

ASKS COUNCIL TO STAND COST

ATTORNEY-GENERAL'S PECULIAR REQUEST

Asks City to Indemnify Government in Carroll Liquor Case Appeal.

(From Tuesday's Daily.)

One of the strangest requests that the city has received for some time has just come to it from Hon. W. J. Bowers, attorney-general of British Columbia. The head of the law department in this province, in a letter to the city solicitors, asks that the city indemnify the government against costs in the appeal of the conviction secured against Estelle Carroll under the Municipal Clauses Act for selling liquor without a license.

In this case Estelle Carroll was convicted by Magistrate Jay under the provincial statutes and fined \$200, following which her counsel, J. A. Alkman, applied to Chief Justice Hunter for a writ of certiorari which was refused. Following an appeal by the city against the order of Chief Justice Hunter, quashing the conviction of his client on the ground that the city had no jurisdiction, Mr. Alkman appealed the court's decision in the liquor case.

The attorney-general refused to appeal the disorderly house case unless the city indemnified the government against costs, and now he asks the court to order the city to indemnify the government before he will defend a conviction secured under the provincial statutes. If the city will do this Mr. Bowser intimates he will allow the city to nominate a lawyer to defend the appeal.

Under the Municipal Clauses Act the city's paucity of any prosecution, and with the conviction of criminal fornication. The province is supposed to be responsible for any other legal proceedings which may be necessary. In both these Carroll cases Mr. Bowser has asked the city to step in and assist in the prosecution of the case of attorney-general's department. Of the

case of the conviction on the charge of keeping a disorderly house the civil authorities felt bound to accept the attorney-general's terms for a pardon. It is felt that if the decision of the chief justice in this matter is a correct interpretation of law it is practically impossible for the police to get a conviction against any one on this charge. Coming on top of this the

request that the city make itself responsible for the defence of the liquorists if conviction is taken, in circles where the significance of the request is understood, as adding insult to injury. It is thought that the least that the government can do is to defend a conviction secured before its own magistrate and under its own statutes.

attorney-general's request advised that they could see no reason for complying with it, but suggested that the attorney-general be asked to brief W. J. Taylor, K. C., city barrister, to conduct the defence. The matter was referred to the solicitors again.

**City Council Authorizes Water
Commissioner to Go Ahead
With Work.**

(From Tuesday's Daily.

Work of the pipe laying for the new
water works distribution system is to

start at once as stated in Saturday's Times. After the first instalment of pipe has been delivered, the Corporation will be in a position to commence, for the city council at its meeting last night instructed the water commissioner to proceed with the work on a large number of streets. The estimated cost of the work being \$24,000, these pipes will be laid as follows:

On the following streets four-inch pipes will be laid for the distance and at a cost stated: prior street, from Esplanade to Mill street, 750 feet, cost \$375; Pendergast street, from Cook street to Vancouver street, 750 feet, \$375; Alpha street, from Burnside street to Douglas street, 800 feet, \$400; Douglas street, from Delta street, 600 feet, \$300; Gamma street, from Alpha street to Delta street, 800 feet, \$110; Delta street, from Gamma street to Burnside street, 800 feet, \$400; Burnside street, from Douglas street, 1,200 feet, \$600; Cross street, from Montreal to Quebec street, 285 feet, \$620; St. John street, from

Bellevue street to Quebec street, 500 feet, \$135; Trutch street, from end to end of pipe to Richardson street, 500 feet, \$135; Davie street, from Oak Bay avenue to Cowan street, 400 feet, \$385; Gladstone street, from Belmont avenue to Pandora street, 1,250 feet, \$1,560; Milne street, from Fernwood road to

Six-inch—Richardson street, from Vancouver to St. Charles streets, 4,000 feet, \$2,310; Gordon street, from Humboldt street to Courtney street, 300 feet,

\$685.
Eight-inch—Vancouver street, from
Humboldt street to Pandora street,
2,540 feet, \$3,640; Pembroke avenue,
from Government street to Douglas
street, 710 feet, \$450.
Twelve-inch—Wharf and Store
streets, from Government street to
Pembroke avenue, 2,100 feet, \$5,850;
Pembroke street, from Store street to
Government street, 700 feet, \$670; Belle-
ville street and Menzies street, from
Causeway to Simcoe street, 2,750 feet,
\$2,350; Humboldt street, from Govern-
ment street to Douglas street, 700 feet,
\$1,800.