FRIDAY, DECEMBER 7TH, 1888 JUDGMENT

In the Case of Alexander Menaughton vs. the Licencing Board of the City of Vancouver.

[Before the Chief Justice and Mr. Justice Gray Friday, 30th November, 1888. Alexander McNaughton vs. the Licensing Board of the city of Vancouver.

Mr. M. W. T. Drake, Q.C., for the complainant, and Mr. Theo. Davie, Q.C.,

Adjusted to the property of th

within the city, of approximately apper pioneer, is about to start a paper piones paper piones. The paper piones paper piones. The paper piones pap and saloons to be issued in the city; by sec. 66, for appointing inspectors and for regulating houses of entertainment or other places for the sale of liquor; by sec. 67, for determining the fee or duty to be paid upon every license and for regulating liquor; by sec. 68, for regulating liquor; by sec. 69, for regulating liquor; by sec. 69, for regulating liquor; by sec. 68, for regulating liquor; by sec. 68, for regulating liquor; are consistency with interpolational regularities and selection of the Dawy Netus, one of the Dawy Netus, one of the Dawy Netus, one of the ablest journalists of England, has written a letter, which is printed in the Liverpool Post, in regard to the suggestion that Whitelaw Reid be appointed to replace Mr. Phelps as United States minister to the court of St. James. Mr. Lucy says: "Mr. Reid is an admirable speaker, of cultured mind and wide

toxicating liquor; by sec. 68, for regulating hotels and places where liquors are sold under license.

It will be noticed here that the power of limiting the number of licenses is confined to hotels and saloons only under the power so given. On the 12th August, power so given. On the 12th August, 1886, the corporation passed a by-law, No. 5, in which it divides the licenses into hotels and saloon show or retail and whole.

Press Comments on the Measure.

Vienna, Dec. 2.

englete to-day in hot sary of Emperor F is on to the throne. congratulations from which Mr. Phelps has maintained. As portraits of the Emperor Englete to-day in hot sary of Emperor F is on the throne. congratulations from the throne. Sovereigns. A large portraits of the Emperor F is on the throne. Sovereigns and which Mr. Phelps has maintained. As portraits of the Emperor F is on the throne. Sovereigns are the measure. hotel, saloon, shop or retail, and whole-sale licenses. The hotel and saloon lihotel, saloon, shop or retail, and wholesale licenses. The hotel and saloon licenses authorize the sale of liquors in quantities not exceeding one quart to be consumed on the premises. The shop or retail licenses authorize the sale to any one person in quantity at any one time not less than one pint, not to be drunk on will find the English ministers willing to

The bye-law by sec. 9, points out is a great document. The Chronicle thinks the duty of the inspector to report upon each application for a license to the licensing board, first, as to the premises; tion. secondly, as to the fitness and character of the applicant, which is to exercise nevertheless, its own discretion on each application. Section 12 makes void any license granted in the immediate vicinity of any church, school, or hospital. Sec-

inconsistency of the 9th and 15th sections of the bye-law, but both must be read subject to the provisions of the Act of Incorporation, which itself conferring the powers as to hotel and saloon licenses and shop licenses, gives the power of limita-tion as to number with reference to the

first only, not with reference to the last. The reason for refusal assigned by the corporation to the complainant's applica-tion was to number only; whereas their power of refusal was limited to his not being a fit and proper person.

The legislature has deemed it proper t trade and those merely for public conven ience The rule, therefore, must be mad

But for future guidance we wish to ob-

CABLE NEWS.

in Persia.

on. John Bright Growing Gradually

The Advent of the New Chief of Police will be Marked by the Arrest

Press Comments on the Message. wholesale license in meet them. Daily News: We would regret President Cleveland's acrimony with reference to the Sackville incident not to be consumed on the premises.

The distinctions between the three classes are thus clearly marked; the first Lord Salisbury set the example. Clevefor the convenience of the traveling or land evidently possesses Salisbury's bitter-transient public, the two last for trade.

> Henry George in London London, Dec. 3.—Henry George will attend the annual conference of the Committee on taxation of ground rents, on Tuesday and Wednesday at " Parker's.

to England.

London, Dec. 3.—The French steamer of Odessa has ordered on behalf of Odessa has ordered on be

head, badly damaging both vessels Parliamentary Secretay. London, Dec. 3.—Lord Balfour, of Burleigh, has been appointed parliament-ary secretary for the board of trade.

News of Stanley.

LIVERPOOL, Dec. 3.—Mail advices received here from the west coast of Africa, says—: "A rumor has reached Browney from the Upper Niger that Henry M. Stanley is proceeding at the back of the great oil rivers under the British flag, and that the natives are friendly,

in honor of the day. An oak tree christened as the "Emperor's Oak" was planted in nearly every village in the Empire this

Francis Joseph's Life Threatened VIENNA, Dec. 3.-A person from Rome

the banquet and was enthusiastically accurate and cheered. An anti-Boulanger meeting was

ter ships to run in opposition to the vessels of the Waterford Steamship Co., which are still carrying emergency men for Italy, where they will remain until

A Navy for Montenegro. Macedon from Montreal, against the pier-to be completed by April next.

LONDON, Nov. 3.—There is a rapidly growing belief that a movement tending to an Egyptian garrison at Suakim in aid of the British troops, will lead to the inauguration of a fresh Soudan campaign which will include the re-capture of Khar-

SOUND MANUAL PROPERTY OF THE PARTY OF THE PA

Vienna, Dec. 3.—A person from Rome to noute for Trieste, has been arrested at Venice on suspicion of having designs upon the life of Emperor Francis Joseph.

Paris, Dec. 2.—Boulanger arrived at Navarre to-day. A large crowd awaited his arrival at the station and greeted him cordially. The police refused access to the General's hotel to all persons except given in Boulanger's honor to-night, thus preventing him from holding a public reception. Great indignation is felt toward the prefect in consequence of his action in preventing the reception. Great indignation is felt toward the prefect in consequence of his action and greated admitted important question now pending in controversy between our him from holding a public reception. Great indignation is felt toward the prefect in consequence of his action in preventing the reception. Gen. Boulanger addressed five hundred guests at admitted impracticability of making an accurate and PRECISE SURVEY

Table 20 A control of the boundary line as it is recited in the treaty with Russia, under which Alaska was ceded to the tobsia a license it shall direct such license to issue.

It is difficult to reconcile the apparent neconsistency of the 9th and 15th sections of the provisions of the provisions of the sections of the provisions of t

But for future guidance we wish to obreve that, a mandanus being a prevage verif of the highest character, we was a content of the highest character, we have a population of a front Soudant of the highest propers.

London, De. 3.—The British bark character, we have a substant of the strength of the highest proposed that troops be sent to stake in the action of the content of the highest proposed that troops be sent to stake the content of the content of the highest proposed that troops be sent to stake the content of t plause was at the conclusion of the para-graph discussing the tariff. The demo-crats, led by Springer and Herbert, broke out into rounds, of short duration, how-ever, and did not cause the clerk to halt

AMERICAN NEWS.

BELORADE, Dec. 3.—King Milan has ordered that ex-Queen Natalie shall heneforth be known in Servia as Natalie beneforth benefor obtain with as little delay as possible a new personal channel of diplomatic intercourse in this country with the government be kept pure ment of Great Britain. The correspondence in relation to this incident will in due course be laid before you, and will disclose the unpardonable conduct of the official reverted to, in his interference by advice and consent with the suffrages of American citizens at the very crisis of the presidential election then near at hand. In connection with the important question now pending in controversy between THE TWO GOVERNMENTS,

THE

bearing in mind the interests which have become established under the present laws, to the end that they may not suffer unduly while beneficient reforms are made. On the subject of silver coining, the secretary renews his recommendation of last year, that of fixing the maximum of silver which shall belong to the governmen and by providing that when it was exceed ed by five millions, the purchase of silver bullion should cease until the amount

owned by the government should be again reduced to such maximum or by CANCELLING UNITED STATES NOTES to the amount of the excess of the maxipartments and a glowing to tribute Gen.
Sheridan, who died in August last. The President considers his death a national affliction.

mum, provided the government held the notes. If not, then by ceasing the purchase of bullion. Such a plan, if adopted, would provide a safety-valve which would mount, which could be abserbed in the began at 1:30 p. m. and concluded at 3:10 p. m. Nearly every member was present, the only prominent absentee being Mr. Randall, who after answering to the rollicall, left the capitol. The strictest attention at the beginning of the reading was given by members on both sides of the chambers. The first aubject to cause applause was at the conclusion of the paragraph discussing the tariff. The democrats, led by Springer and Herbert, broke out into rounds, of short duration, however, and did not cause the alark to the contract of the

blety, who was suspected by the London police as being implicated in the Whitechapel murders, arrived in New York yesterday by the steamer LaBretagne. Detectives awaited his arrival and are keeping track of his movements, although there is no charge against him.

The author of the placard posted last Friday, advertising a letter by some of the Times' witnesses, appeared before the commission to-day, and apology was accepted by the court and the matter dismissed.

O'Connor continued his testimony. He said that a branch of the paragraphic posted last to the placard posted last to the placard posted last to the placard posted last and the placard posted last to the placard posted last posted last

NEW YORK, Dec. 4 .- Major-General Romeyn Bayres, U.S.A., died at Fort Hamilton to-day. WASHINGTON, Dec. 4. - Representative Stone, of Kentucky, to-day introduced in the house a joint resolution proposing an amendment to the constitution providing that the president and vice-president shall amendment to the constitution providing that the president and vice-president shall be chosen every four years by the direct votes of the people. A section of the bill forbids the holding of any local or state

elections except for members of congress on the day set apart for the election of the president and vice-president. Denied the Statement. to-day denied the statement attributed to Railway Commissioner Campbell, that he had been offered the secretaryship of the

GAINESVIILE, Dec. 4.—The last case of yellow fever was discharged to-day. The board of health declared the epidemic ended and refugees are returning. Fatal Family Quarrel

SALAMANCA, N. Y., Dec. 3.-At liottville, on Saturday, during a family quarrel, Farmer Clement Hahn was beaten to death. There seems to be a doubt whether he was killed by his wife or by A \$20,000 Failure.

most extensive farmers, wool growers and stock raisers in this county, have failed, with liabilities amounting to \$20,-International Baseball League. UTICA, N. Y., Dec. 3.—The following committees have been appointed in the International Baseball League: Schedule committee, Thomas R. O'Neil of Syracuse, J. Franklin of Buffalo, and T. S. Hobbs of London. Umpire committee, James Dixon of Hamilton, Robert H. Leadley of Detroit, and H. E. Leonard of Rochester.

wal dillers on the farm of Jay Cook, a few miles from this city, recently struck a "spouter" that has assumed the magnitude of a geyser, and rivals that of Bell Plain notoriety. The well spouts a stream twelve feet high and eight inches in diagraphs.

O'Connor continued his testimony. He said that a branch of the national league at Curragh applied to the central branch of for relief for tenants who had been evicted. In an official reply the relief was refused on the ground that the district was in too disturbed a condition. By the same post that brought the official reply the refusal, that the place was too dull.

Sir Charles, Russell, of the counsel for the Parnellites, pointed out that the name to of witness was not on the list of Times witnesses, as given before. witnesses, as given before.
Attorney-General Webster, of the Times counsel, replied that there were good reasons for withholding the names of wit-

A man named Kellahan testified that by means of threats they would burn his house. A party of monlighters gained entrance to his house and assaulted him and his family. He was compelled to swear loyalty to the league, and that he would quit the employment of a farmer who was then under boycott. Sir Charles Russell wanted to postpone

the cross-examination of O'Con This Attorney-General Webster would not consent to.

In reply to a question from Sir Charles
Russell, the witness said he first went to
Dublin and made a statement similar to the evidence he had given, owing to the receipt of a letter from the Irish loyal

patriotic union. Further cross-exami

patriotic union. Further cross-examination was postponed.

Canon Griffin described the disturbed condition of Castle Island in 1881-82. He expressed his belief that a great many people had been coerced.

Upon cross-examination he declared that there were a thousand good priests in Ireland who actually approved of the chicate and workings of the national leasure. ROCHESTER, N. Y., Dec. 3.—Valey Picharles and Chester H. Brown, the in Ireland who actually approved of the objects and workings of the national league. Before the league agitation began land in Ireland was greatly over-rented. In several cases he, himself, had secured reductions from landlords.

CONDENSED DISPATCHES.

Patrick O'Brien, for over 15 years cashier for the Royal Insurance Co., Montreal, died last night.

Lord Stanley opened the art exhibition at Hamilton yesterday afternoon in the presence of an immense crowd.

A plot to rob the Trader's Bank at St. Thomas has been unearthed. The thieves were two noted American cracksmen.

The remains of Frederick Barber, who committed suicide at Niagara Falls two weeks ago, were buried at Toronto yesterday.

rday.

The C. P. R. railway station at Bo face, opposite Winnipeg, was totally de stroyed by fire on Sunday afternoon. Senate Proceedings.

Washington, Dec. 4.—At a meeting of the senate finance committee this morning there was a full attendance. Some time was spent discussing informally the of Manitoba; CABLE NEWS

ert Gent-Davis Refuses to Resign

The Sharman Level Services of the Polymer of the Secretary of the Secretary of the Secretary of the Secretary of the Polymer Secretary of the Polymer Secretary of the Polymer Secretary of the Secretary of the Secretary of the Secretary of the Polymer Secretary of the Secretary

successful coup, meaning the Sackville sident.

The Emperor's Ear Trouble London, Dec. 3.—It is known definite ly that the Emperor is confined to his apartments by a recurrence of his ear affection, and not by cold as was an-

The Emperor's Health. BERLIN. Dec. 4.-The emperor drove out to-day, his first outing in ten days. of the emperor's health is perfectly satisfactory, and asserts that during his confinement he attended to his official work without interruption.

Berlin, Dec. 4 .- It is intimated here that the government will ask the Reichequip field artillery.

It Looks Like war. St. Petersburg, Dec.3.—It is reported that as the result of the strained relations between Russia and Persia, the Russian ambassador at Teheran has been recalled.

Return of an Absent Prince NICE, Dec. 3.—After an absence of four years the Prince of Monaco arrived at his Capital to-day, and will endeavor to revive the waning business of the Casino by his personal presence and the revival of court festivities long fallen into disuse. Italy Secretly Fortifying.

GENEVA. Dec. 3.-It is reported that in portant fortifications are being erected in Savoy outside the neutralized zone of the Franco-Italian frontier. The work is carried on with the strictest secrecy. Beloved by His People.

VIENNA, Dec. 4. - Emperor Francis Joseph has sent an autograph letter to Count Von Scaaffe, the Austrian prime minister, in which he expresses his heart-felt thanks to all charitable persons who accession to the threne have contributed to the relief of the sick and needy. The Emperor says the people's action is another proof of their love to himself and of their attachment to the imperial family

ROME, Dec. 4.—The Tribune says that the Pope has charged Mgr. Galimberti to visit the Duke of Lychenstein and thank him for his generous offer. It says the Pope has no present intention of leaving Rome, but that if Italy became involved To Reform the Spanish Army

MADRID, Dec. 4. -As a result of the negotiations with the Cassola party, the government has consented to re-introduce in parliament a bill for the reform of the

St. Petersburg, Dec. 4.—Admiral thestakoff, minister of war, is dead.

A Fatal Quarrel.

Carro, Ill., Dec. 4.—Lon Houston and Josh Hazlewood fought out an old grudge on the steps of the Methodist Church at on the steps of the Methodist Church at Eleo, Ill., on Sunday last. Their quarrel originated from jealousy, the object being the divorced wife of Houston. Each man drew a revolver and fired. Hazlewood was shot in the right lung and twice in the leg, while Houston was shot in the shoulder and twice each in the breast and larg. Both men will die. During the shoulder and twice each in the breast and leg. Both men will die. During the shooting there was a panic in the church, the congregation escaping through the side doors and windows.

Rome, Dec. 2.—The Irish clergy in Rome are preparing to give a handsome reception to Charles A. Dana on the occasion of his visit here.

Natalic Gets All Her Presen BEIGRADE, Dec. 3.—Queen Natalie has received from King Milan all the presents he formerly made to her and a grant of one milliou francs which remains at her disposal in the bank of Servia. Weeklu

FRIDAY, NOVE From the DAILY LOCAL AND Incoming ailed from San Fran n board the follow victoria: Mrs. W. 1

tone, H. C. Barry I. T. Barns, Miss S net and J. A. "The Sol "The Solid South the official vote in V Harrison. Therefore uld have had and

at Washington. City Po Geo Bedford alia sentenced yesterday onment for vagrancy Ah Kwong, char-entering Major Wils Park street, and waistcoat and a silve was committed for

C. P. Dixon, the convey clerk at Portlan \$3,000 of his employ it in Victoria in riot pardoned through t wife, from whom American Surety Co good Dixon's sho "Thy W

The sympathy o goes out to Mr. and their sore trouble. the afflicted family ing and took away Kate, aged 10. L hand o again laid upon th and little edith, a summoned away, victim within a we five surviving c rostrated by thei

Mr. George Cl er & Clarke, archi eers, Seattle, died city on Wednesda illnees of about to had been in poor his complaint bein lungs. The decea native of England. he came to Victori ing here about a Seattle. Mr. Cla profession, and all his acquaintal leaves a wife, but Fatal Ace

At six o'clock y named John Sulli which caused de coping to the drydock. Dece respected resider the employ of the he at his wor the accident oc along the coping breaking, and is over one of the l the coping to ke below. A watch the fall, and wi injured man a cabin. The do was sent for, poor Sullivan every rib on his and his skull

LADEN Last evenin man entered t Aaronson and mouth-plate of plate could no Chinaman, become fully \$50, the of it for \$10, police, and whi kept bargainin Finding that John offered t \$5. By this Thomas enter their custody. but his prot taken to the l consigned to his possessio One small-s No. 26,132, gents' gold c One gents'

the watch

One plush

& Son," control of common-le neat little gol One gold potthe latter be Son, 3 Maider One gold bracelets, one bunch of eleverate Chinan Ah Lee, offen he had become and was ther morning. ing the jewel lock-up, and hidden sprin opened and and a-half d making the pearance. sign and are the object o an evening hour last n intimation jewelry. when the o ably be on which is wo While be strongly. latter know after which ordeal.