

PASSING OF THEO. LUBBE

PIONEER CITIZEN SONE TO HIS REST

Had Been Ill for Long Time Father of Esquimalt Waterworks Scheme

(From Saturday's Daily.)

After a long illness, little more painful and distressing to himself than to the very large circle of friends which he possessed in this community, Theodore Lubbe, a leading pioneer citizen, better known, perhaps, as the father of the Esquimalt waterworks scheme, passed away at 7:15 this morning at his residence, Quatre street.

The end had been expected for several days past. Some eighteen months ago Mr. Lubbe was afflicted with a malignant malady, and as soon as he had been diagnosed as such by his physicians he himself knew, as well as many friends, that his life would not be long. It was a matter of time when he would be obliged to leave this world, and he was prepared to meet his fate with a calmness and resignation which were truly remarkable. He was a man of great physique, enjoying excellent, even robust health, and that he was about to witness the culminating triumph of long and strenuous endeavor, to bring the magnificent water system at Esquimalt, which had been created as a result of his genius, to a proper degree of perfection.

But with that dogged, even grim determination which was such a distinguishing characteristic of the man, Theodore Lubbe gave no sign that his soul reeled beneath the burdens of his disease, for, with head unbowed, he proceeded about his work. This consisted in superintending the multifarious details in connection with the erection of the mammoth dam with the pipe line to convey the water to the boundaries of the city.

Despite the ever-increasing ravages of the disease which had fastened itself upon him, he went about his daily duties, giving but little sign to even his intimate friends that he was a marked man. When weakened to such an extent that he could not walk to the office or visit the works at Goldstream, he utilized an automobile, and he took to his bed, but he died, as all who knew Theodore Lubbe knew he would die, in harness.

It is pointed out that, in some respects, this is a most extraordinary provision in that it implies an introduction of the referendum in a most unique way. In effect this clause ensures that there shall be no finality in the matter, even should the by-law pass the ratifiers next month, but that the ratifiers shall again be consulted when the contract for the work in connection with the project shall have been approved by the city council. It is a matter how important, felt it a duty to again appeal to the ratifiers to endorse such contract. To do so might, it is contended, render abortive the decision of the ratifiers.

The matter will no doubt be given considerable attention at the hands of the aldermen on Monday evening next, when the by-law comes up for its second reading. A lively debate on the measure is assured, and it is possible that certain members of the board are determined to make an attempt to have the by-law so amended as to provide that, in the event of any withdrawal of support in respect to being assessed for the cost of a project by which they cannot hope to benefit.

Some thirty years ago he came to Victoria as the agent for those firms and had been heavily engaged in the industry was in its prime, with this port its headquarters.

BOOK BY LAW AS UNIQUE ONE

PROVISION MADE FOR STRONG IT

Even If Measure Passes Rateayers Must Express Judgment Again

(From Friday's Daily.)

As a result of the publication by the Times of the vital clauses of the Book Law By-Law there has been much discussion among the following paragraphs.

The water commissioner shall be and he is hereby from time to time authorized to enter into an agreement or agreements with a contractor or contractors to proceed with the construction of conserving and conveying said waters, or such parts thereof as may be deemed proper, which said agreement or agreements shall be subject to the approval of the council and also subject to the approval of the electors entitled to vote upon by-laws by virtue of sub-section 2 of section 75 of the Municipal Charter Act, and any such contracts or agreements so negotiated shall be of no force and effect until after the same shall have been approved of by a majority vote of such electors.

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W. S. House Committee Has Not Yet Taken Action Regarding Site. Washington, D. C., Dec. 16.—The question of the location of the Panama Exposition building is the subject of a report made to the committee on rules to-day. The committee held a hearing on a resolution introduced by Kahn, California, but no action was taken.

The resolution names San Francisco as the place for holding the exposition, but the committee entertains it with the proviso that an amendment changing the name to that of some other city would be in order at any time.

Wentworth, Wash., Dec. 16.—Convicted of murder in the first degree for having shot and killed Sutton, a farmer, because he trespassed on his farm, Mrs. Della B. Totten was today sentenced to the penitentiary at McAlester, Oklahoma. Her mother, Mrs. Hannah Beebe, aged 75 years, who was convicted of manslaughter for complicity in the murder, was sentenced to an indeterminate sentence of from one to two years in the penitentiary.

GRANTED RELIEF. (Special to the Times.) Toronto, Dec. 16.—Citizens of West Toronto and outlying districts who have been paying excessive charges for telephone calls have received a measure of relief. The city council has ruled that all outlying portions of the city should be served at same rate. The rate has been wanted to raise the rates charged citizens, but the council would not allow it. One thousand and fifty business men are benefited by the decision. Residence phone cost and business phone 345, irrespective of distance from the city hall. Hitherto some outlying patrons have paid as high as \$88 for phone service.

SCHOOLS CLOSE FOR CHRISTMAS

CHILDREN SAY AU REVOIR TO STUDIES

Trustees and Clergymen Address Them—Programmes Rendered With Credit

(From Friday's Daily.)

This morning the city schools closed for the Christmas vacation, which extends from to-day until Tuesday morning, Jan. 3. At several of the schools appropriate exercises were held.

The closing exercises of South Park school were held in the assembly hall of the school, with a great many interested friends of the children present. On the platform were: Principal A. Campbell, presiding; Rev. T. W. Gladstone, J. Gordon, inspector of High Schools for the province; Rev. Dr. Reid, and Trustees Mrs. Jenkins and A. B. McNeill.

Mrs. Jenkins addressed the pupils in her usual happy manner, expressing the pleasure it gave her to be present, and impressing on them the importance of preserving an esprit de corps in the school.

Rev. T. W. Gladstone contrasted the conditions of school life to-day with what had prevailed in his own boyhood, and spoke especially of the greatest invention of the age—electricity—applying it to everyday school life.

T. E. McNeill won hearty applause for the promise of a new school house for James Bay in the near future and improvements in other districts.

The following programme was rendered by the children, very creditably indeed.—Chorus, "God Rest You Merry Gentlemen"; recitation, "Edna Marwick"; violin solo, Emily Young; duet, Cecily Vincent and Mildred Sparke; recitation, "George Tripp"; chorus, "Good King Wenceslas"; chorus, "Division VIII"; recitation, "Letitia Matthews"; duet, Florence Teason and Geason; duet, Stubbs; song, Gladys Graham; motion song, "Division VII"; "God Save the King"; Kingston Street.

The pupils of Kingston street school gathered in South Park assembly hall at eleven o'clock and gave an enjoyable programme. Rev. Dr. Reid and Rev. A. E. Roberts were present at this and briefly addressed the children, wishing them the compliments of the season. Dr. Reid spoke more especially of the different faculties possessed by children and the use they should make of the same.

BILL TO AMEND THE BANK ACT

INTRODUCED IN HOUSE BY SIR WILFRID LAURIER

No Radical Changes Proposed—Gill Net Licenses on Coast

(Special to the Times.)

Ottawa, Dec. 16.—In the Commons yesterday Sir Wilfrid Laurier introduced a bill amending the Bank Act. The bill does not contain radical new features. The principal features are clauses making all officers personally responsible for the solvency of any bank, and the bill also provides for the appointment of an independent audit on demand of shareholders representing five per cent. of the paid up capital in the organization of any new bank.

The first number was a pretty act, "Snowflake" chorus by the school. A second chorus, "Hans up Dear Santa Claus," was also given by the school. Irene Howes, a clever little six-year-old, got a splendid reading of the recitation, "A Child's Christmas Prayer." This was followed by the special feature of the programme, a Christmas operetta, "Robin's Specie, or the Changes of a Night."

Inspector West school closing was held at half-past ten. Trustees McIntosh attending and addressing the children. North Ward closing took place at the Victoria West school, among those present being Chairman Jay and Trustee Staneland.

There was no formal closing at the Central school, but the children were dismissed at 10:30. Lamson street school is combining closing exercises this afternoon with a formal opening ceremony in the new school.

UNIVERSITY SCHOOL PRIZE DAY IS THIS AFTERNOON. ENFORCING LICENSE LAWS. Vancouver, Dec. 16.—At a meeting of the license commissioners it was resolved to interview the finance committee of the city council on Friday evening, and ask for the appointment of an assistant license inspector for Mr. McMahon. Commissioner Edgett pointed out that school closing was held at half-past ten.

Chicago, Dec. 16.—Colonel Theodore Roosevelt, President Taft or John Mitchell may be asked to act as mediator in the garment workers' strike here. Following the desperate riding of yesterday in which one man was killed and two severely injured that it is said to-day they cannot live, union leaders and city officials are striving to bring the strike to an end.

SEATTLE BOXER WINS. Tacoma, Wash., Dec. 16.—Pete McViegh of Seattle is to-day hailed as the lightweight champion boxer of the Northwest, following his easy victory over Chic Hudson in six rounds of one-sided fighting before the Dreamland club last night. The fight, which was scheduled to go ten rounds, was stopped by Referee Grant of Portland in the sixth round when Hudson was being hammered viciously and was laid out.

C. P. R. STEAMER PRINCESS ADELAIDE.

PERMANENT PEACE AGREEMENT FAVORED

Great Britain Urged to Make Pact With the United States

(Times Leased Wire.)

Ottawa, Dec. 16.—With a view of establishing permanent peace between the United States and Great Britain, it was learned to-day that a resolution will be introduced as soon as parliament re-assembles, urging the British government to enter a permanent peace agreement with the United States.

The idea is to "prevent forever any bloodshed in the settlement of differences between the two nations." In the last two years since disputes between Canada and the United States have been disposed of by negotiations and agreements, and recently the famous Newfoundland fishing case, which had dragged along for nearly a century and almost caused war, three times between the United States and Great Britain, was settled by arbitration.

G. H. Barnard, Victoria, introduced a bill to amend the Fisheries Act by providing that no gill net licenses be issued on the Pacific coast to anyone not physically qualified for service in the Canadian naval service. Mr. Barnard said 85 per cent. of the licenses are now held by Orientals, and the bill is designed to preserve the fisheries for Canadian citizens. The bill was given its first reading.

MUST PAY INDEMNITY. Kingston, Jamaica, Dec. 16.—Unless the government of Honduras pays indemnity for the murder of a British subject in Honduras last April, the Honduran customs house at Coliba will be seized, it is announced in official circles here. The announcement followed the sailing of the British cruiser Brilliant for Coliba to demand the payment. The British is understood to hold the customs house until the payment is made.

TRYING TO END CHICAGO STRIKE. Union Leaders and City Officials Anxious to Settle Trouble. Chicago, Dec. 16.—Colonel Theodore Roosevelt, President Taft or John Mitchell may be asked to act as mediator in the garment workers' strike here. Following the desperate riding of yesterday in which one man was killed and two severely injured that it is said to-day they cannot live, union leaders and city officials are striving to bring the strike to an end.

CHINESE ORDERED TO CUT OFF QUEUES. Edict Passed by the Pekin Senate Occasions No Surprise. Pekin, Dec. 16.—By a vote of 102 to 28, the Pekin senate to-day passed an edict removing the traditional queue from the heads of all residents of the Chinese empire.

NEW PRINCESS TO-MORROW. Adelaide Was 130 Miles South of Cape Flattery at 10:30 o'Clock This Morning. Further reports were received this morning from the new C. P. R. steamer Princess Adelaide, which is en route from the shipbuilding yards on the Clyde river to Victoria, through the Cyclic river to Gonzales Hill, in which Captain Lindgren, who is in charge of the vessel, stated that he expected to reach the William Head quarantine station at noon to-morrow. He added "all well aboard."

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The Dominion wireless station picked up a message from the Adelaide at 10 o'clock this morning when she was abreast of the Columbia river. Later, at 10:30 o'clock, a dispatch was received from the skipper reported the vessel was 130 miles south of Cape Flattery, and said that at the speed he was travelling at the time, he calculated passing Race Rocks in the forenoon.

Undoubtedly many of the shipping men of this city, as well as many citizens, will be at the dock to welcome the new steamer to her home port. After clearing quarantine she will head for the inner harbor and tie up alongside of the C. P. R. docks. She will lie there for several days while the woodwork with which she was barricaded before leaving the Clyde to withstand the tempest of the rough Atlantic ocean, is torn off. When that is completed she will move around to the Esquimalt dry dock to have her hull, which after a 15,000-mile journey will be grimy, scraped and painted.

Later she will have the interior overhauled and made ready to receive the Princess Royal on the night run between this city and Vancouver. The new Princess resembles the Princess Charlotte in many ways, and in some respects is even more up to date. It was spoken on Wednesday morning, she has been opened out a little more. Owing to her somewhat small coal capacity, she has been run on low speed for economy. On her trial trip she surprised her builder by making 18 knots as the contract speed was only supposed to be 17 knots.

BUILDING MONOPLANE. Vancouver, Dec. 16.—Basing his plans on the famous Blériot monoplane, Joseph Barlow, a mechanic who has made an exhaustive study of airplanes, will commence the construction of a new type of cloud-glider which he expects to use himself. Mr. Barlow selected the Blériot machine because of its simplicity. When questioned as to its stability, he said that while that type of plane is certainly unstable, he hoped to make it much safer by incorporating a gyroscopic device which he has in his construction.

Mr. Barlow's machine will resemble the Blériot very closely, he says, "but there are certain changes which I will make which will enable me to balance my machine and at the same time not retard its speed." He has found some difficulty in securing a good kind of wood. Boxwood or the wood from the yamamore tree, if he can secure it, will be used. The motor will be the same as now used by Blériot, but the propellers will be six-cylinder machines having six cylinders diametrically arranged to keep the machine from turning turtle.

Winnipeg, Dec. 16.—(Later.)—The company ran two cars from the barn on South Main street to the north car barn at 2:30. The motormen were in uniform and two constables were in each car. The trip was made without incident. A big crowd gathered at the corner of Portage and Main.

WINNIPEGERS FORCED TO WALK

EMPLOYEES OF STREET RAILWAY COMPANY STRIKE

Quit Work Because Prominent Union Officers Are Not Reinstated

(Special to the Times.)

Winnipeg, Dec. 16.—Winnipeg street car system is tied up at 6 o'clock this morning. After a session lasting from midnight, the employees decided to strike, the company refusing to reinstate prominent union officers who had been disciplined for drinking in bars. Sixty of the employees before the arbitration court swore that they had been in the habit of drinking in bars while in uniform and had not been disciplined.

The feeling is very bitter between the company and the men. Four years this spring the company had a strike on its hands which lasted ten days, the men gaining concessions. Cars Remain in Barns. Winnipeg, Dec. 16.—The street railway strike is on and not a wheel is moving to-day.

The decision was only reached at a mass meeting of men, which had been in session since midnight, at 5:35 this morning, or after the morning papers had gone to press. As a consequence the public were taken completely by surprise, and though they took it in good humor a good many hundreds of persons were late for their business. The weather is mild and fine. Every vehicle available appears to be pressed into service, and taxicabs are doing a roaring trade.

So far the company has made no effort to pull cars out of the barns, doubtless waiting assurances of protection from the civic authorities. The present trouble arose immediately on the dismissal by the company of four men on the grounds of their being on licensed premises in uniform. While this was not seriously denied, the men urged discrimination in the whole weight of their evidence being designed to show that the practice has been common, and that those four were singled out because they were prominent in the union.

The conciliation committee under the Lemieux Act, after a protracted sitting, failed to reach an agreement, and it was reported by W. J. Christie, chairman, and Capt. Robinson for the company, practically endorsing the action of the company, and a minority report, signed by W. J. Pelletier of Port Arthur, arbitrator for the men, are now in the hands of the minister of labor. Further action was expected from Ottawa, but with the present temper of both sides a strike was inevitable.

Students' Offer Accepted. Winnipeg, Dec. 16.—Students of St. Johns, Wesley and the agricultural colleges held a meeting at noon to-day and offered their services to the street railway as conductors to take the place of strikers. The offer was accepted. The city is quiet but no cars are running.

Bank Robber Ends His Life When Surrounded by posse. Paradise, Kas., Dec. 16.—The body of the bandit who yesterday held up Cashier Bert O'Brien and four other men, robbed the Paradise state bank of \$250 and killed himself when surrounded by a posse, was brought into Paradise to-day. An inquest will be held to-morrow. Efforts are being made to identify him. He is said to be Earl Ward, but there is nothing to show that this is not an assumed name. The outlaw was a stranger here. He arrived in Paradise Wednesday. The next morning he purchased a revolver and then held up the bank. The money was recovered.

SHOOTING HIMSELF. Bank Robber Ends His Life When Surrounded by posse. Paradise, Kas., Dec. 16.—The body of the bandit who yesterday held up Cashier Bert O'Brien and four other men, robbed the Paradise state bank of \$250 and killed himself when surrounded by a posse, was brought into Paradise to-day. An inquest will be held to-morrow. Efforts are being made to identify him. He is said to be Earl Ward, but there is nothing to show that this is not an assumed name. The outlaw was a stranger here. He arrived in Paradise Wednesday. The next morning he purchased a revolver and then held up the bank. The money was recovered.

PORTLAND BOY KILLED BY AUTO

Run Over When Playing in Street With Number of Companions

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(Times Leased Wire.)

Portland, Ore., Dec. 16.—Harry, the six-year-old son of Michael Schmitzer, died early to-day at St. Vincent's hospital as a result of a fractured skull and other injuries sustained when he was run down by an automobile driven by R. E. Chapman, secretary of the Chapman Timber Company. The tragic accident occurred at the south end of the First street bridge, where the lad was accompanied by a young woman, and released on \$5,000 bail after a secret conference of the authorities. According to Chapman the accident was unavoidable.

Mrs. I. Goldstein and Samuel Zinkin, who witnessed the accident, declared that Chapman was driving the car at a high rate of speed. Chapman was accompanied by a young woman, who was killed when the body of the boy was hurled into the air by the automobile.

NEW DREDGE EN ROUTE. Ottawa, Dec. 16.—The new dredge for Vancouver harbor, constructed by Shimm & Company of Clyde, has been completed. A trial trip was recently made on the measured mile, and a speed of over 10 knots was recorded. This is a marked improvement over the old dredge, which had a speed of only six knots. The dredge has a capacity of several thousand tons. She is expected to arrive at the port of Victoria on the Pacific coast on Wednesday.

DIES SUDDENLY. Winnipeg, Dec. 16.—Word was received this morning that Harry Luxton, second son of W. F. Luxton, founder of the Free Press, dropped dead in Minneapolis to-day.

DEATHS SON TO DEATH. Goderich, Ont., Dec. 17.—Geo. Vanston, years old, beat his little son, aged six, death with a broomstick. The child refused to repeat a lesson, and the father, a fit of rage, beat him to death.

CRUSHED IN ICE. Name, Alaska, Dec. 17.—Crushed and splintered wreckage of the trading schooner Louise has been found near Cape Prince of Wales. The schooner was believed to have perished in the ice and broken up.

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