EXPOSURES MADE IN INVESTIGATION

DEPARTMENT BLAMED MORE THAN ARCHITECT

Arbitrator Hooper Charges That Documents Were Kept Back From Them by Officials.

(From Tuesday's Daily.)

The committee inquiring into the charges in connection with the Govern ment House contract met again this morning. Little or nothing was done. It was very late before the members appeared, and as a government caucus was called for 10.30 it was decided to post pone again until 10 o'clock to-morrow

morning. Chairman Clifford announced that the committee had decided that it was not competent to touch the award, as that had been agreed to be binding upon the parties to it. It had been decided to call the men who had made the report and ask them to make a statement as to what led them to come to the conclusions to which they came.

Thos. Hooper was first called. He said that he did not know that he was supposed to be called upon to give evidence. He had not been subpoenaed. He stated that the arbitrators were a properly constituted court.

The findings nad been set forth. He did not know how they could separate the award and the report.

He did not propose to appear as a prosecutor. He didn't know what authority they had to call him or the other members of the board of arbitra-tors under the act. Had it been judges of the Supreme court who sat on the case they would not be called upon. The court had taken evidence, and it was all On that they had made their de

He took objection to what Mr. Rattenbury had said touching the work of the board. He had said it was persona spite which actuated the board.

If he was to appear as a prosecutor he would want counsel. Who was to pay for counsel? Would the government? He had not yet been paid for the work board had done acting under the

arbitration act. If any one was to prosecute Mr. Rattenbury, surely the arbitration board was That was the work of the government if it was dissatisfied.

Mr. Duff wanted to know if Mr. Mc-

Lean, the Deputy Attorney-General, after appearing before the board, had been practically told that his services Mr. Hooper said no. He would ex-

Mr. Duff gave Mr. Hooper a letter written by the Deputy Attorney-General. The letter was as follows:

> Attorney-General's Office, Victoria, October 6th, 1903.

The Honorable the Attorney-General: Sir:-Pursuant to your instructions on the 28th and 29th ultimo, I attended before the arbitrators who are dealing with Mr. Drake's claim to be paid the sum \$29,035.75 for extra work done by him in connection with the construction of Gov-

On the morning of the 30th ultimo I also attended before the arbitrators. Before the hearing of any testimony was proceeded with, Mr. Muir, who is the arbitrator appointed on behalf of Mr. Drake, objected appointed on behalf of the government, appeared to consider my presence before the arbitrators a reflection upon his ability duly to safeguard the interests of the government. Mr. Dalton, the third arbitrator, behalf of the government and that it was not quite fair that the government should also be represented by someone else, as Mr. Drake was not represented by counsel. Up-on this expression of opinion from all the on this expression of opinion from all the arbifrators I retired than the proceedings. This was not included in Mr. Drake's and did nothing further than prepare a contract, and which was paid by Mr. formal submission of the matter in dispute Drake. to the arbitrators.

I have the honor to be, sir, Your obedient servant (Sgd.) H. A. MACLEAN,

Deputy Attorney-General. Chas. Munro said that it appeared to him that Mr. Rattenbury held that he had not had a chance to defend himself against charges made. The work of the mittee was to look into the matter and ascertain whether or not this was

well grounded. Mr. Hooper continuing, said that he was willing to produce the evidence taken at the inquiry and upon that the board

In explaining the incident of Mr. Mc-Lean leaving the board, Mr. Hooper said fixtures at \$90 cost, by Mr. Rattenburg that the facts were hardly as stated by a had not been asked to leave the room by in getting documents. The question of ing from one story to two. The bay Mr. McLean had gone to look up a did the kitchen were changed in this way, and the elevation entirely document. An adjournment was taken altered. No one seemed to know who in order to allow of this.

members of the board of arbitration.

(From Wednesday's Daily.) The select committee of the legislasat again this morning and made some Thomas Hooper, one of the board of arbitration, was sworn and produced a vast number of documents deal-

ing with the matter. Deputy Attorney-General McLean appeared and said that he had been incted by the government to appear before them and assist in the inquiry in

Chairman Clifford said this was very good of the government.

Thomas Hooper, called again, took objection to being called upon to defend his action as one of a court. They had three lawyers here now. Where was he "going to get off at?"

allow him to dictate rules of procedure. He proposed to swear him.

Mr. Hooper said that he would be

sworn, but he would protest against giv-A. Maxwell Muir raised his objection | further details and allow the arbitration on behalf of himself and of Mr. Hooper. to be upset.

He said that they were, he thought, protected by law from giving evidence.

Mr. Hooper said that he was not obfor the government was charged \$2,175, jecting to being sworn, but he wanted it Mr. Rattenbury getting 5 per cent. on understood that he was not appearing as a prosecutor against Mr. Rattenbury or anyone else. Proceeding, he said that

the department of the government had refused documents when asked for at the time of the investigation. The department refused it over their signature principal charges were not made against Mr. Rattenbury. They were against the government, The lands and works department had time and time again refused documents. It had taken which the board of arbitrators got. He would give the committee all the docu-ments which he had in his possession. committee need not expect, how ever, that it could complete this work in a few hours or a few weeks.

matter in private.

excluded from interfering with the wit-Mr. Muir said that he was a fellow arbitrator with Mr. Hooper, and they were not witnesses in the true sense of the word. He objected to Mr. McLean

being present as he had reasons to believe he was not unbiased in the matter. The award bill of the cost of arbitration was put in. The latter amounted to \$4,927.20. Mr. McLean wanted the evidence pro-

Mr Hooner said he had not all the vidence. He did not know that he was called upon to produce all the documents he had. He produced the original accounts furnished by the department, the evidence of J. S. Pearse, Mr. Ratten-Phillips's plans differed very materially bury, Mr. Jeeves and Mr. Maclure. The remainder of the evidence was not taken shorthand. Mr. Hooper's notes on the bill of extras were also put in.
Mr. McLean also asked for the refusals from the department to produce

A letter from Mr. Gamble was pro duced addressed to Mr. Dalton, chairman of the board, dated 21st October. 1903. The letter stated that in reply to the demand for the invoice for marble. that this invoice was not in the depart-

Mr. McLean wanted to know if this was what was referred to when witness said that the department of lands and said that the department of lands and works had refused to produce docu-

Mr. Hooper said that this was not. He was not secretary, but he could say that the department had refused it.

Questioned as to the invoice for marble, Mr. Hooper said that he asked for the invoice of the marble for two fireplaces. Mr. Gamble said that there was no such thing as marble for it. He had no invoice for it. It was not in the specifications. Witness had asked Mr. Gamble to look for it as he would not certify to the payment unless an invoice was found. Witness afterwards got an nvoice over town. This was produced The invoice was from the United States

Mr. McInnes advised the getting of all the documents in before proceeding to architect saved this commission and gave examine on them.

| A chief wanted to know if the architect saved this commission and gave goods to the government, if it would not Japan yesterday, was asked for his im-

A large number of accounts, etc., were then put in.

ceeding further witness objected to Mr. McLean's methods of getting information. He was proceeding along the lines of bull-dozing as had been done before the board. If he were as ready to look after the welfare of the country as he was to defend the professional practice it would be better.

counsel. He objected to the handing of these over. One of these, W. J. Anderson's account for grates, he said he had guarded carefully. Mr. Rattenbury had tried to get another one from him, which need to think Mr. Hooper was acting on he would not give because one of the arbitrators had this invoice. There wer many other documents which should be produced. Among these was an account for four electric fixtures dated December,

Mr. Duff admitted this account on be half of Mr. Rattenbury.

It was agreed that Mr. Drake should produce all the documents in the case. Examined by Mr. McLean, witness said that Mr. Muir was secretary of the board. The original draft of the report was dictated by witness and Mr. Dalon. With respect to the statement in it that there were "evidences of striking irregularities," witness said that he thought the best way was to consult the

Pressed for some of these "striking irregularities," witness said that the order for the purchase of electric light year before being required, was one of Mr. McLean in the letter. The latter these. Mr. Drake had no right to purchase them. Another was the telling of himself. The board had great difficulty a man to change a portion of the build rights at the inquiry had come up, and window and the kitchen were changed told the man to do this, and not a dol The committee then adjourned until lar was allowed for it. He did not 10 o'clock to-morrow morning, subpeonas being issued to witnesses, including the gularities. In the evidence of Mr. Rat gularities. In the evidence of Mr. Rat-tenbury they could find it. He gave pages where this could be found. The rouble was the informal way in which he changes were ordered. The clerk of the works when he asked for the author ture on the government House contract | ity for making the changes was insulted

They would find many more cases of rregularity. The lack of effective means of checking the work was shown, witness said,

the absence of means for that pur-The lining of the building was an exple of this. An order was given to do this work without any estimate hen completed the contractor said it cost \$1,400. Mr. Rattenbury and Mr. iclure said it was worth only \$500. The order was given, without price, in writing. The Chief Commissioner, who was to give an order, gave none in this case. The department was slack in al-Chairman Clifford said he would not lowing the work to be done without an order. The architect had no business to

He would not say what the award was for this. It was more than \$500 I note with the greatest surprise that and less than \$1,400. He would not give after the arbitrators have made their the remains to the cemetery, where the

Again, on the chain gang quarters, the

Mr. McLean wanted to know if Mr. Rattenbury was examined on that point. Witness said the board did not know it when Mr. Rattenbury was being examined. When they found it out Mr. Rattenbury was in Montreal.

The account needed no explanation, probity.
It was in the writing of Mr. Rattenbury If these in his account to the government. On the score that the plans were of a very imperfect character, the board could not get the original tracings of the building. There was a deficiency of about two feet, costing about \$600. Witness had gone to the department to get documents. Mr. Gamble insulted we'll attend to that," said Chairman Clifford, "we are not getting \$25 a we're going outside of their work. Mr. We did not get anything yet," re"We did not get anything yet," re"The department of the department. Mr. Gore went in the department. and produced blue prints. Witness said

Upon resuming the examination of Mr. that these were not what were wanted. Hooper was proceeded with by Deputy It was the tracings they wanted. It Aftorney-General McLean. Mr. Hooper was impossible to get them. Mr. Gamagain entered his protest. He was willing to help the committee in every way possible, but he did not know into when he got them, so that he felt that way possible, but he did not know into when he got them, so that he felt that what trap he was being led. He was the original must have been in the de here as an arbitrator, and as such was partment. These were there, as Con the same as a judge of the Supreme tractor Drake got them from the department just before the close of the in Mr. McLean asked that Mr. Muir be quiry. After they had got along with out them. He sent them back to Mr.

Gamble. Mr. Gamble refused. It cost the government, however, about \$400. tion with the drawings. The specifical tions did not give the size. If the original tracings had been produced it would have been much easier to arrive at a conclusion. Mr. Rattenbury tried to get the tracings for them, admitting that it would be much more satisfactory to have them. He was not blaming Mr.

Rattenbury for it.

Another imperfection was that a chimney was shown which cost \$743. This was ordered by Mr. Rattenbury. The drawings would show that there

The plans differed from the specifications. The wainscotting and cappings were altered altogether. Panelling was also shown in the plans and not covered by specifications. By consulting the evidence this could be seen. Too many persons seemed to have ower to act in ordering changes in the name of the supervising architect. These were Messrs. Rattenbury Maclure, Pearse, Bodley, and Jeeves. It was impossible to find just what capacity Mr.

fications showed Mr. Maclure as archi ect and Mr. Rattenbury supervising architect. In explanation of the charge that the architect performed the functions of the contractor, he said among these was the purchase of hardware, electric lighting, tue bath, leaded light, marble, etc. The stractor was supposed to do this. The architect was to select the materials. and name the firm, but he was not to purchase them-that was the duty of the Witness said there were

he department. The copy of the speci-

Mr. McLean wanted to know if the contractor was cut out of a comm Witness said he was not going to say Marble Company, of Spokane, to Mr. Rattenbury for \$31,78. Mr. McLean wanted to know if the

ommissions on these transaction

be all right. Mr. Hooper said no other architect in the province would usurp the powers of

paid to firms for furnishing marble, ironware, etc., without invoices. These sums were paid on the order of Mr. Rattenbury and amounted to hundreds of January, after spending a couple of dollars. They had not seen the invoices montus in Japan. He has seen the Japan Mr. Hooper also objected to the exhibits, including various accounts, being lights. It was a long time before they as a wonderfully fine fighting body of pointed on behalf of Mr. Drake, objected handed over to Mr. Duff, the solicitor very strongly to my taking any part in the proceedings. Mr. Hooper, the arbitrator the latter should be represented by

During the examination, Mr. Hooper took occasion again to state that Mr. Mc Lean was very ready to defend Mr. Rat. tenbury. Before the board of arbitrators the same had occurred, and Mr McLean had attempted to hinder the work.

Mr. McLean said that he would attend to that when he gave evidence. He would tell just what took place before the board and would give facts which the witness might not wish to hear. Mr. Hooper said he could tell of what took place before the board and which

ar. McLean would not make known, Mr. McLean returned that he was ready to have the fullest investigation into that matter, and Mr. Hooper was "a coward if he said he was not." Mr. McInnes raised the point that if Mr. McLean was going to be a witness and was going to refute statements made by the members of the board it

was surely irregular for him to appear as counsel. C. Munro also thought Mr McLoan should not appear as counsel and then give evidence

Mr. McLean passed it over as no likely to cause any trouble. The committee adjourned at 1 o'clock

meet to-morrow at 10 o'clock. The following is a copy of the letter sent by F. M. Rattenbury to the Hon. R. F. Green, chief commissioner lands and works, dated December 17th: Victoria, B. C., Dec. 17th, 1903. Hon. R. Green. Chief Commissioner of

Lands and Works: Dear Sir:-I beg to acknowledge the ceipt from you of a copy of the award in the matter of Drake vs. the Government of B. C. I see that the arbitrators have awarded

the contractor the sum of \$19,198 out of the \$29,035.75 claimed. My estimate to you was \$17,156.23, so that the arbitrators' decision practically Cranbrook. Every business house had bears out my valuation and is an award been closed, and when the train arrived

in favor of the government.
In spite of this, I note that the arbitrators have charged their costs, viz., \$4,927.20, against the government, on the ground that: "The said supervising architect, being the recognized agent of the government, and having been the cause largely of the from sorrowing friends and relatives,

An ordinary man would have supposed that the cause of the arbitration was ow ing to the contractor claiming \$29,035,75 | Fortune, pastor of the church, had according to the arbitrators' own valua-

Regarding the arbitrators' bill of \$4,927.20 port upon under the circumstances, except of the family and the noble qualities of to point out that the schedule professional mind that had characterized the deceased charge would be 21/2 per cent., or \$487.45. award, and thus fulfilled their entire duties for which they were appointed by the submission to arbitrators, that they continue: "We desire respectfully to direct the public interest should be made known," and then follow over six foolscap pages of a personal and malicious attack upon my-

as a professional man, both as ability, my trustworthiness, and my

If these charges thus made, directly and ndirectly, were true, it must be obvious would be ended. The peculiar feature of the situation is that the arbitrators were appointed only to examine and determine certain accounts

between the contractor and the gover The whole of the charges made against me are gratuitous on their part, and they have been made without letting me have the slightest knowledge that they propo to make such charges, and without affording me the slightest opportunity of meet

Should you accept this award in its pre ent shape with these charges attached, the whole will appear, when called for in the House, as a verdict against me, arrived at under oath, by impartial and unprejudiced

reputation beyond recovery.

I emphatically deny the charges made, erediting me in the eyes of the government and the people of British Columbia.

If the award should be received, I shall, of course, be compelled to commence an ction to vindicate my character. I am 17th inst. advised that it is doubtful whether these reflections upon me, so published, are privileged. If they are I shall be com-

These men, misusing their temporary position as arbitrators, are attempting to use the privileges of parliament in such a way as to wreak their private malice upon me, without, as they imagine, any personal responsibility on their part.

On thus drawing the position to your notice, I do so with confidence that you will not allow this gross abuse of your departmental records. That a man sho virtually tried, condemned, and, through your department, the verdict published before the world, without any notice to him that he is being tried, and without affording him any opportunity to defend him-

Sir, it is not in the public interest that hese charges be made known, as the arbitrators desire, unless they have been

I am quite willing to appear under oath before you or any commission that you may think fit to appoint, and I know that can not only prove the falseness of the charges, but also prove the arbitrators have hade them, knowing that some at least of them are false.

In the meantime I submit with all deference that the award of the arbitrators be returned to them with instructions that they must confine their award to the matfurther, advise them that if they desire to make any charges against me they must do so on their personal responsibility.

A TOKIO ARRIVAL.

Reports That Steamers Taken Over as Transports Are Preparing For Service.

J. G. Bullen, one of the arrivals of pression on the Russo-Japanese situation. In reply, Mr. Bullen stated he believed that war was bound to come contractor. sooner or later. It would only be a question of a short time until the Conservative party in Japan is overcome by the Those | rapidly growing element in favor of war. Mr. Bullen left Tokio on the 22nd of January, after spending a couple of being made ready to carry troops.

JANUARY FIRES.

Damage During the Month Estimated at One Hundred Dollars.

During the month of January the fir partment was called out seven times The total loss is estimated at \$100. A detailed list follows:

January 9th, box 27, 5 p.m. wire on Temple building, Fort street; no loss. January 9th, box 27, 5.30 p.m., wires

grounded on pole, Discovery and Doug-January 10th, telephone, sparks issung from stack, Bank of Montreal. January 13th, box 27, chimney fire, 39

Fisguard street.

January 19th, box 27, chimney fire, Grotto saloon. frame building. Yates and Quadra, inendiary; loss on building, \$100. January 31st, box 27, paper round Jubilee avenue; no loss.

MRS. BOLTON'S FUNERAL. Remains of One of the Clallam Victims

Interred at Cranbrook. The remains of Mrs. Bolton, wife of S. E. Bolton, of Cranbrook, were i terred on Wednesday at that place. Mr. and Mrs. Bolton were returning from their honeymoon on the steamer Clallam when the latter lost her life. The body

was found near Port Angeles on January 22nd, and was brought to Victoria, afterwards being sent to Cranbrook, where it arrived last Wednesday. The Cranbrook Herald, referring the funeral, says: "Truly it was a sorrowful day for Cranbrook. Every business house had

a vast throng wended their way to the Presbyterian church to pay their re-spects to the memory of one who in life of Alfred street. Accompanying the petition was a letter from Mrs. Annie A. ary. was beloved by all who knew her. And when the casket was earried up the church aisle, covered with floral tributes there was hardly a dry eye, and her and there were sobs from those unable to control their intense grief. Rev. Mr charge of the services. Several hymns sung by the choir; and a solo by Mr. McLeod. Rev. Mr. Fortune preach ed a brief but impressive sermon, referring touchingly mind that had characterized the deceased

last sad rites were performed.' YOUNG MEN, Become Independent Our School can give you a Veterinary Course in simple English language, at home during five months of your spare time, and place year in a position to secure a business of from \$1.290 upwards yearly. Diploma granted and good from \$1.290 upwards yearly. Diploma granted and good motifilms when he had not measured in the first Coat within reads.

RESIGNATION OF THE MAYOR IS ACCEPTED

Ald. Grahame is Temporarily Filling His Position-Committee Appointed to Secure Dredge.

The city council Monday reached a unique crisis in municipal government. Mayor Barnard, whose position in regard Thus, even if subsequently disproved, the | to disqualification has already been esult would necessarily be to injure my described in these columns, gave formal notice of resignation in consequence of and dates were fixed in a notice given.

Ald. Grahame was voted to the chair. in the absence of a Mayor, and first in privileged. If they are I snan be compelled to rely upon publication to others than the government, but no verdict or than the government, but no verdict or facts leading up to his disqualification and formally announcing his resignation was accomtion. The communication was accompanied by a cheque for \$50 sent by the writer in compliance with section 79 of

the Municipal Act. Ald. Beckwith moved that the Mayor's resignation be accepted, although not approving of the idea. Mr. Barnard had outless taken good advise, and his-turse was the proper one. The motion, which was seconded by Ald. Stewart, vas unanimously carried.

Ald. Fell questioned the right of the ouncil to make any refund of the \$50 after it had become a part of the city

Worship had been disqualified. On motion, the cause of resignation. being satisfactory to the council, the

The Deputy Provincial Secretary ed to the legislature an act "which de-clares Mr. George H. Barnard to have clares Mr. George H. Barnard to have been duly qualified to be a candidate for the office of Mayor and to have been lawfully elected to the said office."

that all acts, matters and things hereto-the whole who were the productive distortion of the said office. The whole who were the productive distortion of the said office. The whole who were the productive distortion of the said office. The whole who were the productive distortion of the said office.

equest of Ald. Beckwith as to the legality of transacting further business, they must confine their award to the mati-ters for which they were appointed; and cil would be to call a special meeting. Further, advise them that if they desire to make any charges against me they must pointed clothed with all the powers of a

Chairman Grahame did not see why that the ordinary business of the corporation should be held. Ald. Fell, reading from the statute, ontended that the council was fully consticuted to proceed with the business. It would be an outrageous thing that in event of some delay in electing a Mayor

the business of the city should be de-ferred. He moved that the business Messrs. Drake, Jackson & Helmeken

acknowledged the appointment of an arbitrator in the case of the settlement of Mr. Bertucci's claim.
Hon. J. S. Helmcken acknowledged the receipt of a letter from the council in regard to the purchasing of thirry feet

of waterfront opposite the Chemical W. G. Cameron, M. P. P., asked if ceived and filed, and writer thanked. The board of school trustees submitted the estimates for school purposes for the present year. Received and laid on the

table until the city estimates are taken John Deaville asked that the name of Elizabeth street off the Gorge road be changed to Brayside road in order to pre-

Ald, Vincent did not think Brayside nd Burnside would go well together. The letter was received and filed, to e referred to a committee to be appoint

ed in the future. Thomas Whitwell asked for an extension of time in which to connect with the sewer. Referred to the streets, bridges and sewers committ City Clerk Dowler reported as having received a number of communications,

rotto saloon.

January 28th, box 32, J. W. Kellar's having examined the different buildings complained of in Ald. Fell's motion last veek, certain of which he condemned. On motion owners of the buildings re ferred to will be notified of the council's ntention, and will be asked to explain

which were referred to the proper offi-

why they should not be destroyed. City Barrister Bradburn advised that the claim for the price of a cow made against the city by James Donaldson be resisted. Messrs. Crease & Crease, legal representatives for the claimant, will be

yearly supplies be invited. F. Curran, eity poundkeeper, requested that the dog cart be painted and the dog house be repaired. Referred to the

building inspector with power to act.

J. Lipscomb and forty-eight other residents of Rae street requested a light, and also for an extension by the sidewalk on Douglas street. Referred to the electric light committee and city engineer for re-The British Columbia Corporation and twelve others petitioned for the grading

Rollings offering two lots for the widening of the street conditionally that the transference of the property is effected without any expense to the donor. Ald. Stewart thought the example set nitated. There were many people inthis city, he said, who were holding on to property which should be similarily given the improvements of streets.

The petition and letter was referred to the city engineer and streets, sewers and bridges committee for report.

The finance committee reported accounts totalling \$2,855. Approved,
Ald. Oddy's motion that a committee
be appointed to proceed to New Westminster and inferview Aulay Morrison, M. P., in regard to securing the dredge for the completion of the James Bay reclamation work was then introduced.

suggested that a committee be appointed to interview Aulay Morrison, and this was what was proposed.

The motion carried, and Aldermen

Oddy and Kinsman were appointed to. ct on the committee.

Ald. Fell then moved that Ald. Grahame be appointed chairman with all the powers of the Mayor under section 42 of the Municipal Clauses Act,

and to continue in office until such time as a mayor has been duly elected. The motion carried unanimously. Chairman Grahame then gave notic of nomination for mayoralty to be held on the 13th and election day for the 17th, in accordance with the provisions. f the statute governing such matters.

VALIDATING HIS ACTS.

Gan: DJys int.v?lostlBpo ?pwa cf shrm

G. H. Barnard Being Relieved From Penalties by Legislature-Assent to Be Given To-Day.

A bill was introduced into the legislature Monday afternoon and put through. The letter is as follows: and on my part claim that they are slanders, mallciously and knowingly made published in last night's Times. His and passing its hird reading. The obby the arbitrators, for the purpose of dis- resignation was accepted by the council, ject of the bill is to validate the acts of to your consideration facts with reference G. H. Barnard as chief magistrate of railway, the necessity, for and advantage of by the acting Mayor for nomination and the city. It will pass its third reading its immediate construction, and to request your careful perusal of the same: afternoon

The bill is as follows:

Whereas, at the municipal elections of the city of Victoria held on the 14th day of January, 1904, George Henry Barnard was a. candidate for the office of Mayor, and agricultural soil. was declared by the returning officer at the said election to have been duly elected:

And whereas doubts have arisen as to whether the said George Henry Barnard tively developed by companies with the was qualified to be a candidate at the said election, by reason of the firm of solicitors

Though Application for the purpose. of which the said George Henry, Barnard is a member, at the request of the solicitor for the corporation of the city of Victoria, having agreed to supply and having supplied to the said corporation copies of certain. Cocuments relating to land in which said corporation is interested, in consideration of the sum of \$19.50:

And whereas it was unknown to said George Henry Barnard that the said firm Ald. Stewart could not see how His nad agreed to supply or had supplied such copies as aforesaid, and no money has been paid by said corporation to said firm of solicitors in respect thereof:

The city solicitor being asked at the done by him as Mayor as aforesaid should. Coast, create inducements for the extenequest of Ald. Beckwith as to the be validated:

1. All acts, matters and things heretofore At this meeting it would be in done or executed by the said George Henry, ly. Their business men would have order to duly nominate and elect the Mayor.

Barnard, and purporting to have been done of executed by him, as Mayor of the said.

Splendid manket for their goods developed at their doors, and their industry would

2. The said George Henry Barnard is hereby exonerated, freed and discharged inclination to the Coast cities possesses any opportunities greater than those of this have been incurred by him in respect of the matters hereimbefore recited, under any the matters hereimbefore recited and discharged inclination to the Coast cities possesses any opportunities greater than those of this Nicola country which lies at their door. ferred. He moved that the business the matters neromorpore rected, and the motion of the provisions of the "Municipal Glauses.

These advantages are so exceptional that no great difficulties and expense might well such penalties or forfeitures shall be here-after incurred by said George Henry Bar-all that is needed is a line of railway 45 nard by reason of the said hereinbefore recited matters; and this act may be plead.

This relia ed in bar of and as a discharge of any acbrought against the said George Henry Barnard for any alleged violation of the

of said hereinbefore recited matters. the council wished to make any changes An amendment was introduced by the ermment a subsidy of from \$3,200 to \$6,400 in amendments to the Municipal Art. Re-Premier, on the advice of the city solici- a mile, according to cost of tor, providing that the election should The Nicola, Kamloops & Similkameen take place at once.

> sary, to be held on the 17th. PROTESTANT ORPHANAGE. Regular Monthly Meeting of Ladies' Committee Donations Acknowl-

The B. C. Protestant Orphanage ladies' mmittee met in regular monthly ses- stantial cash deposit-which they are willsion yesterday afternoon. Mrs. F. W. ing to make. McCullough presided and there were also present: Mesdames C. A. McTavish, E. Crow-Baker, Toller, Wm. Munsie, D. P. Van Tassel, N. Shakespeare, J. Hutche- against loss

sen, W. Berridge, W. Denny, Andrews, E. V. Mugridge and Miss Perrin. The president reported that vigorous efforts were being made by the general committee to secure proper drainage for the institution, and that Thos. Hooper, the architect, had kindly undertaken to ripe for development as the Nicola country prepare complete specifications for im- is known to be proving the internal sanitary arrangements, which would be finished at an

The visitors or January, Miss Perian and Mrs. N. Shakespeare, reported that The superintendent of the lighting de- the health of the children was excellent, partment requested that tenders for and also suggested that an arrangement be made for an entertainment for the children at the home one afternoon in

each month. An application for the adoption of a little girl in the home was referred to the standing committee, with power to

boys. Accounts to the value of \$128.88 were approved. ard were appointed visitors for Febru-

The reception committee reported ap-

the receipt of the following donations: feet; coal, 8 feet; sandstone, 136 feet; coal, The ladles of the I. C. C. Club, 2 yards 11 feet; sandstone, 140 feet; coal, 6 feet. fine table linen, 1 dozen pairs boys' long Ald. Stewart thought the example set by Mrs. Rollings was worthy of being shors' reefers, 5 Jersey sweaters, 3 pairs imitated. There was worthy of being shors' reefers, 5 Jersey sweaters, 3 pairs gtrls' shoes; Mrs. Hutcheson, 6 table 34.13; ash, 8.71; fixed carbon, 57.16; 100.00. speons, 1 butter knife; Mr. Chartesworth, Bituminous Coking Coal.—Volatile comspeons, 1 butter knife; Mr. Chartesworth, Rituminous Coking Coal.—Volatile com-1 copy London Graphic; E. J. Hewlings, bustible, 36,06; ash, 2.65; fixed carbon, \$5; J. W. Mellor, \$5; D. Spragge, 1 case 61.29; 100.00. coal off; Mrs. Pauli, 3 large pumpkins; the Ladies' Basketball Club, per the Misses 21.51; ash, 3.91; fixed carbon, 74.58; 100.00. Gonnason, bread, cake, cold meat, pie and

oranges. Edythe McElhinny, 11 fancy stockings 36 and sections north of these. filled with candy; Mrs. Church, 141 Cad- The following mining camps boro Bay road, clothing; Mrs. Stonss, 204 Yates street, 12 bottles jam and 10 books; Dominion Bakery, 3 loaves sponge cake; Ald. Oddy said that the motion was the outcome of a conference with Senator Templeman and Geo. Riley, M. P. The former said that he would not use his former said that he would not use former said that he would not he his Huggett, reading matter for the dredge away from Times and Colonist, daily; F. F. Hedges, Aulay Morrison's constituency without stove.

DELEGATES DESCRIBE

NICOLA COAL FIELDS

Members Asked to Give Aid in Building Line Into Important Mining Section.

The delegation representing the people of Nicola, now in this city, have addressed a letter to the members of the legislature setting forth the advantages of the proposed railway through that section,

Nicola, B. C., 1st February, 1904. Dear Sir:-We respectfully beg to submit Resources the Railway Would Develop. The Nicola valley, and the country to the south of, it form a very rich and fertile

They are rich in coal, the precious and The coal measures of the Nicola valley are well known, and require only the certainty of railway construction to be ac-

Enough deevlopment work has been done in the Aspen Grove camp to show up the certainty, of several im tive mines located within 20 miles of the coal and coke supply. Mining development is, however, practically at a standstill un-

til railway communication is assured. Agriculture also is languishing for want of the market local industry would pro duce, and railway connection secure on the of the country are beyond question.

Advantages of the Road .- A country like the Nicola valley and adjacent territory is and whereas since the said election the capable of supporting a large and prosperorde that the government had presentand voted as Mayor of the said city of Victy the province would derive a very con-And whereas it is in the public interests. The construction of this road would set

Therefore, His Majesty, by and with the line, and lead to the closing of the gap The Chast cities would benefit very great-

or executed by mm, as mayor of the said. at their doors, and their industry would like stimming the stimming by abundant supply of have been legally and validly done or executed, notwithstanding any of the matters. hereinbefore recited.

2. The said George Henry Barnard, is. No part of the resources of the country

This railway aims to connect the Nicola

valley with Spence's Bridge, on the main line of the C. P. R., 178 miles east of Vancouver Barnard for any allegen violation.

It is already incorporated and:
"Municipal Chauses Act," in and respect
Dominion and a Provincial charter, and has had granted to it by the Dominion gov-Railway Company has made a preposal to At the meeting of the city council last the government of British Columbia that in evening the date of nomination was fixed should guarantee the interest on the bonds for February 13th, the election, if neces of the rallway to the extent of \$25,000 a mile, or a total sum of \$1,125,000. In re turn, the company secures the province up-

on 40 per cent, of the gross earnings of the road and gives the province control of freight and passenger rates. Cost to the Province. Such a guarantee would not cost the province one dollar, while it would enable the promoters to guarantee immediate construction and the completion of the road, or forfeit a sub-

The railway would pay expenses and fixed charges from the first day it was in opera-tion The coal output alone—of which two companies will be prepared to furnish Pickard, W. R. Higgins, G. Carter, I. A. tons a day each-would guarantee the road A short line of railway, opening up a combined farming, coal and metalliferons

mining country, has never been known to

be a financial failure; and many lines

much longer than the one proposed have

been successfully undertaken to open up country neither known to be as rich nor as In conclusion, we would ask you to weigh the stagnation which the deferring of action at the present time is bound to cause against the notable advantages and general awakening in industry and railway struction which must follow from this one forward step; and, in justice to the province and to your constituents, to use your nfluence in the legislature to further the thoroughly businesslike proposal involved

rallway. Inclosed in the letter is the following dealing with the Nicola coal particularly, proval of the admission of two small and also telling of the mining camps to

in the construction of this much-needed

be served by the railway: The Nicola Valley Iron & Coal Co. has 2,661 acres freehold situated in township Mrs. W. Denny and Mrs. D. P. Pick- 91, Kamloops division of Yale district. The showing on Coal Hill gives a section as follows: Sandstone, 32 feet; coal, 5 feet; sand-The matron acknowledged with thanks stone, 89 feet; coal, 5 feet; sandstone, 141

> Total, 35 feet coal. Analyses by price of San Francisco Non-Coking Coal.-Volatile combustible,

Other coal measures adjacent to Nicola are found in the following place Omitted from the Christmas list—Mrs.
Goodacre, 2 boxes oranges; Etheldred, and lakes, Hamilton creek, sections 33, 34, 35, The following mining camps surround Nicola: Aspen Grove, Quilchena creek, Mill creek, Ten-Mile creek. Dr. Dawson's report gives the coal area

> TO CURE A COLD IN ONE DAY drugglats refund the money if it fails to

as 12x37 miles.

\$1.50 PER VE

VOL. 34.

RUSSIAN NOT

Note Has Been Minister Leav

St. Petersburg, Feb. 4 .here is that Russia has offer tial concessions, but that she Japan's wishes regarding h agree to Japanese fortificati ern Korea. It is intimated official quarters that if Je offer a counter proposal guarantee China's Manchu espective of the ultimat of the province, there might of reaching such a compr argued that this settler ard the existing comme of the powers in Manchun contended that if Japan de n the last resort this wo he world her ulterior ambi which would be inimical to of not only Russia but of t ers which now sympathize

Much anxiety and doubt with regard to the future, is certain, Russia will not nor will she initiate hostil the negotiations break do will remain quiescent un The postponement of the v Japan is interpreted favora

The Reply. St. Petersburg, Feb. 5.-reply to Japan was forwar roy Alexieff yesterday. If it, it will finally reach th ent on Monday.

Fleet Returns. Port Arthur, Feb. 4.—! fleet returned here at 4 o'ch noon. It was manoeuvr against 60 Japanese wars Hai-Wei. This report was an attempt to see "how the The quarantine against Chi annulled. The fleet under put to sea at dawn Febras taken up its anchoras

London, Feb. 4.—A disp Reuter's Telegraph Compan says: "The general impress that all hope of peace is gon statesmen had a conference noon, at which the Emper-ent. It is believed a wei was reached." The ominous rumors of the imminence of hostil Far East caused the rates

War Risks Incre

at Lloyd's to bound upv from forty to seventy-five No confirmation of the reports, current here, cou at the Japanese legation legation official professed any new decision on the panese government or fresh the negotiations. The however, that the legati The C official confirmation of the greatly increased naval an

tivity in Manchuria. Embargo on C London, Feb. 5.-The n sia has already dispatch Japan has not yet reache newspapers, which are be lieve that Russia has no sending any reply. The n riews are taken of the sit Reports are current the Japan have received private ntimating the belief that relations between Russia imminent, but nothing of acter is obtainable, the als

Russian fleet from Port A rumored Japanese move of are reported from differen The correspondent of th at Cheefoo says a russi prising all the battleships bastopol and six cruise stropers, is cruising along

The Seoul corresponden

this morning being based

reports of yesterday of the

Mail says that a Russian ing south from Mukden, respondent of this same Arthur, says that both R pan have placed an emb London, Feb. 5.—A dis Central News agency from that the newspapers ther grams saying that 200,000

hope of maintaining pe Troops Along Rai St. Petersburg, Feb. 5 correspondent of the Assoc Port Arthur telegraphs as "There is no truth in the freight traffic has been st Manchuria railway. All th Russian Pacific squadro been held in reserve, are no

have been concentrated in ley, with the probable int

ing North Korea. It is a

"The regiments of the left Port Arthur, are tak stations along the Chines "The Port Arthur gar strengthened by the arri Seventh Brigade of Consc. recently been going course of training.
"Stores of provisions an

accumulated, and all