied the existence of the alleged public rights of way. They justified what they had done by virtue of their statutory powers, and they raised another defence based upon a by-law of the city of Vancouver. This last defence their lordships think it unnecessary to notice further.

The facts necessary for the decision of the present case may be very briefly stated.

ony, now the province, of British Columbia.

The railway company justifies what it
has done under section 18 (a) of the act
of the Dominion parliament, which incorporated it (44 Vict. c. l.), which says:

"The company shall have the right to
take use and hold the beach and land
above high-water mark in any stream,
lake, navigable water, gulf or sea in so
far as the same shall be vested in the
crown, and shall not be required by the
crown, to such extent as shall be required by the company for its railway
and other works, and as shall be exhibited by a map or plan thereof deposited
in the office of the minister of railways."

The map or plan required by the last
words of the section was duly deposited.

The right of the Dominion parliament
so to legislate with respect to provincial crown lands situated as these are
was based in argument upon two distinct
grounds.

The first ground was this: Section

that before 1871, when British Columbia joined the Dominion, the foreshore at the point to which the action relates was used for harbor purposes, such as the landing of goods and the like. That evidence was somewhat scanty, but it was perhaps as good as could reasonably be expected with respect to a time so far back, and a time when the harbor was in so early a stage of its commercial development. The evidence satisfied the learned trial judge, and the full court agreed with him. Their lordships see no reason to dissent from the conclusion thus arrived it; and on this ground, if there were no other, the power of the Dominion parliament to legislate for this foreshore would be clearly established.

islate for this foreshore would be clearly established.

The second contention in support of the right of the Dominion parliament to legislate for the foreshore in question is rested upon section 91, read with section 92 of the British North America Act. which secures to the Dominion parliament exclusive legislative authority in respect of lines of steam or other ships, railways, canals, telegraphs and other works and undertakings confecting any province with any other or others of the province, a description which clearly applies to the Canadian Pacific railway.

Appellant's Argument

It was argued for the appellant that

Appellant's Argument

It was argued for the appellant that these enartments ought not to be so construed as to enable the Dominion parliament to dispose of provincial crown lands for the purposes mentioned. But their lordships cannot concur in that argument. In the Canadian Pacific Railway company vs. Corporation of the Parish of Notre Dame de Bonsecours (1899 A. C., p. 367) (a case relating to the same company as the present) the right to legislate for the railway in all the provinces through which it passes was fully recognized. In the corporation of the city of Toronto vs. Bell Telephone company of Canada (1905 A. C., p. 52), which related to a telephone company whose operations The second secon

BUSY SESSION OF THE CITY COUNCIL

Streets Committee Submit Lengthy Report Outlining Considerable Work.

(From Tuesday's Daily.) At the meeting of the city counc last evening the question of the appointauditor was laid over until next electaken. The question of street sprinkling also raised considerable discussion, the subject being brought up by a commun-

of the Dominion parliament, which in one of the Visit of the Visit of Visit

School Expenditure

timates for the year.

Ald. Yates stated that it meant that the council would have to secure another \$1,000 for the school purposes.

Ald. Hall wished to state that he had not changed his opinion regarding the expenditure while on the school board, and it could be proved by those who were on the board at the time. The were on the board at the time. The had voted to take off \$2,000 the council would have to seeme another \$1,000 for the school purposes.

Ald: Hall wished to state that he hal not changed his opinion regarding the expenditure while on the school board, and it could be proved by those who were on the board at the time. The reason he had yoted to take off \$2,000 was because the city were facing a deficit of \$29,000, and he thought that the trustees should try and reduce their expenses the same as others. He was sure that the trustees could reduce the estimate for salaries, by a better grading system. He was as much interested in the welfare of the schools as any of the trustees and was willing to discuss the question with any of them on a public platform. He thought the council had the power to cut the estimates more than they had done, and the council was not asking something they were not doing themselves; and the council was not asking something they were not doing themselves; and the tought that the council still adheres to the position already taken.

The resolution was carried.

The city solicitor again requested an advance in salary for extra services, and unless granted he would have to resign. Ald. Fullerton said if the solicitor wanted to quit, let him quit, and he moved that the communication be received and filed.

Ald. Yates said that it did not make any difference who the city obtained, they would not receive as oblicitor of any standing at \$12 per month who would not receive a solicitor of any standing at \$12 per month who would not receive a solicitor of any standing at \$12 per month who would not receive a solicitor of any standing at \$12 per month who would not receive a solicitor of any standing at \$12 per month who would not receive a solicitor of any standing at \$12 per month would give his whole time. He moved that it be referred to the finance committee for report, which was carried.

The city solicitor and fled.

Ald. Yates said that it did not make any difference who the city obtained, the would not receive and filed.

The city solicitor and fled.

Ald

day and night, between the hours of seven in the morning and eleven of the night, the div engineer to put his directions in wild have shown several of these 19 to consist of account books not at present in wild have shown several of these 19 to consist of account books not at present in wild have shown several of these 19 to consist of account books not at present in wild have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of these 19 to consist of account books not at present in would have shown several of a these 29 to consist of account books not at present in would have shown several of all accounts of account books not at present in the case for reference at varirons times, when questions concerning expenditures for exercions passed for the sample exercion as a satisfaction of the sample exercion as the satisfaction of the satisfaction of the satisfaction of the satisfaction of the satisfaction at the satisfaction of the satisfaction of the satisfaction of the satisfaction at the satisfaction of the satisfaction of the satisfaction at the manner of keeping the s

The secretary of the school trustees forwarded a copy of the resolution adopted at the last meeting of the trustees regarding the reduction of the estimates for the year.

Accountant.

The city solicitor submitted a corrected copy of the amendments to the Municipal Clauses Act, with comments thereon.

The communication was received and

Columbia Electric company was then taken up.

Ald. Vincent moved that a contract be entered into with the tram company, according to the agreement.

Ald. Stewart seconded the motion.

Ald. Fullerton wished to know if the motion was not out of order when it was taken into consideration that the company could be compelled to water part of the streets. He did not propose to accept the agreement from the company as he was of the opinion that the city could water the streets much cheaper laid on the table, as he was not thorarrancement with the company.

Ald. Hall moved that the question be

WATCHES FOR BOYS

During the months of March, April and May, THE COLONIST will give an Ingersoll Nickel Watch, guaranteed perfect timekeeper,

For Only Three New Subscribers to The Semi-Weekly Colonist.

These Watches have each the guarantee of the Ingersoll Watch Company, and are not mere toys.

will be sent to those applying for same.

Sample papers and subscription forms

That the sum of \$100 be expended on Burdette avenue in improving same at its western end.

That Quebec street and Superior street be macadamized. Estimated cost, \$2,700.

Too Many Meetings

The consideration of this report raised the question of Thursday evening meetings.

Ald. Hall could not understand why the council was holding so many more different meetings he had attended yesterda, as well as those which are to be field this week, while there are others which it is impossible to hold owing to the time being already taken up. He was of the opinion that if they were going to keep up the meetings as at present it would be necessary for the alderment to quit work and sleep at the city hall. He was of the opinion that all the work that had been done on Thursday with the Thursday meeting.

The Same of Saturday had the following: Negotiations are under way in connection with the sale of the old Lorne estate, lying in the middle of Delta municipality, to Messrs. P. Burns & Co., cattle dealers. It is reported that it the deal goes through large sums of money will be expended in transforming the 3,000 acres which comprise the estate into a vast cattle ranch. A school section owned by the provincial government is situated in the middle of the property, and as it is unfit for the purpose for which it was originally granted, Mr. C. C. Fisher, government agent, went down to the Delta yesterday to inspect the property with a view to its sale to the company and will report to the department in connection with the matter. The land is practically useless as it stands, and it is understood an extensive drainage system will be constructed by Messars. P. Burns & Co.

This report was adopted.

The communication from the British Columbia Electric company was then taken up.

Ald. Vincent moved that a contract be recommended into with the sale has been effected.

Two People Killed in Collision With

Binghamton, N. Y., March 19.— Charles Hemstraught, aged 75, and Mrs. Phelps, both of Union, were in-stantly killed at a grade crossing a mile below Union today, their carriage being struck by the Erie monitor, No. 20, eastbound. The wagon was de-molished and the horses were killed. The entire equipage was ground to pieces under the engine, nearly derail-ing the train.

The annual meeting of the Nelson Conservative club was held last evening, says the Nelson Economist of Saturday last, and in every respect it was an enthusiastic gathering. All present seemed animated with the one desire to advance the best interests of the party. Previous to the business for which the meeting was called, President Lennie gave an account of his stewardship, and so well satisfied were all with what had been accomplished that when the time came for the election of officers he was re-elected president without opposition. After the report of the treasurer the election of officers took place, with the following result:

Honorary president, Hon. R. McBride:

Honorary president, Hon. R. McBride: president, R. S. Lennie: vice-presidents. W. E. McCandlish and Dr. Rose; secretary, W. L. Spry: treasurer, W. C. E. Koch; executive committee, J. E. Annable, H. Bird, D. M. Carley, W. E. Gosnell, W. Irvine, P. Lamont, W. A. Macdonald, W. R. McLenn, G. W. Steele, A. Thomas, E. C. Wragge and Harry Wright, M. P. P.

After the ballots had been counted.

Harry Wright, M. P. P.

After the ballots had been counted. President Lennie delivered a stirring address, in the course of which he reviewed at length the work of the Mc-Bride government since its accession to office. In scathing terms he denounced the course being pursued by the opposition in its effort to make capital for the Liberal party. He wound up an able address by annealing to all Conservatives to work harmoniously and aggressively for the success of their party.

W. A. Macdonald, K. C., in a shfort speech, referred to what had been done by the Conservative party in the past, and emphatically endowsed the McBride government. He condemned the negligence of the Liberal party when British Columbia interests were being considered. He concluded by urging the local Conservatives to get ready for the battle that in the natural order of events must take place within the next two years.

Dr. Rose tennered some good advice in the way of preparing for the contraction.

Dr. Rose tendered some good advice in the way of preparing for the campaign, and referred particularly to the creditable record being made by the Mc-Bride government.