TO GRANT MANDAMUS

cerning Charges Preferred Against

a Local Practitioner.

law. The charges of infamous or unprofes

sional conduct, to use the language of the

protecting section has no bearing on sec-

OPENED TENDERS FOR WATER METERS

.8

WILL AWAIT REPORT OF THEIR OFFICIAL

Ald. Barnard Hands Cut Bouquet to the Chamber of Commerce-Question of Harbor Board.

Tenders for supplying the city with water meters were opened at Monday's meeting of the city council, but the list was so large and varied that the civic legislators referred them to the water discussion on the question of a harbor board for Victoria harbor, Ald, Barnard took occasion to refer to the Chamber of Commerce as an irresponsible body who, he didn't think. should have the right to nominate a member of the harbor board if one was incorporated. The council was overburdened with advice from such organizations. Ald. Yafes's motion urging that the Domin-Yafes's motion urging that the Domin-He council was overburdened with advice from such organizations.

labors, but would have all in readiness next week. The communication was referred to the committee in charge of

The Union Publishing Company informed the council that they were ready to commence the work of street rumbering at once and would furnish security for proper performance of the undertaking. Laid on the table. A. A. Boak & Co., plate glass insur-

ers, of Vancouver, threatened the city with legal proceedings if they didn't make good the damage caused during the paving of Government street, when a stone broke a plate glass window in the establishment occupied by Jos. Som-ers. The sum claimed was \$31.95. Thos. Sorby communicated the following:

Victoria, B. C., April 4th, 1903. His Worship the Mayor and Council, Victoria, B, C .:

Sir:-In forwarding a copy of the pro-posed draft act for the incorporation of harbor commissioners, I beg to call your ion to the fellowing facts:

1. The original draft act was prepared during the period between September, 1898, and February, 1800. in conjunction with Massis. Pooley & Luxton, who acted as solicitors; the various sections were discussed and revised in detail with the Mayor and numerous parties representing prominent harbor interests. . 2. In March, 1899, a copy of this draft

act was handed to the Mayor, and at the request of Mr. Earle, M. P., a copy was forwarded to the board of trade, and copies were also sent to the Minister of Public Works and the Minister of Marine and Fisheries. 3. The whole project was carefully in-

vestigated by a special committee and three sub-committees, appointed by the Mayor in council, and, as a result, on the 30th May, 1899, it was "resolved that Mr. Sorby be requested to proceed to Ottawa and lay his scheme for the improvement of

tions with our Senators and members, "it Depot gets the contract. tions with our Senators and members, "it must, however, reasonable to come from? I must, however, reasonable to the contract. I must however, reasonable to the contract to t would be better if we commenced with more limited powers," eliminating any spe-cial plan or line of action. And as a re-in the police court. It first came up in the police court. It first came up ing which could alter his views. He we finally agreed upon and drafted a so memorandum to be submitted to the min- decided.

isters as follows: 6. (a.) An act to incorporate a board of commissioners, three to be appointed by the government, the Mayor of the city, and one representing the board of trade and shipping interest.

(b.) The commissioners to take up and inquire into the whole question of harbor improvements, to take expert and other evidence and report and submit suggestions to the government.

temporary officers as may be necessary filed. for the carrying out of the objects of the The market superintendent reported

7. On the 30th June, Senators Macdonald Filed. and Templeman, and Messrs. Earle, Bos-tock, Riley and myself attended the Min-North Park street, between Quadra and randum, and the minister undertook to lay the matter before the council on the opened. 3rd July. This he did, and on the 4th fore parliament, it would be quite impossible to give the matter the consideration necessary to enable the government to reach any conclusion in time for the passage of a bill this session."

8. The draft act now under consideration is a fair copy of that draft act, including the revision made by the deputy minister of public works; also, substituting the "Chamber of Commerce" for the "shipping interest" of the original (laid on the table at the meeting of the joint committees on the 6th March) and embodying the resolutions agreed to at that meeting.

this general meeting defining the objects for the 350 meters. of the proposed board: "The full powers C. G. Henshaw, this general meeting demining the objects of the proposed board: "The full powers of this act shall not be operative without an order in council," thus limiting the in-itiatory actions of the board to taking evi-dence act to the arising conditions and the the 350 meters. suggestions to the government as provided under section 20 of the act, the costs in the case being defined by section 3 of the Union Meter Co., \$3,342.50 and m submitted to the government on the 3rd July, 1899. It was considered etter to have an act with ample powers, some of which might be held in abeyance, than to render the commission possibly abortive by reason of some insufficiency of

THOS. C. SORBY. 'This was received and filed without

F. G. Richards complained of the un- sold for \$150. Another equine unsuit sightly billboard on the corner of Blan-chard and Johnson street and the dan-street work. The wardens recommendasked that it be removed without delay. Co. had been pronounced suitable by the commissioner, purchasing agent and finance committee for report. During the matter be referred to the police commis-the police commissioner. I move the matter be referred to the police commissioner the park committee recommended that \$75 be appropriated for improve-

Ald. Stewart reminded the council that he had brought the matter of this billboard up at a recent meeting of the pobeard up at a recent meeting of the po-lice commissioners. The police commissioners will have to deal with the subject. Ald Cameron

Yates's motion urging that the Domin-ion government be asked to incorporate Agricultural Association, communicated mittee recommended the following:

condition of a drain on Cedar Hill road.

This report was received and filed. The water commissioner and purchas-ing agent reported the following: Tenders for supplying 8,000 feet of 4-

following parties:

H. Darling, Vancouver			
Victoria Machinery Depot ,	51	75	
Robertson, Godson Co., Vancouver., I	55	22	
The Hinton Electric Co	55	76	
Boyd, Burns & Co., Vancouver	55	89	
W. Bownass	55	94	1
C. M. Cookson	56	35	L
J. H. Warner & Co	56	50	
A. Sheret	56	55	
	-0	0=	41

5. On the 27th June I reported to the be awarded the contract. The motion had seen, provided for \$10,000 m com-Mayor that as a result of several consulta- was carried and the Victoria Machinery missioners' salaries. Where was this I must, however, refuse the mandamus

The city solicitor expressed surprise that this letter was written. He ex-plained that the case had been argued, but it wasn't his fault that the magis-trate had not made up his mind. The speaker had not asked for an adjourn-ment.

(c.) An adequate appropriation to meet expenses incidental to the efficient carry-ing out of the objects and intentions of the Ald. Yates and the Mayor explained the Estes case.

(d.) The commissioners to appoint such The communication was received and

ections for the month at \$61.80. John Meston and 40 other residents of

ister of Marine and Fisheries, when Sena- Cook streets, petitioned for an electric for Macdonald suggested that I should light. The petition was referred to the Graft a short act in accordance with this electric light committee for report. Tenders for water meters were then

and July. This he did, and on the 4th July he wrote me saying: "I beg to state quoted figures for three different kinds that I brought the subject before the coun- of meters; Crown meter, with connecthat I brought the subject before the coun-cil to-day and read your letter. The con-clusion was, that, considering the import-ance of the subject and the proposed legis-iation and state of public business now betions \$10.40 each.

> fered them at \$16.30 each. bert meter, \$9.40 each.

\$8.90 each \$8.90 each. Standard Meter Co.; New York, \$6.60, f.o.b. New York, or \$6.95 delivered at Daniel McCallum was charged with the

dence as to the existing conditions and the needs of the port and submitting plans and for all meters.

last item of the memorandum laid before | \$3,787, \$4,287, \$3,745, \$3,426.50, totals

Union Meter Co., \$3,342.50 and \$4,742.50 for the 350 meters. It was decided to refer these to the water commissioner, purchasing agent and finance committee for report. Tenders for kalsomining the Old Men's

Home were opened from Jos. Sears \$40, Text of Judgment in Application Con-E. A. Lewis \$48. The contract was awarded to the lowest tenderer. The fire wardens reported that one o

the Yates street fire hall horses had been gerous condition of the sidewalk caused ed that two more horses be purchased. the paste used on the board. He One belonging to the Victoria Transfer Ald Vincent-Considering we are going to build a library near there that Adopted.

> ments to the bear pit. Adopted. The finance committee recommended the appropriation of \$1,500.79 for the

last out of the Sewer Loan By-law. Ad-opted. The screets, bridges and sewers com-

A Resolved, finat this committee fection S. Joyce, re sidewalk and ditch, Duchess street. Alay Lemmire calling attention to the the statute a provision whereby the streets of all sub-divisions of property in

streets of all such sidewalked before future be graded and sidewalked before such streets are accepted by the city. The report was adopted. Ald. Yates's motion regarding harbor

incorporation of a board of harbor com- 61 of the act protects professional men 51 75 missioners would provide the necessary from any action of negligence or malprac-machinery. He was willing to amend tice unless brought within a year. The 55 76 Lie resalution so as to read "upon lines 55 89 similar to the acts incorporating the 55 94 Quebec and Montreal board."

56 35Ald. Cameron seconded the motion.56 50Ald. Grahame took exception to the 56 50 Ald. Grahame took exception to the a practitioner. These sections for the grass being made, and expects the list 56 55 statement that Victoria was the second 58 95 shipping port in the Dominion, which erase the name of a person from the regis-of May. On the Mainland end the grad-is for Scotch pipe, as is that of The Vic-toria Machinery Depot, the latter requir-Ald. Barnarů wanted this resolution to toria Machinery Depot, the latter requir-ing ten weeks before making shipment, while Mr. Darling makes no stipulation as to time, beyond what the specification calls to time, beyond what the specification calls for. The Victoria Machinery Depot have also sent in a tender for pipe in 9 feet lengths is a member. That body was an irrespon-tible control of the second city in ship-quiry. I am of the opinion it cannot. The act draws a sharp distinction between the permissive "may" and the council may, "shall" in section 36. "The council may, The Victoria Machinery Depot have also sent in a tender for pipe in 9 feet lengths, at the rate of \$47 per ton; the specification calls for 12 feet lengths, and the difference in length would entail an extra expense on the whole shipment of about \$200. Al-lowing for this it is still the lowest tender, but does not comply with the specification interests of the city at heart, but he council way orefour-but does not comply with the specification interests of the city at heart, but he council way orefour-sidered that the council way orefour-

me time in January and was still un- ing which could alter his views. He pointed out that many powers were The city solicitor expressed surprise asked for which would never be used.

The matter finally stood over for a

Ald. Stewart urged upon the council passed. the advisability of making some move men) would not listen to reason.

the advisability of making some more regarding the erection of the Carnegie library. It was decided to deal with the claim that they have given way more than the Master Blacksmiths, and that then hed now reached the limit.

AGGRAVATED ASSAULT.

Three Young Men Charged With Beating : Chinaman-Saw Stealing.

Three young men. A. Anderson, Alfred N. Stewart and Saml. B. Sutton, were charged mitting an aggravated assault on Wong tions \$10.40 each. The Worthington Co. of Monfreal of-fered them at \$16.30 each. A. Macgregor & Sons, Victoria, Lam-Nunro and Harper. The cases were re-Neptune Meter Co., Trenton meter, Sutton and Stewart, were liberated on sureties being given to the extent of \$350 that he intends holding the remainder of

 New York, or 30.55 denoted at the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have which it of variable in the finale. Boint sides have written by variable in the finale. Boint sis side have written by variable in the finale

HOLDS INQUIRY IS IMMENSE NOT COMPULSORY For Getting a Beautiful Watch and

Chain Free.-No Money Required. Every man, Woman, Boy of Girl Has the Same Opportunity Under Our System.

Toxin Pills placed in the hands of all persons suffering from bad health we nake the following most liberal offer: If you will send us your name and address and agree to sell for us twelve boxes of Dr. Arnold's English Toxin Pills at 25c. per box, we will give you ABSOLUTELY FREE A BEAUTI-FUL WATCH AND CHAIN in either Ladies' or Gents' size, or your choice of twenty other premiums

As briefly announced in Monday's As briefly announced in Monday's Times Mr. Justice Drake refused the application for a mandamus to compel etc. Remember we DON'T WANT the Medical Association to hold an in- ANY MONEY until after you sell the quiry into charges preferred against a Lills and you don't have to sell any more local practitioner. The full text of the judgment is as follows: concern that has given thousands of dol-The rule nisi was granted in this case up-

The rule nisi was granted in this case up-on the facts stated in Mr. Inverarity's affi-davit, in which he makes certain definite charges arainst a medical man for maldavit, in which he makes certain defined charges against a medical man for mal-practice and want of care and skill owing to intoxocation while attending the wife of to intoxocation while attending the the wife of the kidney and bladder, Bright's disease, diabetes, rheumatism, nervous troubles vice from such organizations. Ald.
Yafes's motion urging that the Doning overnment be asked to incorporate the board was left over for a week.
H. D. Helmcken, M.P.P., wrote asking if the council had any amendments to the Mayor a ballot was taken, and asked that the council. If so he hoped they would be submitted as soon as possible.
Ald. Yates, on behalf of the legislative commistion of freed the result of the honor conferred an unber of amendments to be urged.
M.W. W. Northcoft, returning officer, ventor the mander of freed the result of the voting on him.
W. W. Northcoft, returning officer, ventor the mander of the voting on him.
W. W. Northcoft, returning officer, ventor the mander of the result of the voting on him.
W. W. Northcoft, returning officer, ventor the result of the voting on the sould grant of the result of the voting on the mander of the result of the voting on the voting on the result of the voting on the re upon him.
W. W. Northcoft, refurring officer, 'eported the result of the voting on the
Carnegie library site. Received and filed.
The city clerk reported the following:
Gentlemen.—I have the honor to inform
you that since the last meeting of the city
council the following communications have
been received and referred to the city en
is a. E. Bolton et al, again asking that a
sidewalk be laid down along George street.
C. Beolved, That the city engineer be
sidewalk be laid down along George street.
S. Jorce, re sidewalk and ditch, Duchess

> RAILWAY CONSTRUCTION. Work May Soon Begin on the Coast End of the V., V. & E. Railway.

ronto, Ont.

A. Guthrie, of St. Paul, is in the city inspecting the work which has been go-ing forward in connection with the Victions 35 and 36, which are not in the nature of sections, but deal with criminal which project he holds a controlling innature of sections, out user with criminal convictions and unprofessional conduct of a practitioner. These sections give power gress being made, and expects the line ion of their legal advisers to avoid the in-Work on the line connecting New Westminster and Vancouver is now commenced. Gangs began last week clearing

the city at this time.

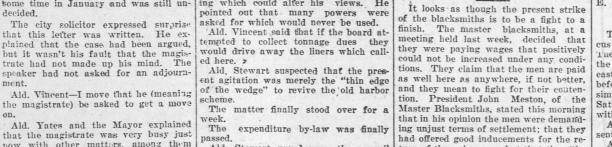
OPPOSITION CAUCUS.

Then Withdraws. The opposition members held a caucus on Monday at the Dominion hotel. the presence of E. C. Smith, of Southeast Kootenay, who made a statement before them of his position, which was similar to that given in the Times on

Saturday evening. After doing so he withdrew. sent at the caucus. After some little discussion of the

Upon the House resuming Tuesday John Oliver, in continuing the de-Master Blacksmiths. It was also decided at this meeting,

A SOUR STOMACH AND A SOUR TEMPER travel hand-in-hand and are the precursors of mental and physical wreck. Nine hundred and ninety-nine times in a thousand food ferment (indigestion) is the cause. Dr. Von Stan's Pineapple Tablets keep the stomach sweet-aid digestion-keep the nerve centrés well balanced-they're nature's panacea-pleasant and harmless. 35 cents. Sold by Jackson & Co, and Hall & Co.-88.



(Sgd.) H. B. TYRWHITT-DRAKE.

BLACKSMPTHS' STRIKE.

"What we want, said an official of the Blacksmiths' Union, is \$18 for 51 hours' work, and we mean to fight hard for it."

At a meeting held by the union Mon-day it was decided that if one nonunion man was taken on by the Master Blacksmiths the union men would open up a union shop in opposition to the Master Blacksmiths. bate on the speech, charged that in the preamble of a bill introduced last ses-sion respecting the Columbia & West-

that as the Master Blacksmiths were crying "quiet times," they would put the crying "quiet times," they would put the proposition before them of going back to work until May 4th, 1903, at \$17 per week on the one condition that the Master Blacksmiths guarantee to submit to the terms of the union at the ex-

terday evening, but the president states

piration of that time. One of the union men left the city yes-

