THE COUNCIL AND COMPANY AGREE

TO CANCELLATION OF "SECRET" CONTRACT

Interesting Debate at Last Evening's Meeting of City Fathers—Other Business.

Several matters of some importance came up for consideration at Monday's meeting of the city council. That of the most general interest was the consideration of the advisability of cancelling the "secret agreement" with the B. C. Electric Railway Company on the water question. The matter was introduced by the reading of a letter from R. H. Sperling, manager of the company, announcing the latter's willingness to be released from the agreement. It was decided to accept the intimation and the city solicitor was instructed to prepare the necessary papers, there being only one dissenting voice, that of Ald. Fell. A new by-law entitled the Victoria Real Property Tax By-law was submitted by Ald. Yates, and given its first and second reading.

Mayor Morley occupied the chair and there was a full attendance of aldermen.

A communication from J. J. Donnellan, architect for the Consolidated Amusement Company, was first read. It dealt with the question of a permit for certain alterations to the Savoy theatre and stated that in some particulars it would be impossible to comply with the provisions of the by-law.

In a short report Building Inspector Northcott said that if the company constructed the walls of the proper thickness there should be nothing to prevent the issuing of a permit.

After a brief debate the latter report was adopted and Mr. Donnellan, who was present, retired after thanking the council for granting his request.

An application from Harry P. Wille for an electric light upon the corner of Stanley avenue and Pandora street was referred to the electric light committee.

M. H. Braden complained of the civic plumbing in a specific instance. It was submitted to the plumbing inspector for report.

J. H. Bailey, manager of the Seamen's Institute, acknowledgeed the receipt of a donation of $25 on behalf of that organization. It was received and filed.

C. E. Pilling, of Henry street, wrote drawing attention to a bad piece of sidewalk and told of an accident of which his daughter had been the victim. He asked assistance in the payment of the doctor's account. Referred to the engineer.

John Leigh & Son complained again of the bad condition of Turner street between David and John. It was submitted to the streets, bridges and sewers committee for report.

Mayor Morley then read a brief communication from R. H. Sperling, general manager of the B. C. Electric Railway Company. It is self-explanatory, and follows:

Vancouver, B.C., March 22nd, 1906.

A. J. Morley, Esq., Mayor, Victoria, B.C.:

Dear Sir:—In further reference to your letter dated January 30th, I beg to say that I have received word from our London directorate that our company is entirely agreeable to have the city release us from the "tentative" agreement between the city of Victoria and this company, dated November 24th, 1904.

R. H. SPERLING,
Business Manager.

In a few remarks the Mayor gave his view of the relation of the city to the electric railway company and the Esquimalt Waterworks Company in respect to the water question. He considered that the tramway company was the tenant of the Esquimalt concern and he didn't see what excuse they had to enter in any way into the proposed transaction between the corporation and the Esquimalt company in regard to the control of the water rights at Goldstream. The agreement, he thought, should be rendered void at the earliest possible moment in order that there might be a clean sheet to start with. After having dealt with the Esquimalt company, it would be time enough to consult the tramway company in respect to the terms upon which the latter should be supplied with the power necessary for generating purposes.

Ald. Stewart wanted to know whether the tramway company had forwarded their copy of the agreement with Mr. Sperling's letter.

His Worship contended that a resolution cancelling the document was all that was needed for the purpose desired.

"Surely you won't attempt to give an opinion on a matter of law you're not aware of?" queried Ald. Fell, and he concluded with the terse but common place statement "It makes me tired."

The letter was laid on the table.

The city engineer and city assessor submitted a report concerning proposed permanent improvements. It was adopted.

The city engineer submitted a communication from A. R. Sherk asking permission to put up a verandah, projecting over the sidewalk, about his residence on North Park street. It was moved that Mr. Sherk be informed that the council could not see its way clear to issue the permit. This carried.

The following report from the city engineer was read:

March 22nd, 1906.

To His Worship the Mayor and Board of Aldermen:

Gentlemen:—I have the honor to submit the following report for your consideration:

Re grading and macadamizing of Cook street, northeasternly from Hillside avenue to connect with the Cedar Hill road. Upon looking into this matter, I find it will be necessary to secure a short right-of-way through private property before the road in question could be made. I have, however, prepared an estimate as follows: Grading and macadamizing a roadway 12 ft. wide (not including purchase of property), estimated cost, $800.

Communication from W. Heatherbell, asking that Linden avenue from Belcher street south be sewered. I have examined the locality in question and find it would be necessary to extend the sewer from Cook street a distance of 1,000 feet. Estimated cost, $1,500. I may say, two houses could at once be connected with the prospect of two more in the near future.

Request from Mrs. S. M. Tuck asking that the proposed concrete walk be continued on the Blanchard street side of her property. After looking into this matter I would recommend the section in question be included in the report now being prepared.

Herewith you will find communication from Victoria & Sidney Railway Co., re gravel to be placed in the market. I shall be pleased to have instructions from your honorable body in connection with the matter.

With reference to petitions received re sidewalks on Wilson street and Bay street, I would respectfully report as follows: Bay street, south side, between Government street and Rock Bay avenue. Estimated cost, $60.

Wilson street, south side, formerly Esquimalt street, between Esquimalt road and Catherine street. Estimated cost, $60.

C. H TOPP,
City Engineer.

It was received and referred to the streets, bridges and sewers committee.

B. S. Heisterman in behalf of about ten life insurance companies asked for the introduction of a by-law providing for a reduction in the license necessary for resident agents to do business. It was pointed out that often non-resident agents came here, transacted business and left spending no more money in the community than the amount of their hotel bills.

On motion of Ald. Stewart it was decided to refer the matter to the city solicitor in order to ascertain whether the council has power to introduce the required amendment.

A. G. Elliott suggested that a road be cut through from Hillside avenue connecting with Cedar Hill, a thoroughfare which he contended would shorten the distance to the city to residents of Cedar Hill and Gorden Head districts by three-quarters of a mile.

Referred to streets, bridges and sewers committee.

The finance committee reported that having investigated the application of C. D. Mason, city solicitor, for an increase in salary it was found that the remuneration was fixed by by-law. Therefore, they had no power to make any alteration. They referred the matter back to the council. The report was received and adopted.

The finance committee recommended the payment of accounts amounting to $8,879.43. Adopted.

The fire wardens reported that four tenders had been received for the hose necessary for the augmentation of the equipment of the local department. It was recommended that a certain amount be given P. McQuade & Son and a smaller section of the contract to J. H. Warner, representing the Canadian Rubber Co.

Ald. Stewart opposed the proposal. He moved that the contract be divided evenly. His idea was to give the Canadian Rubber Co. hose a trial. There was no doubt of its quality as it had been tried in other places. Both firms had local representatives, and the prices were the same so he thought the division should be equal.

The latter carried unanimously, the report being adopted as amended.

In the matter of the proposed destruction of certain condemned shacks owned by J. Sayward it was decided to give him another week in which to advance reasons why it should not be removed.

Ald. Fell, seconded by Ald. Vincent, moved that certain condemned structures be torn down forthwith. Carried.

Ald. Hall reported with reference to the awarding of the contract for the supply of carbons. He announced that the committee had received some complaints upon the ground that the specifications had not been carried out in all particulars. He suggested that the report be rescinded and new tenders be called for.

This was carried.

Ald. Yates, while agreeing to the latter proposal, wanted to put on record his opinion of the committee's unbusinesslike methods.

At this juncture Ald. Hall interrupted to state that the matter never came before the electric light committee.

"And according to Blygh I was not nigh," interjected Ald. Fell, humorously.

A by-law fathered by Ald. Yates and entitled the Victoria Real Property Tax Sale By-Law was introduced and read a first and second time, the council resolving itself into a committee of the whole for its consideration.

After the transaction of this routine business the committee rose, and the discussion on the by-law was left in abeyance.

Ald. Fell moved that the city solicitor be asked to report as to the wisdom of adopting the proposed by-law at the present time and the effect of the new act upon it.

Ald. Hall seconded it, and it was carried without opposition.

Upon the proposed cancellation of the agreement with the tramway company being brought up, Ald. Fell asked for an adjournment of the debate on the matter.

Ald. Stewart considered that the thing should be done properly. He contended that the council should have the signed agreement now in the hands of the company in their possession before the contract could be cancelled. Resolutions might be passed night after night, but the agreement would not be satisfactorily disposed of.

Questioned verbally the city solicitor expressed the opinion that as the contract was made under seal the release should be transacted in the same manner.

Ald. Fullerton deprecated such an evidence of lack of confidence in the tramway company. He thought they could be relied upon to submit the documents concerned after the matter had been mutually decided.

A motion by Ald. Fullerton, seconded by Ald. Douglas, to the effect the agreement be cancelled was read by His Worship.

Ald. Fell objected. He moved in amendment the insertion of a clause providing for the submitting of the question to the ratepayers by means of the referendum. Many were much in favor of that means of obtaining a public expression of opinion, and he hoped they would adopt the same method in the present instance. It had been said that the provisions of the agreement were in favor of the company and not the city. The alacrity with which the former had agreed to a release showed that the company "did not value it to that extent," and Ald. Fell snapped his fingers expressively. He contended that the community. If his amendment went down he would take care that a record of the vote was taken. At a future time he would have occasion to refer to the matter.

Ald. Yates did not agree with the previous speaker. He could not see how the agreement benefitted the city. He quoted clauses which, he contended, would operate in an opposite direction. Concluding, he recommended that a motion be carried stating that the city desired to be released from the contract, and that the city solicitor be instructed to prepare the necessary papers.

Ald. Stewart moved to that effect. It carried, all voting in favor of it with one exception, namely, Ald. Fell.

The meeting then adjourned.

MOROCCAN POLICE.

Committee of Conference Prepared Clause of Agreement Which May Be Accepted.

Algeciras, March 27.—The committee of the Moroccan conference has prepared the text of a paragraph which it is expected will be the basis of an accord on the police question. The American delegates have drafted a clause for the agreement which is accepted by the principal delegates and was adopted by the committee. This clause provides that the diplomatic corps at Tangier shall receive reports of the operations of the police for the purpose of assuring that the decisions of the conference are carried out, and as a guarantee for the impartial treatment of foreign interest.

The conference will meet to-night to consider the foregoing.

QUESTION OF TAX SALES DISCUSSED

A NEW SYSTEM IS UNDER CONSIDERATION

Alderman Yates' By-Law Proposes Radical Change in Present Method—Its Provisions Outlined.

At the last meeting of the city council a discussion of more than usual interest took place in the course of the consideration of the Victoria Real Property Tax Sale By-law, a measure fathered by Ald. Yates. Readers of the Times will remember that this was left in abeyance upon suggestion of Ald. Fell in order to permit the city solicitor to submit a legal opinion as to the wisdom of adopting it at the present time. He thought that perhaps its provisions would interfere with those of the new provincial act dealing with the same matter.

The by-law, in brief, provides for the introduction of an entirely new system of the sale of lands, the owners of which have been delinquent in the payment of the taxes levied upon them. Heretofore the custom has been to place them at auction, the person offering to put up the money necessary to free them from all such encumbrance for the least portion of the property in question being awarded a mortgage upon it to the extent of his advance. Thus, in the case of the real estate being much in demand, it often occurred, and still happens, that a bidder purchases as a fraction of an inch of the land by paying the taxes. By doing this he obtained a hold upon the real estate of much the same character as a mortgage, and providing the sum advanced was not redeemed within a specified time, was granted a deed and became the lawful owner of the property. Perhaps it is not proper to describe the system in the past tense, because it is still in vogue, although Ald. Yates' by-law aims at its elimination and the introduction of a method which, he contends, should prove much more satisfactory, not only to the purchaser, but to the person or persons owning the property, and who, through some misfortune, might not be able to raise the money necessary for the payment of their taxes.

The method proposed is simplicity itself. Ald. Yates provides in the terms of the by-law which he has introduced to put the land upon which there is a delinquency in the payment in taxes up at auction in the ordinary way. That is the property will be sold as it stands and as much money raised upon it in its entirety as possible. From the total sum received will be subtracted the amount needed for taxes, while the remainder will be paid into the hands of the original owner. The land then will be owned by the successful bidder without any further question. Ald. Yates believes that this will do away with many undesirable intricacies, and operate much more smoothly than has been the case in the past.

What is troubling the city fathers at the present time in this connection, however, is not so much the comparative efficacy of the two systems, but how the passage of the proposed by-law will effect the sale it is proposed to hold sometime in the near future. At the present time there is about $7,000 worth of property in arrears, and it is the intention to place this upon the market and augment the city treasury to that extent this year. In the present condition of the civic finances the money is badly needed, and both the mayor and aldermen do not wish to take any action likely to interfere with the sale if it can be prevented. Hence the willing acquiescence given Ald. Fell's suggestion to the effect that the city solicitor be asked for his views upon the subject.

The matter will come up for discussion at the next regular meeting of the city council.

HORSE RACING AT THE COMING SHOW

QUESTION DISCUSSED AT PUBLIC MEETING

Decision Reached to Leave it in Hands of the Executive of Agricultural Society.

The public meeting called for Tuesday to discuss matters pertaining to the forthcoming agricultural exhibition was very poorly attended. Relatively the district was more largely represented than the city. Mayor Morley presided, and the meeting soon came to seemingly the only point at issue, whether it was advisable to hold horse racing in connection with the annual fall exhibition in Victoria this year. Discussion lasted till about 10 o'clock, and it was finally decided to leave the matter in the hands of the executive to arrange if possible for Bowker park, to obtain the same for the improvements required.

Mayor Morley explained why the meeting had been held. He invited Fred Norris as one of the executive to address the assembly.

Mr. Norris said that for the information of the meeting he would state that the executive had met two or three times with reference to the holding of horse racing. The grounds they to put the place in condition. The fences were down, and quite a lot of repairs were needed. Last year the lease of the driving park expired, and the executive had had a number of interviews with the owners. The secretary had said that it would take $500 to put hte place in condition. The owners would not now give a lease. They had laying idle in the property something like $30,000, and got little in return except what was derived out of the annual horse meets. He had suggested that the owners put everything in order before renting, but this proposition they would not entertain. The executive therefore decided to ascertain cost of the improvements. The city building inspector went to the grounds and he reported that it would take $350 to improve the fences. Dr. Tolmie stated that the track would have to be improved, and this would cost from $200 to $250, so that in all the expenses would be run to the $1,000 mark for the grounds for three days. The executive pointed this out to the owners with the result that they consented to reduce the $500 fee by $100, leaving $900, which would have to be met if the grounds were secured. The owners were desirous of selling, in fact he believed they would sell on fifty cents on the dollar invested. He had reckoned up that in the last two years 2,000 people had attended the exhibitions because of horse racing. This left an income of $1,000. There had also been received for all privileges including grand stand, bar, etc., $1,450. He questioned if it was possible to get up properly contested races if in view of the contagious diseases prevalent horses would come from the American side in sufficient number to make successful a race meet here.

He read from a letter which Dr. Tolmie had sent from New Westminster, telling of a meeting held there at which 1,000 tickets for membership to the agricultural society had been sold, and thought the meeting in the city hall last evening contrasted poorly with that gathering. Dr. Tolmie had inquired in New Westminster about horse racing as an attraction, and they had considered it necessary there. The question here was what shall be done? In New Westminster they took a different interest in things than in Victoria where attractions were so diversified for a day's outing that a man in getting an outing would as soon go out into the country as attend a show. He had proposed to the owners of Bowker park that those gentlemen run the races, but they declined. In conclusion he pointed out that if the park was not secured for this year's exhibition there would be no proper place for a stock parade.

Ald. J. S. Yates did not think the size of the meeting spoke well for the success of the show. If the owners of Bowker park asked too much he did not see why any business should be done with them. They wanted to sell and to have their grounds put in shape for them. He was, however, willing to do what he could for an exhibition. Ald. Yates then put his hand in his pocket handing out $2 for a membership ticket. But he believed that the races could be done without. A few years ago he visited Seattle and was surprised to learn how few horses could be found to come here.

Watson Clarke wanted to know the amount of the deficits caused by horse racing in past years. The public, he considered, was entitled to this information.

His Worship said it was impossible to get at the exact figures asked, as the accounts of the horse racing and of the show were not kept separately.

W. J. Hanna asked if the Bowker park owners would not give a lease for more than a year.

Mr. Norris—No, only one year.

Mr. Hanna said then that he would hold off until the owners came down.

John Jennings favored horse racing. He heard Dr. Tolmie say at one meeting that an exhibition was successful because of the horse racing. He took some interest in the sport, and thought that the public did not care much whether it was of the 2.30 description or 2.05 kind of racing. It was only our own people who witness the races, but he thought races were the drawing card of an exposition.

Andrew Blygh asked for what the meeting was called—for the discussing of horse racing or the holding of an exhibition?

His Worship—I think we are agreed that there will be an exhibition.

Mr. Blygh then wanted to know who all were on the executive, and pointed out that there were but three present.

Mr. Clarke moved that there be no horse racing this year.

Noah Shakespeare seconded this motion. He wanted to see the agricultural show given a trial without this event. There has been horse racing for many years, and his experience had always been that they carried away more than they ever left.

Mr. Nicholson said the days on which there had been horse racing had been always the biggest in point of attendance.

Mr. Blygh said he would be sorry if horse racing was eliminated. He had been all over the world, and had always seen this feature in connection with agricultural shows. That executives of the past made a failure of the business was a disgrace.

Mr. Shakespeare knew from experience what it was. There was just as capable men on the executive as served in similar capacities on the coast, and he did not want strangers to come here and say that they were not.

Victor Spencer thought there should be horse racing. In Toronto, where things were gotten down to a nicety, races were held. They were given in Vancouver, and he thought if the matter was properly taken hold of, each party standing responsibility, races could be held here also. To drop them would be a backward step. Probably something else would be dropped another year, and so it would go on. Bigger money should be offered, so that the people on the Sound and in Portland would be interested.

L. Eaton also pointed out that races were always held in connection with eastern shows.

Mr. Blygh did not wish Mr. Shakespeare to get the impression that he was a stranger, as he was here long enough to know something about how things were managed in Victoria.

Mr. Hanna moved an amendment to the motion that horse racing be held if the executive could finance the business end to it.

Dr. Carter thought the amendment a good one. He did not believe in paying too high a price for anything.

Wm. Wilby moved an amendment to the amendment "that in the opinion of this meeting if arrangements could be made to secure the track for the expense in putting the track in order that races be held."

This carried, and after a general discussion in the way of suggestions to the executive the meeting adjourned.

COL. ENGLISH TO REMAIN IN CANADA

WILL SPEND TWO YEARS WITH CANADIAN FORCES

Important Work For the New Garrison at Signal Hill and Other Points.

Although the evacuation of Work Point barracks here, the last station to be held by a garrison of British regulars, in Canada, is set for the beginning of May, propositions made by the heads of the militia department at Ottawa have resulted in an arrangement whereby Lieut.-Col. English, R. E., the commandant of the garrison, will extend his sojourn in this country for two years longer. The militia council wish to avail themselves of his services in connection with the work of properly organizing the more technical arms of the service, and it is understood that Colonel English is willing to undertake these new duties. He will not remain in Victoria, in all probability, but will likely be either attached to headquarters staff at Ottawa, or will go on the instructional staff at the Royal Military College in Kingston.

Col. English is regarded as one of the smartest of the junior officers in the arm to which he belongs, and his popularity in this city is great, his modesty being as noteworthy as his efficiency.

It is also regarded as a fortunate thing that so many of the men now in the barracks intend to transfer to the Canadian service. When the decision was reached by the Home and Canadian governments that the latter should take over the defences at Halifax and Esquimalt, it so happened that the local garrison was in the midst of building and mounting ordnance on new batteries on Signal Hill, overlooking Esquimalt harbor. Orders to discontinue this work followed, and hence when the Canadian force marches in to quarters here early in May, one of the first matters to which their officers must direct attention will be the prosecution of the work on this cliff. About two hundred tons of ordnance has to be drawn to the top of the hill and placed in position. The Imperial troops performed this heavy manual labor for a half-penny an hour extra, and were familiar with the work of mounting these delicate guns. The Canadian force cannot be expected to display the same proficiency, and certainly the cost per hour, over and above the regular pay, will be greatly in excess of the trifle over his regular wages which the Imperial soldier-mechanic received.

Although it is announced that Canada will man the point at first with a skeleton force, about 150 men, the officers of the Royal Garrison Artillery state, that the station cannot be adequately kept up with a smaller force than now lies in quarters here, namely, about four hundred men. An artillery officer, discussing the matter the other day, stated that it requires the unremitting attention of twenty men to keep the modern big gun in that delicate adjustment necessary both for its proper preservation and first class shape.

Each of these guns has the delicate mechanism of a watch and has to be as carefully adjusted. Any attempted economy in men to attend these batteries therefore would be dearly paid for in the curtailment of the life of the particular piece of ordnance on which said economy would be practiced.

It is understood that in connection with the retention of Col. English and other officers that a satisfactory arrangement has been reached with regard to pensions. The regular officers and men who choose to remain with the Colonial force will be allowed the term of their Canadian service in computing retiring allowance and pensions. Canada in turn will pay to the Imperial government that proportion of such allowance as would correspond to the time spent in the colony.

APPEAL WILL BE TAKEN TO COURT

TO SETTLE TROUBLE IN ORPHANAGE BOARD

Application Made to Restrain President-Elect and Other Members of Committee From Acting.

(From Wednesday's Daily.)

It would appear that there is a great deal of rivalry among those who would serve in the honorary positions of officers of the Protestant Orphans' Home. At the last meeting of the subscribers it will be remembered that there was aroused considerable feeling in connection with certain changes which were made in the officers by the selection of a number of new members to serve in that capacity and the dropping of others who had been identified with the work for years.

This applied to the dropping of Chas. Hayward as president and the selection of Dr. G. L. Milne in his stead. This has engendered bitterness, and an appeal is now to be taken to the Supreme court in connection with the matter.

A writ has been served on a number of those who were elected on the board of management of the home, and an effort will be made to restrain Dr. Milne from acting as president of the society. The contention of the applicants is set forth as follows:

"The plaintiff's claim is for an injunction to restrain the defendants from acting or assuming to act as members of the committee of management of the plaintiffs, the British Columbia Protestant Orphans' Home, by virtue of their election at the annual meeting of the members or subscribers held on the 16th day of March, A. D. 1906, and restraining Dr. G L. Milne from acting or assuming to act as president of the plaintiff society by virtue of his appointment at a meeting of the committee of management of the plaintiff society held on the 23rd day of March, A. D. 1906, in that the said defendants were not subscribers to the funds of the plaintiff society at the time of their election to the committees, and in that Dr. G. L. Milne, when appointed as president, was not eligible for appointment, not being a subscriber to the funds of the plaintiff society."

It is contended that only persons who have contributed $2.50 at least to the funds of the society are eligible to vote at the annual meeting for members of the board of management.

At the time of the election it is set forth that some of those who were selected as members of the committee of management were not subscribers within the meaning of the constitution. These persons complained of are made defendants in the action, and are as follows: Rev. Le Roy Daykin, Rev. Hermon A. Carson, Rev. S. J. Thompson, Rev. F. T. Tapscott, Rev. G. K. B. Adams, George Lawson Milne and A. B. McNeill.

The injunction is asked for on behalf of the following; The British Columbia Protestant Orphans' Home and George Gillespie, R. S. Day, C. S. Baxter, Max Leiser, Charles Kent, John Robertson, Rev. E. G. Miller, Theo. Lubbe, W. H. Lettice, W. & J. Wilson, D. H. Ross & Co., A. W. Bridgman, Luke Pither, Otto Weiler, James Forman, B. S. Heisterman, Sea & Gowan, Challoner & Mitchell and F. W. Vincent, on behalf of themselves and all other the subscribers of the British Columbia Protestant Orphans' Home.

In support of the plaintiffs' case the following affidavits are made by Wm. Scowcroft, secretary of the society, and A. B. Fraser, sr., auditor:

I, William Scowcroft, of the city of Victoria, in the province of British Columbia, assistant city assessor, make oath and say as follows:

1. I am secretary of the plaintiffs, the British Columbia Protestant Orphans' Home, and have acted as such for the last seven years.

2. The annual meeting of the British Columbia Protestant Orphans' Home was held on the 16th day of March last past, and I was present at the said meeting. At the said meeting there were present besides persons who contributed the sum of $2.50 (and upwards) per annum various other person who had subscribed lesser amounts, and also persons who had not subscribed to the funds of the society, and on the election of officers and committee of management the following persons were purported to be elected, namely: Rt. Rev. Bishop Cridge, Charles Hayward, H. D. Helmcken, Edgar Fawcett, Rt. Rev. Bishop Perrin, Edgar Crow Baker, Rev. Stanley Ard, A. C. Flumerfelt, Rev. Dr. Campbell, Thornton Fell, Rev. W. Leslie Clay, George L. Milne, M. D., Rev. S. J. Thompson, Noah Shakespeare, Rev. G. K. B. Adams, Lawrence Goodacre, Rev. Hermon A. Carson, George Carter, William Scowcroft, D. Sprague, Rev. F. T. Tapscott, Adolphus McGregor, Rev. Le Roy Dakin and A. B. McNeil.

3. I attended a meeting held on the 23rd day of March, 1906, of the said persons mentioned in the preceding paragraph, said meeting purporting to be a meeting of the officers and committee of management of the society, pursuant to article 6 of the society's constitution or declaration, when an election of officers was held and other business was transacted, including the authorizing of the expenditure of the funds of the society, and at said meeting the following persons were present, namely: Charles Hayward, E. Crow Baker, myself, D. Sprague, A. G. McGregor, A. B. McNeill, N. Shakespeare, Edgar Fawcett, George L. Milne, the Rt. Rev. Bishop Perrin, the Rt. Rev. Bishop Cridge, the Rev. Dr. Campbell, the Rev. W. Leslie Clay, the Rev. Le Roy Dakin, the Rev. Hermon A. Carson, the Rev. F. T. Tapscott, the Rev. S. J. Thompson and the Rev. G. K. B. Adams, and the following officers were elected: President, George Lawson Milne; secretary, William Scowcroft; and treasurer pro tem., Edgar Crow Baker.

4. Now produced and shown to me and marked "A" is a copy of the society's regulations and by-laws as filed with the registrar-general.

I, Alexander McDonald Black Fraser, the elder, of the city of Victoria, in the province of British Columbia, merchant, make oath and say as follows:

1. I am auditor of the plaintiffs, the British Columbia Protestant Orphans' Home, and have acted as such for the last six years.

2. That the defendants were not subscribers to the funds of the British Columbia Protestant Orphans' Home on the 16th day of March, A. D., 1906, and I have gone through the list of subscribers to the society, for the period of the last six years, but their names do not appear as subscribers to the funds of the said society during that period.

2. I am informed by Edgar Fawcett, a person who was present at the meeting of the committee of the society held on the 23rd day of March, 1906, that the defendants have purported to exercise the office of committeemen and attended a meeting of the committee, and the defendant, George Lawson Milne, has assumed to act as president of the society, and I verily believe that unless restrained by order of the court the defendants will still continue to so act.

The application for an interim injunction will be argued before the Chief Justice on Thursday morning at 11 o'clock.

PRISONER TORTURED.

Girl Who Shot Chief of Police Cruelly Treated.

Moscow, March 26.—M. Teslinko, counsel for Mlle Spiridonovo, the 17-year-old girl who shot M. Loshenoffsky, chief of police at Tamboff, has returned here from Tamboff, where his client was found guilty of the charges brought against her. He declares that the tortures of the Spanish inquisition were tame when compared with the cruelty the girl has been subjected to. He gives a thrilling account of her vigorous and spirited speech to the judges who condemned her, telling them that the victory of the oppressors of the people would be short lived. She added, "you can kill me, but death will be welcome after what I have suffered."

MISSIONARIES LEAVE STATIONS

BECAUSE OF THE ANTI-FOREIGN FEELING

Hundreds Have Already Reached Hongkong From Points in the Interior of China.

Hundreds of missionaries are arriving in Hongkong from the interior of China, said T. P. Keeney Wednesday, they being obliged to leave their stations because of the anti-foreign movement of which so much has recently been written. Mr. Keeney was an arrival on the steamer Tremont this morning; he is going through to Seattle, accompanied by his wife.

Mr. Keeney owns a furniture store on one of the main streets in Hongkong, where are sold chairs and such articles to prospective travellers across the Pacific. In this way he says that he has come in contact with many of the missionaries, and has obtained from them a great variety of opinions on the present situation. Personally, he thinks the situation in China a very serious one, the Chinese boycott against Americans being only a pretext for the hatred that is becoming more intense continually. He considers that the American government will very shortly have to take vigorous measures in dealing with the Chinese, and in affording protection to those subjects who are already living in the Far East. The bitter feeling against Europeans in China is not confined to Americans, says Mr. Keeney. All foreigners are being looked upon in about the same light, and the Empress herself is secretly suspected of fostering it. The coolie class is, of course, the dangerous element. Among these the cry is spreading. It is noticeable even in Hongkong, where there is a very large number of Chinese domiciled.

So far as American trade is concerned Mr. Keeney says the boycott has already exercised its blighting influence over this, and he has been told, although he could not vouch for the statement, that not an order has been placed in China for American goods in months.

As stated above, the missionaries hold different views as to the permanency of the trouble, some thinking that it is only a wave of hostility which will shortly pass over. The missionary whose wife and children were recently murdered, as a result of riots, and whose church and house were destroyed, has returned to the scene of trouble, declining all indemnity in the way of money for the dear ones he lost, and asking only that his home and mission house be restored. Friends urged him not to return to the place, as he would be in danger of losing his life, but the missionary having some protection offered him, determined to go back, and if possible continue his good work.

A big ship load of missionaries are on the steamer Korea, bound for Korea.

NOVEL EXPERIENCE.

Mme. Sarah Bernhardt Acted in a Circus Tent.

Dallas, Tex., March 27.—For the first time in her long career Mme. Sarah Bernhardt last night played in a circus tent. The play was "Camille." The audience numbered 5,000 persons from all parts of the southwest. The performance was carried out smoothly and was received with intense enthusiasm.

NOVA SCOTIA GOVERNORSHIP.

Mr. Justice Fraser Selected to Fill the Vacancy.

Ottawa, March 27.—Mr. Justice Fraser of the Supreme court of Nova Scotia, has been appointed Lieut.-Governor of Nova Scotia in place of Hon. A. G. Jones, deceased.