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STORMY SCENE AT THE COUNCIL

OAK BAY AND THE WATER PROBLEM

Mayor Morley Says Interference of Aldermen Spoiled the City's Case

Thursday's special meeting of the city council was prolific of much exciting debate and at least four important developments of the most vital interest to the city of Victoria, as follows:

First—A declaration by Mayor Morley that the judgment of the mayor is to be supreme in all civic matters.

Second—A declaration by James L. Raymur, water commissioner, that despite the powers conferred upon himself by the act and despite the decision of the majority of the aldermen it is his to attempt to have employed in his department any person who is not persona grata to the mayor.

Third—The aldermen resorting to the expedient of appealing from the ruling of the chair and succeeding in passing over his head the motion which led to these declarations.

Fourth—The resignation of the city barrister, due to an uncomplimentary reference to himself by the mayor in the last sitting of the private bills committee of the legislature.

On the meeting being opened, the mayor asked the city solicitor to explain the status of the relations between Oak Bay and the city on the question of a water supply.

Mr. McDiarmid read a statement in which he said that the basis on which the private bills committee decided the Oak Bay should get together briefly, that the committee had already arrived at a decision to give Oak Bay the right to lay pipes to secure Esquimalt water until such time and only until such time—as the city is in a position to deliver Sooke lake water to all consumers in Oak Bay district. Victoria now proposed that Oak Bay be authorized to lay the proposed pipe line in a position and of a size satisfactory to the city. It is further proposed that tenders for construction of this pipe line be invited and the contract awarded subject to the joint approval of the engineers of the two corporations, and upon the city being in a position to deliver Sooke lake water within a period of eight years, Victoria city take over this pipe line at final cost without regard to depreciation. Thereafter water to be supplied by the city to Oak Bay from Sooke lake's supply, no agreement with the Esquimalt Waterworks Co. being permitted for a longer period than the eight years, to be sooner terminated in the event of the Sooke lake water system being earlier completed, and the future price of water from the city to Oak Bay, delivered in quantity at the municipality's boundary being mutually agreed upon—and failing this, to be arbitrated by the provincial water commissioner, the ownership of the pipe line to be vested in the Oak Bay municipality from the outset, to debar the Esquimalt Waterworks Co. from establishing anything in the nature of a vested right.

The suggested agreement was then taken up clause by clause. Clause one read as follows: "The route of the said pipe line, the size of the pipe to be laid therein, and of all tenders for any work in connection with the construction of the said pipe line shall be subject to the joint approval of the two corporations, and in the event of any difference between the two corporation, shall be settled by the water commissioner of the province of British Columbia."

Mayor's Statment.

The mayor asked Ald. Bishop to take the chair while he wished to make a statement. He reminded the aldermen that he had made a note of what was offered on his behalf before the private bills committee. This was that the pipe line would be laid satisfactory to the city and that it should be of some value to the city in connection with the Sooke lake scheme. As the clause was drawn, there was nothing which protected the city as to the value of the pipe line. The city was Victoria asked to expend a sum of $100,000 to lay down a pipe line of no value whatever? How could they obtain back the right to sell water in a territory which was already covered by solemn legislation. He did not think any government would be willing to place the city in such position. Mr. V. Bodwell, K.C., who was for Oak Bay, made it clear that the neighboring municipality would bear the whole expense of laying down the pipe line.

The clause passed as it was drawn would certainly penalize the city to the tune of $100,000. All that the city got in return for that expenditure was mentioned at present. He was sure no government would never pass such a measure. The proposed compact was based on a binding agreement ratifying a set term of years which both Oak Bay and the city be restrained from seeking legislation. But Mr. Bodwell had fairly pointed out that Oak Bay had no agreement. He (the mayor) was thoroughly satisfied that Oak Bay would never sign such an agreement as was satisfactory to the city. Oak Bay opposed to being bound down to seek further legislation.

It was plainly the whole intention of the movement to get the Esquimalt and Nanaimo pipe lines into the territory

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CITY COUNCIL REVERSES MAYOR

APPEAL FROM RULING AND CARRY MOTION

Lively Encounter at Last Evening's Special Session of Board

A statement by Mayor Morley that in his opinion the mayor of the city is vested with supreme powers and that he purposes exercising those powers, and the further declaration from the water commissioner, James L. Raymur, that he (Mr. Raymur) knew it would be idle to appoint any person to his department who would not meet with the approbation of the mayor, were developments at last evening's meeting of the city council, when the aldermen, dissenting from the ruling of the mayor, passed over his head the following resolution moved by Ald. H. M. Fullerton:

"That the following resolution passed at the meeting of the city council held on the 9th of February, 1911, be reconsidered, viz.: 'Moved by Alderman W. F. Fullerton and seconded by Alderman Bishop, that this recommendation (of the City Water Commissioner) be adopted and the matter left in the hands of the Water Commissioner and the City Engineer to send out such party to take the necessary levels and to report to the council as to the feasibility of such a route for conveying water from Sooke Lake by pipe line or otherwise into the city.'"

On the motion being presented the mayor said it was out of order for the reason that by a former resolution the water commissioner had been empowered to appoint an official and had done so. Dennis R. Harris, C. E., having accepted the position.

Ald. H. M. Fullerton—Did you let the water commissioner exercise his own unbiased judgment?

The mayor demurred at the question.

Ald. H. M. Fullerton—I have asked you a question and I insist upon your answering it.

The mayor—This is what occurred. Mr. Raymur came to me and said that C. H. Topp had applied for the position. I said to him: "Do you think it wise to appoint Topp?" and Mr. Raymur answered "no." That was all there was about it. I may add, Ald. Fullerton, that you ought to learn the unwisdom of giving false reports to the papers. You have done so on numerous occasions lately. This only creates dissensions. I can tell you that the mayor never goes out of his way to dictate to the heads of departments. Don't forget that the mayor under the act is given full responsibility. I am seized of that fact and I purpose exercising it.

Ald. Fullerton—We have something to say as to final responsibility.

The mayor—You're new to the board. It was decided by resolution last year that the departmental heads were not to be interfered with.

Several aldermen—You are constantly doing it.

The mayor—And I have a right to.

Ald. Langley asked the mayor to put the motion.

The mayor refused on the ground that it was out of order.

Ald. Langley appealed from the ruling of the chair. He did not propose to be responsible to the people as their representative if he was to have no voice in the administration of the affairs of the city. Particularly was it important on the Sooke Lake scheme that the aldermen should assume responsibility for the carrying out of that work, in matters of policy at all events. It would do no good, if blunders were made, for the aldermen to go to the people and say, "Oh, I had nothing to do with it; we left it to the head of the department.

Ald. Gleason contended that the motion was clearly out of order, as Mr. Harris had entered upon his duties and the whole matter had been disposed of.

The motion, "Shall the chair be sustained?" was then put and negatived on the following division:

Ayes—Ald. Gleason—1.

Noes—Ald. H. M. Fullerton, Peden, Ross, Bishop, Humber, Langley, Moresby and Okell—8.

Ald. Moresby then moved that the water commissioner and the engineer be asked to get applications from a number of capable men to do the survey work and report back to the council.

Ald. Gleason asked the water commissioner what was the position in connection with the matter of the appointment of Mr. Harris.

Mr. Raymur explained at some length the circumstances leading up to his selection, in doing so mentioning that he had told Mr. Topp he could not appoint him, "as the mayor would not stand for it."

"Why?" asked several aldermen at once.

"Because he was connected with Gore & McGregor's office, and the mayor does not like that firm. Anyhow, there is no use in appointing a man whom the mayor does not want."

Ald. Moresby—Why, the mayor's the whole thing!

The mayor—You don't realize the mayor's responsibility.

Ald. Okell—Won't the people hold us responsible?

The mayor—You read the act.

Ald. Okell—Yes, I have read the act, and section 11 makes us responsible, equally with yourself.

The motion moved by Ald. Moresby was then carried, and the incident closed.

TAFT'S DISAVOWAL OF CLARK'S TALK

COMMENTS OF THE LONDON PRESS

Daily News Says Enemies of Reciprocity Are Trying to Scare Canada

(Special to the Times.)

London, Feb. 16.—President Taft's flat disavowal of Champ Clark's speech in congress predicting the annexation of Canada as a certainty if reciprocity comes, is taken very differently by the Liberal and Conservative organs here to-day. The Liberal papers support Taft and deny that America intends to annex Canada. The Conservative papers declare that Taft's disavowal does not reflect the true sentiment of American statesmen.

The Globe says: "Naturally Taft repudiated Clark's statement referring to reciprocity as the road to annexation, but this repudiation covers only the president himself. The fact remains that the thought embodied in Clark's annexation talk seems to be one prominent in the minds of other Americans."

The Conservative papers generally warn Canada to beware of reciprocity unless she is willing to be swallowed by the United States.

The News says that enemies of reciprocity in this country are trying to scare Canadians into believing that annexation is the inevitable corrollary of reciprocity while it really means that the protected interests are hard up for an argument. After President Taft's repudiation in the matter they will perhaps try to control their nerves.

The Financial News says that Canada is already congratulating herself on the tremendous free advertising which she has obtained as a result of the reciprocity affair.

The Manchester Liberal Unionists have passed a resolution deprecating the reciprocity agreement and declaring it would inflict serious injury to the trade of the mother country with Canada, would upset the whole idea of imperial trade partnership and discourage the hopes of a closer commercial union and constitutes the deadliest blow yet directed at the integrity of the British system.

Birmingham View.

Birmingham, Feb. 16.—The Daily Post thinks the Canadian government is anxious above all things not to arouse suspicion of encouraging annexation policy. Had the reciprocity agreement implied annexation or even taken form of commercial treaty it is extremely doubtful if Canadians could have been persuaded to assent, for it is even now evident there is nervousness in some quarters, but the imperial sentiment is stronger in Canada even than at the heart of the Empire and it will take extremely powerful commercial interests to destroy it.

Secretary's Speech at Chicago.

Chicago, Feb. 16.—It was generally predicted by politicians to-day that the pro-reciprocity and anti-annexation speeches of Secretary of State Knox and Jas. J. Hill, the railroad magnate, delivered at a banquet given by the Chicago Association of Commerce last night, will do much toward quieting the fears of England that the sentiment of the American people favors the annexation of Canada.

Knox's address is looked upon as a direct reflection of the feelings of President Taft on the two subjects. Knox strongly urged the passage of the reciprocity agreement with Canada.

Concerning talk of annexation, he said that while "migrations are proceeding constantly and freely between the United States and Canada there is not the slightest probability that the close racial and moral union will involve any political change of annexation or absorption."

FEAR SPREAD OF PLAGUE TO EUROPE

BRITISH EXPERTS URGE PRECAUTIONARY ACTION

Vladivostock Quarantined Owing to Report of Case of Plague

London, Feb. 16.—British experts fear that the pneumonic plague epidemic which is sweeping Manchuria will spread to the Occident, and today advised immediate action, to check the disease. They fear that with the coming of spring it will be a miracle if the disease does not spread to Siberia. Once it gains a foothold there, the experts say, it will rapidly spread to European portions of the Czar's realm, on account of Russia's primitive methods of quarantine and sanitation, and doubt if it then can be prevented from reaching Western Europe.

Vladivostock Quarantined.

St. Petersburg, Feb. 16.—Vladivostock is quarantined to-day following the reported discovery of a case of pneumonic plague there. City traffic to a large extent is with Manchuria, where hundreds of plague victims are dying daily, and it is believed that the disease has been communicated as a result.

All business relations with Manchuria have ceased. Railway transportation between Vladivostock and the plague district is under medical supervision.

Vladivostock authorities are taking every precaution to prevent a spread of the disease in that city

RIGHT OF WAY FOR RECIPROCITY

TAFT TAKES STEPS TO FACILITATE PASSAGE

Senators Will Be Asked to Let Agreement Have First Place

Washington, D. C., Feb. 16.—President Taft to-day chose Senator Murray Crane of Massachusetts as executive whip for the senate and instructed him to push the campaign for reciprocity to the limit.

Crane, it is said, has been told to approach other senators who have bills pending and ask them to step aside with their measures in order to let the reciprocity bill pass.

The president to-day is endeavoring to assure Canadians that Champ Clark's annexation speech was unimportant, but the reported excited repudiation of the sentiment in Canada and England, it is believed here, makes the success of the Taft plan for freer trade at least less probable than it was.

A Fool Resolution.

Washington, D. C., Feb. 16. — Congressman Bennett of New York, introduced in the House to-day a resolution providing that President Taft be requested to open negotiations with the British government to secure the annexation of Canada to the United States. Bennett declared that he introduced the resolution purely on his own initiative, adding: "The annexation of Canada must come some time, and might as well be now."

Bennett declared that his resolution was the natural outgrowth of the reciprocity agreement and attempted to explain why he favored annexation while being opposed to the Taft plan for reciprocity. Congressmen in general believe the Bennett resolution is designed simply to make more difficulty the passage of the reciprocity measure.

TWO BOYS DROWNED.

Long Beach, Cal., Feb. 14.—On the rock at a point of the beach from which two of their schoolmates were washed by a huge wave, a detail of boys from the Long Beach High school will keep watch until the body of Robt. Long, one of the victims, is found. Permission to maintain the watch was granted by the faculty today. The body of Herbert Craig, the other victim, was recovered soon after he was drowned.

KING NICHOLAS ILL.

Cettinje, Feb. 16.—King Nicholas of Montenegro is reported to be in a serious condition to-day as the result of a bursting blood vessel. He has been bleeding from the ears and nose constantly since last Monday and to-day he collapsed. Vienna specialists have been summoned to treat him.

RUSSIAN BEAR SHOWS TEETH

CHINESE TERRITORY MAY BE OCCUPIED

China is Alleged to Have Violated Terms of the Treaty

(Times Leased Wire.)

St. Petersburg, Feb. 16.—Practical certainty that Russia will be involved in war with China within a few hours is seen here to-day in a publication by the newspaper Retch that the Russian government plans to occupy the Ili region in Chinese Turkestan.

Conferences at the war ministry today, it is believed, are over the treaty of 1881, whereby Russia evacuated Ili province, after an occupation of ten years, in return for which China promised Russia commercial concessions in Ili, Mongolia and Manchuria. Russia asserts that these rights have been gradually curtailed.

Russia's intention is declared to be to first seize the town of Kuldja. Its occupation will be equivalent to a declaration of war, but actual hostilities are considered as unlikely, for it is considered certain that China will yield. If China resists war is inevitable.

Russia declares that China is hindering Russian merchants in selling tea in Chinese territory and that China refuses to permit Russian consuls in many of her cities.

Formal Notice From Russia.

London, Feb. 16.—Formal notice that Russia intends to make a military demonstration against China to force compliance with the treaty of 1881 was sent to the British foreign office by the Russian government.

It is understood that similar notes have been sent to other powers.

ATTACK ON RECIPROCITY.

Standpatters Accused of Attempting to Defeat Taft's Programme.

Washington, D. C., Feb. 16.—The White House interprets Representative Bennett's resolution submitted in the house to-day as a deliberate attack by the standpatters, under the leadership of Speaker Cannon, upon the President's reciprocity programme. President Taft personally is infuriated and his friends declare the standpatters have been double crossing the President, and, while fearing to come out in the open, have been trying to defeat reciprocity by causing an international misunderstanding.

In presenting his resolution for action looking to Canadian annexation, Bennett says:

"The reciprocity puts wheat on the free list, but leaves the duty on flour. I represent a city district where we do not chew wheat, but we do consume flour. When the people learn the real terms of this agreement I predict that they will be much dissatisfied.

"I am a member of the foreign affairs committee to which my resolution will be referred. It is intended to have the committee consider it on Monday. I assumed from Clark's speech that his followers will support the resolution."

Bennett also introduced an auxiliary resolution asking the President for information regarding the present situation concerning annexation negotiations now progressing or contemplated tending to the union of the two countries.

Commenting on Bennett's resolution, Champ Clark said this afternoon: "If Bennett introduced the resolution it is his kettle of fish, not mine."

Clark refused to make any further comment.

Representative McCall, President Taft's right hand man in pushing the reciprocity bill in the House, said: "It must be remembered that Bennett tried to defeat the bill in the House. While I am not reflecting upon his motive in introducing the resolution, it might tend to produce the same results by affecting the Canadian parliament against reciprocity. Personally, I do not take the resolution seriously."

The exact text of Bennett's resolution follows:

"Resolved, by the House of Representatives, the Senate concurring, that the president be requested to enter upon and prosecute from time to time such negotiations with the British government as he deems expedient for the annexation of the Dominion of Canada to the United States."

The resolution was referred to the foreign affairs committee.

ANXIETY ABOUT CANADA.

British Unionists Harping on Another Phase of Reciprocity.

London, Feb. 16.—In the House of Commons to-day H. Pike Pease, Unionist, asked the foreign secretary whether his attention had been called to President Taft's statement of the conclusion of an arrangement whereby freight rates between Canada and the United States would be considerably modified. In reply Sir Edward Grey said: "The whole subject is under careful consideration of the government. I am not in a position to make any statement."

RESIGNATION OF CITY BARRISTER

W. J. TAYLOR, K. C., WRITES COUNCIL

Suggests That His Successor Should Be "Practical Waterworks Man"

As an aftermath of the incident at the conference between the members of the city council and the private bills committee of the legislature the other day on the Oak Bay water bill, when the mayor spoke of the city barrister as a man who "did not possess a practical knowledge of waterworks matters," the latter, W. J. Taylor, K. C., has handed his resignation to the city council, the following letter having been read at last night's special meeting of that body:

"Dear Sir,—It would be a good idea to retain another counsel to represent the city in the present difficulty with Oak Bay, one who has a 'practical knowledge of waterworks matters' as well as some knowledge of law. It is hard enough to represent a divided authority, but worse to have invidious observations made publicy as a result of carrying out instructions. My instruction from the mayor upon the first hearing was to make the suggestion that I did make to the private bills committee, namely, that Victoria would undertake to supply Oak Bay with any quantity of water it required, even if the city had to obtain the extra quantity from the Esquimalt Company. One of the committee misunderstood the suggestion to mean that the city would lay a pipe independent of its present system and supply Oak Bay with Esquimalt water through this pipe. There was really nothing said to warrant such a misunderstanding, and none of the other members of the committee did so misunderstand it, but on the contrary inferred that Victoria would convey such water through its present pipe system. A practical knowledge of waterworks matters (a matter pertaining to engineering rather than law) may be necesary in order intelligently to make such a suggestion, but my instructions were to make the offer. From the statement read by the chairman of the committee on Tuesday it was obvious that the members of the committee were considerably irritated by the city's action in relation to its threat to shut off a supply of water from Oak Bay. To allay friction I explained that there had evidently been a misunderstanding and assumed responsibility for creating the misunderstanding and endeavored to avoid its effect. The committee passed the incident and proceeded to consider the bill. To assume a responsibility which did not attach to me for the purpose of avoiding trouble for others, and then to have one of those responsible for the trouble 'rub it in' in the particular public manner referred to, is not fair play. I could not have replied before the committee without creating further trouble there, and as you are aware the city's position was perilous enough as matters stood.

"W. J. TAYLOR."

The mayor, on the letter having been read, said the whole thing grew out of a misunderstanding. Mr. Taylor had made a suggestion to the committee on behalf of the city in reference to the pipe line which he knew would not be in the interests of the city, and he (the mayor) had, then said: "Excuse me, Mr. Chairman, Mr. Taylor is making a suggestion which only a practical waterworks man should make." The whole thing was perfectly plain. It was the result of a misunderstanding.

Ald. Moresby moved that Mr. Taylor be asked to reconsider his decision to resign. He was amazed, however, that the mayor, in the face of Mr. Taylor's statement that the city was in a perilous position could have the hardihood to say that the case could have been won for the city if the aldermen had not interfered.

The Mayor—I made no such bald-headed statement. You are always twisting my remarks around.

Ald. Moresby—I am prepared to answer to the citizens for my actions.

The Mayor—You may have to do so sooner than you expect. The people are getting tired of the balderdash.

Ald. Moresby's motion that Mr. Taylor be asked to reconsider his resignation carried unanimously.

ACCIDENTAL DEATH.

(Special to the Times.)

Toronto, Feb. 16.—Shortly after returning from a theatre party last night Miss Hazel Nicholls, second daughter of Frederick Nicholls of 13 Homewood avenue, the well-known business man, was accidentally shot and killed in her bedroom.

Miss Nicholls, who was 25 years old, had retired to her room. Shortly afterwards a pistol shot was heard by her brother. He rushed into the room and found his sister dead with a bullet in her brain. It appears in taking some apparel from a drawer a small revolver which she kept there was accidentally discharged.

SENATOR WOOD IMPROVING.

Ottawa, Feb. 16.—The condition of Senator Wood is said to be somewhat improved this morning and his physician has hopes of his recovery. It is not expected that he will be able to be moved for at least a fortnight.