

Advise Parties to Negotiate Differences

Premier McBride Withholds Answer in Water Question for Present but Thinks Settlement Might be Reached

(From Tuesday's Daily).

Yesterday afternoon the members of the provincial government resumed their investigation into the rights of the city in regard to the claim made for legislation confirming their water and power rights. After hearing the statement of the case of W. E. O. for the Oak Bay municipality, and E. V. Bodwell, K. C., on behalf of the B. C. Electric Railway Company, Hon. Richard McBride expressed the opinion that a way out of the difficulty would be by bringing the Esquimalt Waterworks Company and the city together. He cross-examined both of the parties concerned as to what had already taken place, what offers had been made, and what likelihood there was of a settlement. At the close of the discussion Mr. McBride expressed the opinion that there was nothing so far as he could see to prevent bringing the two parties together to arbitrate their differences.

The government in view of this, deferred any answer until two weeks' time, when the parties concerned may have an opportunity to reach an agreement.

On resuming in the afternoon A. P. Luxton, K. C., continued his argument on behalf of the city. He said that he thought it very wrong that in order to give the city power to go to Sooke that the rights of the Esquimalt company should be set aside.

The premier asked for a memo. of the total expenditures of the Esquimalt company. Mr. Luxton said that the company had expended in all some seven or eight hundred thousand dollars, and it must be expected that they should get some revenue on this.

The city of Victoria was at one time asked to subscribe \$200,000 for shares in the company. At that time it was said that the waterworks were valueless. He accused the city representatives of trying to introduce clauses in the legislation which would give the city.

The Whelp Hand. The meaning of the clauses had not been explained as yet. He contended that in any new legislation which was introduced the Esquimalt company should have the right of proposing clauses which would protect their interests.

Mr. Luxton asked to read the letters baring on the offer of the company to sell shares to the city. These showed that the proposal originated with the water company and not with the mayor of the city.

Mr. McBride asked further regarding the Thetis lake supply. Mr. Luxton replied that the Thetis lake supply would be insufficient a year from now.

Reeve Oliver of Oak Bay, said the municipality had never opposed anything the city proposed to do. All he wanted was that the

Rights of Oak Bay should be respected. The city had applied for the right to supply municipalities, but had never recognized any obligation.

Mr. Taylor admitted the right of the municipality to enter into an obligation. The matter of supply, of course, carried with it the obligation to supply at a reasonable price.

Mr. Oliver said that if the city had to continue taking from Elk Lake it was expected that the supply would be poor and the quality bad. If, however, the city got Sooke water the municipality he represented should get Sooke water too, and not water which was of poor quality.

After the settlement of this point E. V. Bodwell, K. C., on behalf of the British Columbia

Electric Railway Company, said they regretted that this should be in the form of a contest, for the rights of the city and the B. C. Electric Company were, city and water which was of poor quality.

To suggest the unlimited right to go into the power supply business was not a business proposition. The only one that would be profitable would be the one at present occupied by the B. C. Electric Company. This company had already invested \$2,000,000 in plant and this would have to be duplicated, and could not pay, for they would have to enter into competition.

The only reason for the city doing anything of this sort would be the matter of disposing of their surplus water. The company was willing to take this over, bringing it from the city and making profit for them.

The company had plans laid for extensive works both in the city and neighborhood. They must, however, see power in sight with which to run the business. They would not be able to extend their works if the city was going to try to cripple them. They would like to see the city do so.

If the city at any time wanted to go into the power business they could take over the company's works and have a well-equipped business, which they could not possibly have in any other way.

Mr. Bodwell then went into **The Legal Aspect** of the case, and quoting from the act of 1885 giving the first charter, tried to show that the city did not reserve to themselves any right to enter into competition, although they could grant that right to others.

(From Tuesday's Daily).

ride the private act of the company, which would be a very serious matter. It would be repudiation of a contract. The waterworks act of the city of Victoria, as it was drawn, would have taken away their rights. The company asked for the same clause to be inserted in the Vancouver Incorporation Act, 1900. This provided that the city could not enter into competition without first offering to purchase the rights of the existing company. If the city's offer was not accepted the matter would be submitted to arbitration and the city must pay the price set by the arbitrators and the company must accept it. In Vancouver the city had benefited considerably by the rights that had been given them. If Victoria was only wise enough to come in and give the Electric Company this right they would throw a whole lot of money into the city.

If, however, the city proposed to hold the whip hand over the company, as was proposed, the company could not borrow money. The people in London would not invest in such a proposition.

Mr. Bodwell referred to what he called failure in municipal ownership in London and Glasgow. The pendulum was now swinging in the opposite direction. Municipal trading he characterized as a mere fancy.

Mr. Bodwell appealed to the city to go in with them. They were considering the taking over and

Electrifying the V. & S. Railroad but they dare not present conditions. The company had paid hardly any dividends, they had no watered stock, and if they were given a chance the very best rates could be given.

Mr. Bodwell referred to the present street lighting system, which he characterized as a bad one. The system was antiquated and the results were bad.

In conclusion he said that he had given little attention to the legal grounds of the case.

The premier said that in Vancouver there was a control of rates. The company had a monopoly and were they now ready to give control of rates?

We are willing to give anything that is given in Vancouver. The reply, Mr. Taylor replied very briefly. He said that Mr. Bodwell's remarks would more properly be addressed to the citizens of Victoria, who might or might not wish to accept.

He quoted from the Ontario act, showing what was done in that province, and also he referred to Vancouver.

He also took exception to the argument of Mr. Luxton on the waterworks. He referred to the report of Expert Adams, and Mr. Luxton took great exception to it, especially to the price set on his company's holdings.

Mr. Bodwell said he wished to state that his company would give to Victoria the same rates as Vancouver. The city could not compete with the city that had been taken over by the citizens.

A lengthy discussion then took place between the ministers and Mr. Taylor as to the right of the city to

Enter Into Competition with the company. The attorney-general and the premier both seemed to be acting as counsel for the B. C. Electric Company, closely cross-examining Mr. Taylor as to his views.

Mr. Bodwell stated on behalf of Mr. Buntzen that the investors had put their money into the company on the distinct understanding that the city could not compete with the city that had been taken over by the citizens.

The premier asked what steps had already been taken for the citizens to

Buy Out Goldstream from the company. He thought this would be the best solution of the problem. When a large sum of money was to be raised he thought this the right way. He asked Mr. Luxton why they refused to arbitrate under the act of 1872.

Mr. Luxton said various offers had been made to the city, but the council had never yet put them before the people. Copies of letters containing these offers were handed in.

The premier sought there was nothing that should prevent the city and the Esquimalt Water Company agreeing to arbitrate.

ATTEMPTED SUICIDE.

Police Watch - Vancouverite's Rash Deed Powerless to Interfere.

Vancouver, March 17.—Almost in full view of his father and a number of friends, Thomas Simpson, son of C. Simpson, of the firm of Greene & Simpson, undertakers, pressed a revolver to his head and fired. The shot glanced off the right side of the skull, but did not enter the skull, and it is to this fact that the young man owes his life.

The attempted suicide occurred in the undertaking parlors of Greene & Simpson last evening shortly after 8 o'clock, and the victim is now lying in St. Paul's hospital. He will recover. The motive for the rash deed can be attributed to nothing else than despondency arising out of unsatisfactory conditions.

Mrs. Simpson, mother of the young man, first learned that her son had been shot, and fearing that he would do some harm advised her husband. The police were called in for the purpose of getting the gun away from him. In this they failed, and as he was standing behind him the gun head they stood back, fearing to advance for fear that the young man would shoot. It was while they were running around to the back door in an effort to get the gun away from him that the shot was fired. A first shot was fired into the air. The young man said nothing before he shot. He fell to the floor with a dead motion.

Thomas Simpson is about 25 years of age and married. He has had trouble of a domestic nature of late, and this has tended to intensify the dissatisfaction under which he was laboring.

FUTURE OF COPPER

The future of copper or a probability of glut in the world's market for copper making the industry of mining this metal an unprofitable one is the subject of an article by John T. Morrow, of New York, in a recent issue of the Engineering and Mining Journal. Mr. Morrow investigates his data at London, going back to 1879 when the annual production was 100,000 tons and looking ahead to 1928, when on the same basis of increase as has prevailed in the period from 1879 to 1906 (5.34 per cent. per annum), the annual production will be 2,748,622 short tons. The percentage increase in the production of copper has not been as rapid as pig iron for the last 20 years, yet iron is found to be much more sensitive to the periodic convulsions of trade than copper.

Mr. Morrow's conclusions are most hopeful for the copper industry. He says: "For those who have interests in the copper production, either as owners, producers or investors, I call attention to the fact that the copper industry is not so much sensitive to the periodic convulsions of trade than copper."

We are willing to give anything that is given in Vancouver. The reply, Mr. Taylor replied very briefly. He said that Mr. Bodwell's remarks would more properly be addressed to the citizens of Victoria, who might or might not wish to accept.

He quoted from the Ontario act, showing what was done in that province, and also he referred to Vancouver.

He also took exception to the argument of Mr. Luxton on the waterworks. He referred to the report of Expert Adams, and Mr. Luxton took great exception to it, especially to the price set on his company's holdings.

Mr. Bodwell said he wished to state that his company would give to Victoria the same rates as Vancouver. The city could not compete with the city that had been taken over by the citizens.

The premier asked what steps had already been taken for the citizens to

Buy Out Goldstream from the company. He thought this would be the best solution of the problem. When a large sum of money was to be raised he thought this the right way. He asked Mr. Luxton why they refused to arbitrate under the act of 1872.

Mr. Luxton said various offers had been made to the city, but the council had never yet put them before the people. Copies of letters containing these offers were handed in.

The premier sought there was nothing that should prevent the city and the Esquimalt Water Company agreeing to arbitrate.

SEYMOUR CREEK CLAIMS ARE SOLD

Arizona Syndicate Will Exploit Bank of Vancouver Group.

Vancouver, March 17.—A mining deal of importance has just been concluded in the city. It embraces the Bank of Vancouver group of claims, situated on the main Seymour creek, near the west fork, and about twenty miles from the city.

The deal is in the nature of a bond and the figures are above \$200,000, a substantial cash payment having been made to Mr. Sauter. The deal has been in progress all winter, three different parties having been in to examine the property and test the ores. The third expert checked up the returns and work of the others and under his report the syndicate at once concluded the deal.

FISH HATCHERY AT COWICHAN.

Ottawa, March 18.—Ralph Smith, M. P., is pressing for a provision in the parliamentary estimates for the construction in the coming year of a fish hatchery on Cowichan lake.

OPEN TENDERS FOR THE MAINS

DISTRIBUTION SYSTEM FURTHER ADVANCED

Contract Will Be Let Tomorrow—Park Superintendent Presents Resignation.

(From Tuesday's Daily).

The city council will probably a lot of business in the next few days at their meeting held last night.

All the members of the council were present. The meeting started shortly after 8 o'clock and was through by 10 o'clock.

The minutes of the last meeting were taken as read.

The resignation of J. G. Thompson, 18 years superintendent of city parks was the cause of some discussion. Mr. Thompson, it appears, has taken umbrage at some criticism directed toward him by members of the parks board.

Piping Tenders.

Tenders were opened for the 112,500 feet of piping required for the new distribution system for the waterworks. The lowest tender was that of W. B. Beverly Robinson of Montreal, whose figure was \$100,157. The others ranged from six to twelve thousand dollars higher.

A letter was read from A. D. Cartwright, secretary of the Dominion Railway Commission, enclosing a certificate in the order of that body regarding the use of Store street by the Canadian Pacific railway in order to get to the site of the new terminals.

Mr. Cartwright said that the matter of the transfer of the property on Rock Bay given to the city by an act, passed at the session of the legislature just closed, was now in the hands of the chief commissioner of lands and works, was also ordered filed.

Block Paving Asked For.

T. R. Smith, vice-president of Robert Ward & Co., Limited, wrote asking the roadway in front of the firm's warehouse on the corner of the blocks on the local improvement plan. His letter was referred to the streets, bridges and sewers committee.

Wanted Time Extended.

A letter from Pearson, Rodding & Co., Pacific Coast, Ltd., was brought forth considerable discussion. The letter which was dated from Victoria yesterday complained that they had not been treated with proper consideration in regard to the tenders for the waterworks pipes required by the city for the new distribution system.

Mr. Pearson said that the firm had been favored with the specifications of the pipes required as they said had been done with other manufacturers. The firm had been asked to produce the pipes at Birmingham, Alabama, but they had been favored with the specifications of the pipes required as they said had been done with other manufacturers.

Mr. Pearson said that the firm had been favored with the specifications of the pipes required as they said had been done with other manufacturers.

Mr. Pearson said that the firm had been favored with the specifications of the pipes required as they said had been done with other manufacturers.

Mr. Pearson said that the firm had been favored with the specifications of the pipes required as they said had been done with other manufacturers.

Mr. Pearson said that the firm had been favored with the specifications of the pipes required as they said had been done with other manufacturers.

Mr. Pearson said that the firm had been favored with the specifications of the pipes required as they said had been done with other manufacturers.

Mr. Pearson said that the firm had been favored with the specifications of the pipes required as they said had been done with other manufacturers.

Mr. Pearson said that the firm had been favored with the specifications of the pipes required as they said had been done with other manufacturers.

Mr. Pearson said that the firm had been favored with the specifications of the pipes required as they said had been done with other manufacturers.

by Ald. Henderson, Mr. Dean's offer was accepted and the city officials authorized to take all steps necessary to carry the deal through.

Roadhouse's License.

J. R. Carmichael, clerk of South Saanich, wrote saying that the municipal council had referred the city's letter regarding roadhouses to the license commissioners of the municipality.

Humboldt Street.

A. O. Roy informed the council by letter that if the offer he had made to Mr. Northcott to remove the buildings that encroach on Humboldt street were not accepted by noon to-day he would not be able to undertake the work for four weeks.

Objects to Double Taxation.

Ernest Etherly, of South Saanich, but who works in Victoria, wrote asking if the tax collector had the right to collect for 18 years' service from him through his employer, while he also had to pay the similar taxes again as a resident of South Saanich. It was pointed out that the city had nothing to do with the revenue tax but the letter in so far as it related to the city tax was referred to the city solicitors.

Fire Appliances.

A letter from the Canadian General Electrical Company, enclosing a pamphlet describing the merits of their fire escapes was received and filed.

Complaints of Shacks.

H. Stadthagen complained bitterly of the fact that the "improbable" shacks adjoining Sylvester's feed store on Yates street were allowed to stand, although ordered destroyed by the council.

Ald. Cameron said that Mr. Thompson felt that he was being unduly criticized by the parks board. He was an old employee of the city, having held his present position for sixteen years.

Ald. MacKeown moved, seconded by Ald. Cameron, that Mr. Stadthagen be informed that the council was taking steps to have the two buildings he referred to destroyed.

Present Resignation.

J. G. Thompson, superintendent of city parks, wrote resigning his position, the resignation to take effect April 5th. He said that his relations with the council had been harmonious in the past but that he feared the same condition would not continue in the future.

Ald. Cameron said that Mr. Thompson felt that he was being unduly criticized by the parks board. He was an old employee of the city, having held his present position for sixteen years.

Ald. MacKeown asked whether Mr. Thompson was paid by the city. He was informed that he was an employee of the council.

Mayor Hall explained that the trouble arose over Mr. Thompson having been instructed by the late mayor to put on a certain number of men whom he had not since been told to dismiss, with the result that they continued at work.

Ald. MacKeown was anxious that no injustice should be done and advised leaving the matter over.

Ald. Weston pointed out that the city had three representatives on the parks board, so that the council was represented in action taken by that body.

Ald. Henderson said this was a matter belonging entirely to the parks board.

Ald. Cameron said that there was all the time a conflict between the city council and the parks board's jurisdiction, owing to the plan for the latter body not having been properly worked out.

Ald. MacKeown said he had heard of such letters as the one in question before. It was not fair to those who had tendered according to the advertisements to grant the delay asked for. The council should adhere to the principle of refusing all tenders that were not in on the date specified.

The following report regarding communications was presented by W. J. Dowler, city clerk:

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 engineer to report at the next meeting of the streets, bridges and sewers committee, viz.: Mount Royal Milling and Manufacturing Company, requesting permission to place on Store street in front of their property a railway siding to connect with the E. & N. railway extension.

Improvement plan.

W. D. McGregg, et al., urging that an entrance be made to Beacon Hill park at the northeast corner.

W. Doyle et al., requesting a drain for Elliot street.

E. E. Wootton et al., asking for a sewer along the road formerly known as Lover's Lane, Ross Bay.

Parker Clark et al., asking for a sewer in front of their property on Croft street, James Bay.

H. W. Wilders et al., requesting that a permanent sidewalk be laid on the east side of San Juan avenue.

P. de Noe Walker et al., petitioning for an extension of the sewer on Dallas road.

Streets, Bridges, Sewers.

The report of the streets, bridges and sewers committee was adopted without even being read. It was as follows:

Your streets, bridges, sewers and water committee having considered the undermentioned subjects, beg to report and recommend as follows:

1. Recommended that the city engineer be authorized to offer, by advertisement, the sum of 15 cents per yard for suitable filling delivered on the Esquimalt hotel grounds.

2. Recommended that the purchasing agent be authorized to purchase a horse from D. C. Robertson for the sum of \$275, for use in connection with the water works department.

3. Re moving honorarium Humboldt street back to the proper street lines: Recommended that the offer of A. O. Roy for the performance of this work for the sum of \$51 be accepted, also that the following expenditures and works, incidental to the moving of these buildings, as set out and estimated by the building inspector, be authorized:

Making good fences, steps and platforms on Humboldt street... \$140
3 awnings instead of verandahs... \$38
Putting in new window at back of house... \$100
Reimbursing tenant... 100

4. Recommended that the purchasing agent be instructed to call for tenders for the supply of the following plant for use of the water works department, viz.: 1 cement mixer, having capacity of 10 yards per hour; 1 40-h. portable boiler; 1 20-h. p. self-contained steam engine and 2 steam drills, also that tenders be invited to supply the overhaul of the rock crusher, for the street department; 1 cement mixer, having capacity of 8 yards per hour, and 1 gasoline engine with necessary gearing to operate the mixer.

5. Recommended that the sum of \$250 be accepted from Mr. Andrew Gray, without prejudice, in settlement of the claim of the corporation against Mr. Gray on account of demurrage by reason of the non-fulfillment of his contract for supplying and installing the creosote plant, within the time specified in the contract.

6. Recommended that, inasmuch as the hoisting engine in use at the creosote plant and furnished by Mr. Gray is not capable of doing the work required of it, the engine be returned and the sum of \$250 deducted from Mr. Gray's account rendered on the 28th February, 1908, and that the remainder of the sum be paid to Mr. Gray.

7. Recommended that the city engineer and city electrician be requested to procure another engine capable of doing the work at the creosote plant, to replace the one returned to Mr. Andrew Gray.

8. Recommended that the plan of subdivision of lots 62 and 63 Fairfield estate adjoining Government House, submitted by Messrs. Herbert Cuthbert & Co., be referred to the city engineer and city solicitors for report.

9. Recommended that the plan of subdivision of lots 62 and 63 Fairfield estate adjoining Government House, submitted by Messrs. Herbert Cuthbert & Co., be referred to the city engineer and city solicitors for report.

10. Re petition of Wm. H. Gibson, et al., requesting that the main sewer be extended from Bay street and Gorge road, be macadamized. Recommended that the petitioners be informed:

11. That only temporary repairs can be made out of general revenue, and that this portion of Government street, but if the majority of the owners of real property be immediately benefited by said work, representing a majority of the assessed value of the said property, petition the council to have the work done under the provisions of the local improvement by-law, the council will give the matter its favorable consideration.

12. Re communication of L. A. Cherry, again urging the necessity for the construction of a sewer on Wilson street, Victoria, and advised with Ald. Cameron that the people should understand that they would have to pay for the maintenance of the sewer. Ald. Henderson explained that provision had already been made for boulevarding Fernwood road up to King's road and the extension of one block was being made at the request of the property-owners of that block. In the new sub-division being offered by Gray, Hamilton, Johnson & Donald, and would soon be built upon, several residences being already projected.

13. Recommended that a permanent sidewalk be constructed on the west side of Government street, between McClure and Collinson streets, as a work of local improvement, as petitioned for by Henry Moss et al.

14. Recommended that Mr. Arthur Crease's offer of gravel for placement on Foul Bay road, be accepted.

for an increase of 25 cents per day for all laborers in the employ of the corporation who are receiving less than \$3 per day.

Recommended that this communication be taken up and considered with the estimates for the current year.

19. Recommended that Mr. Geo. McCandless be informed that the city of his complaint re condition of sidewalk on Hillside avenue, between Bridge street and Rock Bay avenue, has been attended to.

20. Recommended that the sidewalk proposed to be constructed on both sides of park road from Humboldt street to Beacon Hill park, be placed a distance from the fences so as to permit of boulevards on either side of the walks, as recommended by the city engineer. This being necessary owing to the contour of the ground at that point.

21. All expenditures contemplated in the foregoing to be subject to favorable report thereon by the finance committee, and adoption of said report by the council.

Tenders for Piping.

The tenders for piping for the city's new water works distribution system were opened. There are in all 11 of them, although three have been thrown out on account of irregularities. The lowest figure was that of W. B. Beverly Robinson of Montreal, whose tender was \$100,157. The others ran from six to twelve thousand dollars higher.

The letter containing the tender had not arrived last night but it will be considered with the others.

The other regular tenders were as follows:

W. E. Winterburn... \$106,364.90
R. P. Rithet... 110,527.05
Findlay, Durham & Brodie... 112,800.50
Robert Ward & Co., Ltd... 110,515.15
Evans, Coleman & Evans... 112,111.73
J. Coates & Co... 107,043.00
F. J. Marshall, representing the Canadian General Electrical Company, tendered, but did not give his total figures, and also neglected to enclose a check. The Canadian Iron & Foundry Company also neglected to enclose the required check. Both of these tenders were thrown out as being incomplete.

The tenders were referred to the city water commissioner and the purchasing agent, who will give the matter a meeting of the council to be held Wednesday evening previous to a private meeting to further discuss the estimates.

Paving By-Law.

Ald. Henderson's by-law providing for the raising of the necessary money for the carrying out of the block paving of Port street between Government and Broughton streets, between Broughton and Courtney, Broad, between Broughton and Port; Courtney, between Wharf and Douglas, and Broughton and Douglas street, was given three readings and will come up again for final reading next meeting. The estimated cost is \$36,187.60, which will be borrowed temporarily from the bank, pending the sale of the debentures.

The by-law providing for the improvements on Richardson street was reconsidered, adopted and finally passed.

Local Improvements.

Ald. Henderson moved the following resolution, which was unanimously passed, after some discussion: That it is desirable to construct a permanent sidewalk on both sides of Fernwood road between King's road and Cedar Hill road, with boulevards, gutters and curbs, the property-owners to pay four-fifths of the cost of the same, also that a permanent sidewalk be constructed on the west side of Government street, in front of lot 534, block 8, and on the east side of Government street from Johnson to Pandora street; also to construct a permanent sidewalk on the north side of Richardson street between Cook street and Moss street; also to grade and macadamize the main sewer and construct a permanent sidewalk on the west side of the same between Fairfield road and Richardson street.

11. That only temporary repairs can be made out of general revenue, and that this portion of Government street, but if the majority of the owners of real property be immediately benefited by said work, representing a majority of the assessed value of the said property, petition the council to have the work done under the provisions of the local improvement by-law, the council will give the matter its favorable consideration.

12. Re communication of L. A. Cherry, again urging the necessity for the construction of a sewer on Wilson street