HE HOME
OF THE
DRESS
AUTIFUL
AND
XCLUSIVE

ets

KE FORM
redominating
iling costume
a radical de-
es. We have
the leading
resh from the
ers, in such
such a wide
corset depart-
pped in the
of our cus-
and trying on
feature in our
of our cus-
ly taxed, as
f prices will
e: "NEMO,"
for which we
Victoria, from
VEDA," the
which we are
25 to $6.25.
rom $1.50 to
" from $1.50
from $1.00 to
CORSETS,"
IRDLE COR-
HYGIENIC

FINE
FRENCH
GLOVES
$1

ds
ANTING
Y
pkt....5¢
.....5¢
.....5¢
POTATOES

Grocery
PHONE 312

US PEOPLE
enemic or "run down"
medies benefit them so
od old fashioned tonic
RT WINE
RUVIAN BARK
ood maker to build up
At this store.
OTTLE, $1.00
H. BOWES
8 GOVERNMENT ST.
425 and 450

and wife, man must be
farm work. Apply S.
on.

"STAND PATTERS."
Solicitor of Burlington
s of Heart Disease.
a., March 6.—Joseph
neral solicitor of the
road system and state
Republican "Stand-Pat-
ay of heart disease
ting trip at Wapello.

Victoria TWICE-A-WEEK Times.

VOL. 37 — VICTORIA, B. C., FRIDAY, MARCH 12, 1909. — No. 21

MINERS CONFER WITH OPERATORS

NEGOTIATIONS FOR NEW ANTHRACITE AGREEMENT

Demands Made by Workers Upon Presidents of Coal Carrying Roads.

Philadelphia, Pa., March 11.—With a keen desire to reach an early decision and thus avoid a suspension of work the representatives of the United Mine Workers of America and the presidents of the local carrying roads met to-day in the Reading terminal building here and began negotiations for a new agreement to go into effect at the expiration of the present working arrangement on March 31st. It is safe to say that not since the present organization of miners became active in the anthracite regions of Pennsylvania have the workmen and the employers entered upon negotiations with a better feeling and understanding and with better prospects of reaching a settlement without resorting to radical action.

The demands of the anthracite men as drafted at a convention in Scranton last October and approved by the national convention in Indianapolis in January are as follows:

First—That an agreement shall be negotiated between the representatives of the miners and the operators of the anthracite region, and all disputes arising under the contract shall be adjusted as provided for in the said agreement.

Second—We demand the complete recognition of the United Mine Workers of America as a party to negotiations to a wage contract, and that the United Mine Workers of America shall be recognized in our right to provide any methods we may adopt for the collection of revenue for the organization.

Third—That we demand an eight-hour day with no reduction in wages.

Fourth—That all coal shall be mined and paid for by the ton of 2,000 pounds.

Fifth—That we demand a definite and more uniform scale of wages and price for all classes of labor at all collieries in the anthracite region, and that all employees paid $1.50 or less per day shall receive a ten per cent. advance, and all employees paid more than $1.50 and less than $2 per days shall receive a five per cent. advance.

Sixth—That the system whereby a contract miner has more than one job or employs more than two laborers, be abolished.

Seventh—That the employers be required to issue uniform pay statements designating the name of the company, the name of the employee, the colliery where employed, the amount of wages and the class of work performed.

Eighth—That the contract shall be made for a period of one year.

When the above demands became known to the operators, several months ago, they made public a statement through their New York agents that the demands would not be granted, and strongly intimated that they would ask that the present three years' agreement be renewed. The present agreement is the same as the working arrangement made by the anthracite coal strike commission in 1903.

Nothing occurred at the opening session of the conference to change the prevailing opinion that the employers will refuse to grant the demands of the men as formulated by their convention. Mr. Lewis in laying the demands before the employers, made a brief speech explaining his position. He said he hoped that both sides would get together and come to an amicable agreement. He had only the best of feeling towards the operators, he said, and wanted them to know that the bituminous interests of the country are not the interest of the anthracite miners, but that he was acting solely in the interest of the anthracite men of Pennsylvania.

The operators made no reply, but at once suggested that the business in hand be proceeded with in an orderly manner. Therefore, it was suggested by the operators that each side appoint a sub-committee of seven to take up the work. This was agreed to, and after a few other formalities, the general meeting was adjourned to await the action of the sub-committees.

TATOOSH WIRELESS STATION.

Navy Yard, Puget Sound, March 11.—Lieut.-Commander C. H. Hayes, equipment officer of this yard, returned yesterday from an inspection of the wireless station at Tatoosh island. He reported that that sation is now in a high state of efficiency and that communication is had readily with the Alaska stations, Honolulu, Mare Island and Point Loma, Cal. The Tatoosh Island station is under the supervision of the commandant of this yard.

COCK-FIGHTING TO BE ALLOWED IN CUBA

Havana, March 11.—The House of Representatives yesterday passed the bill legalizing cock-fighting but with many restrictions. Cock-fighting will only be permitted from November to May (inclusive) and only on Sundays and holidays, in regularly licensed places. The license fee will be paid to the municipality.

Cock-fighting will not be permitted in the capital cities of the various provinces. The bill will now go to the senate.

AN ARMY OF EMPIRE.

Oversea Dominions in Agreement With Secretary for War Haldane.

London, March 11.—In the Commons yesterday Under Secretary of State for the Colonies Colonel Seeley, declared in regard to imperial defence that there was a complete agreement between Mr. Haldane, Canada and Australia. They think it highly desirable that there should be an interchange of scientific thought with a view to common leadership in war.

VANCOUVER PIONEER DEAD.

(Special to the Times.)

Vancouver, March 11.—Hugh Magee, one of the wealthiest and best known pioneers of Vancouver, 88 years old, is dead.

CANADA'S PART IN AVIATION

QUESTION COMES UP IN DOMINION HOUSE

Government Directs War Office Attention to Experiments at Baddeck, N. S.

(Special to the Times.)

Ottawa, March 11.—In the Commons this afternoon Hon. F. Oliver stated the government had the following lands still undisposed of in the west: Manitoba, 18,000,000 acres; Saskatchewan, 104,000,000 acres; Alberta, 117,000,000 acres.

In answer to G. Barnard (Victoria), Hon. Mr. Brodeur said the Imperial government had never made any offer to the Canadian government to allow the use of obsolete or discarded British war vessels for Canadian fisheries protection or coast defence.

Colonel Sam Hughes asked if the government was doing anything to encourage the development of the aeroplane by Canadian inventors and scientists now experimenting at Baddeck, N. S.

Hon. Fielding said the government [illegible] branch of the service which could be authorized to take part in experiments in aviation. However, the government had called the attention of the British war office to the work now being done by young Canadian scientists at Baddeck in the hope that the Imperial government would take proper steps to avail themselves of their services.

DEPOSED PRIEST WHO MISAPPROPRIATED FUNDS

Cardinal Gibbons Will Pay Debts Accumulated by Father Elberts.

Baltimore, Md., March 11.—Since the removal of the Rev. Casper Eldert from the pastorate of St. Katherine's Catholic church, announced by Cardinal Gibbons last week, there have been many rumors as to the reason. Investigation into the causes for the deposition of the priest develops that he owes about $130,000, inclusive of a church debt of $28,000.

An official statement by the Cardinal, made through his attorney, says that very little of this money, so far as can be ascertained, was used for church purposes. Some of it went to pay premiums on life and accident insurance, of which he had policies amounting to nearly $70,000 or more.

The balance went into visionary financial schemes by which he expected to realize large profits. There is no indication, the statement adds, that the money was spent for any improper purposes other than as stated.

Persons who have examined Father Elbert's affairs believe he is mentally unbalanced. He is now in Mount Hope retreat. Cardinal Gibbons, though he may not be legally liable for Father Elbert's debts, has assumed the burden of paying them.

HAGUE CONGRESS ON CONSERVING RESOURCES

Paris, March 11.—United States Ambassador White has communicated to the French government the invitation of the American government to send a delegate to the international congress for the conservation of natural resources to be held at The Hague next September. No reply yet has been received, but no doubt is entertained of an acceptance. The French government has devoted much attention to conserving and restoring the natural resources of the country.

FURTHER FINDINGS IN STIRLING DIVORCE CASE

Edinburgh, March 11.—Lord Guthrie, who yesterday granted a divorce to John Alexander Stirling from his wife, who was an American actress, has allowed Mrs. Stirling the expenses of her action. He has decided also that Lord Northland, named by Mr. Stirling as co-respondent, should pay the cost of the husband's action. Mrs. Stirling is to have reasonable access to her child, which is placed in the custody of the husband.

STANDARD OIL GETS VERDICT

29-MILLION DOLLAR FINE IS FINALLY QUASHED

Rockefeller Wins From U. S. Government in Famous Trial.

Chicago, Ill., March 11.—The Standard Oil Company of Indiana yesterday was found not guilty of accepting rebates from the Chicago & Alton Railway Company on shipments of oil from Whiting, Indiana, to East St. Louis, Illinois. The verdict was returned by a jury in the federal court on the instructions of Judge A. G. Anderson, who averred that he followed the circuit court of appeal's decisions as to the verdict returned at the former trial of the same case, on which verdict Judge Landis assessed a fine of $29,240,000.

Judge Anderson's decision was not unexpected, as he had previously told the government prosecutors that the proof relied on in the first trial was incompetent, and that it must be completed or fail. It was with something of an air of hoplessness that District Attorney Sims and his assistants attempted to show the admissibility of the Illinois classification to prove the existence of a local rate of 18 cents, which was a vital point in the government's contention. It was after Assistant District Attorney H. Wilkerson had argued for two hours, and at the end admitted that the prosecution could not furnish the further proof deemed necessary by the court for a continuation of the case, that Judge Anderson decided.

Mr. Wilkerson said that the government could proceed no further, and suggested the dismissal of the case.

Attorney John S. Miller, chief counsel in the case of the oil company, immediately moved that there be an instructed verdict of "not guilty." The court so ordered, and the jury, which had been excluded during the arguments by the attorneys, was called in and charged.

The decision of Judges Grosscup, Baker and Seaman, of the United States circuit court of appeals, reversing that of Judge Landis, together with the action of the United States supreme court in refusing to review the decision of the court of appeals, was assigned as authority for yesterday's decision. Judge Anderson quoted from the opinion of the appellate court judges. The strongest expression in favor of his views, he said, was the statement in that decision that "the most that we can say is that the question is one upon which the judges, after a full discussion, might very reasonably disagree."

Continuing, he said: "The defendant is charged here by indictment. This is a criminal offence. The defendant is presumed to be innocent until proved to be guilty beyond all reasonable doubt, and before this jury would be justified in returning a verdict on a single one of these counts, it would have to be satisfied beyond all reasonable doubt, to such a degree of certainty as to overcome the presumption of innocence which surrounds this defendant. It would have to be satisfied beyond all reasonable doubt that there was a definitely fixed 18 cent rate. The court of appeals has said upon this same evidence, after having considered it in all its relations, after the evidence which was given, that it cannot say that these two papers, the railroad tariff sheet No. 24, and the Illinois classification really fixed any 18 cent rate."

Judge Anderson then ordered the jury, under the authority of the decision of the higher court, to which he said he also was obedient, to return a verdict of acquittal. The verdict of innocence was formally signed by the foreman of the jury, entered in the court records and the famous case was finally ended.

Whether prosecution on seven other indictments still pending against the oil company will be instituted, District Attorney Sims would not express an opinion. He said that the question rested entirely with the United States attorney-general.

The prosecution which yesterday ended in failure, after having once been upheld by Judge Landis, whose decision was reversed by the court of appeals, and the case remanded to the district court for a second trial, had its beginning in August, 1906. On that date ten indictments were returned by a federal grand jury, charging the Standard Oil Company of Indiana with accepting concessions from railways in shipments of oil from Whiting, Ind. One of them contained 1,903 counts, and it was on this indictment that the Standard Oil Company prosecution was based. With 140 counts allowed to stand, the case went to trial before Judge Landis in March, 1907, and resulted in a verdict of guilty on April 13th, 1907. On August 3rd, 1907, Judge Landis imposed his famous $29,240,000 fine. On appeal the case went to the United States circuit court of appeals, and was argued a year ago. The decision of the court of appeal last July was in favor of the company. The case was then remanded for a new trial, which was begun before Judge Anderson on February 23rd last, after the government had failed to obtain a rehearing of the case before the appellate court to secure a review before the supreme court.

BANK OF ENGLAND RATE.

London, March 11.—The rate of discount of the Bank of England remained unchanged to-day at 3 per cent.

DEADLY LEVEL CROSSINGS.

Carelessness of Public Leads to Many Accidents.

Ottawa, March 11.—The senate railway committee yesterday discussed Mr. Lancaster's level crossings bill. Deputy Minister of Railways Butler told the committee that a large percentage of accidents were due to the pure carelessness of the public at crossings.

LONELY WOMEN IMMIGRANTS.

Dominion Government to Be Asked to Protect Them Against White Slavery.

Halifax, N. S., March 11.—Immigration chaplains stationed at landing piers here have resolved to petition the Canadian Moral and Social League to ask the Dominion government for an act affording immediate protection to young women immigrants landing at any Canadian port. It is claimed that young women coming alone from Europe are lured to houses of ill-fame in upper and western Canada, and some disappear altogether.

MUST PRODUCE CHARGES AGAINST CHIEF JUSTICE

Resolution Passed in Senate on Motion of Senator Bostock.

(Special to the Times.)

Ottawa, March 11.—On the motion of Senator Bostock the senate this afternoon passed a resolution for the production of the charges against Chief Justice Hunter of British Columbia. In presetning the motion Senator Bostock read a number of references in British Columbia newspapers to Chief Justice Hunter's indispositions, and expressed the opinion he should be given an opportunity to clear himself and the bench of the stigma implied.

EARTHQUAKE PROPHECY TERRIFIES SPANIARDS

Inhabitants Flee From Cities Fearing Severe Shock on March 20.

Alicante, Spain, March 11.—The prediction of Emile Marchand, director of the observatory on the Pic du Midi in the Pyrenees, that an earthquake would occur on February 21st, having proved correct, the inhabitants of this district are now in a state bordering on panic as a second severe shock is predicted for March 20th. Many people are leaving the cities and others have already begun to offer up prayers for deliverance in the churches.

The authorities have obtained a letter from Director Marchand pointing out that his predictions are only based on probabilities, but the lower classes are most superstitious. They believe that this letter is a forgery and they are convinced that the prophecy will come true.

ONLY TEN TEAMS LEFT IN SIX-DAY RACE

French Pair Hold Commanding Lead in "Go-as-you-please" Contest.

New York, N. Y., March 11.—Ten teams were still in the running to-day, the fourth day of the international "go-as-you-please" race at Madison Square Gardens. Only four of the original teams remained intact, the others being re-constructed.

Cibot and Orphee, of France, were the leading pair with Davis and Metkus second, and Dineen and Prouty third. Early to-day David Hartley, of Kansas City, who was one of the original Canadian teams and had been shifted three times through reconstruction, dropped out of the race and Julius Edelson was substituted as Pallantis' partner, but Pallantis lost a lot of ground through the penalty following reconstruction. A few minutes later Quackenbush and Someran became disheartened as they were far in the rear and as Quackenbush was suffering from a bad knee, they decided to retire.

The score at 8 a. m. to-day was as follows: Cibot and Orphee, 453 miles 6 laps; Davis and Metkus, 437 miles 1 lap; Dineen and Prouty, 416 miles 7 laps; Loeslein and Klubertans, 411 miles 1 lap; Feegan and Curtis, 408 miles 8 laps; Corey and Hegelman, 397 miles 7 laps; Shelton and Fraser, 382 miles 2 laps; Guignard and Revere, 364 miles 4 laps; Naves and Keller, 344 miles 4 laps; Edelson and Pallantis, 328 miles 6 laps.

ZEPPELIN AIRSHIP TRIAL.

German Inventor Will Attempt to Make a Descent on Land.

Frederichaven, March 11.—The Zeppelin airship made an ascension from here to-day. It is intended in the course of the manoeuvres to attempt the risky operation of descending on land.

KING EDWARD GOING TO PAU.

Pau, March 11.—King Edward is expected to come here to-morrow from Biarritz to witness an aeroplane flight by Wilbur Wright.

AFRICA'S WELCOME TO ROOSEVELT

GREAT PREPARATIONS GOING ON AT MOMBASA

Indications That Hunting Will Be Good—Big Game Plentiful.

Mombasa, British East Africa, March 10.—Mombasa is preparing already to welcome Theodore Roosevelt when he lands the latter part of next month on his much heralded African trip. His coming has given a decided impetus to the interest in the hunting season. The governor of the protectorate, Lieut.-Col. James Hayes Sadler, is preparing a programme of welcome and entertainment for Mr. Roosevelt, but despite this the greeting will be more to the great sportsman than to the former president.

East African sportsmen were highly gratified to learn that Mr. Roosevelt had refused the offer of the authorities to grant him a special hunting license that would have permitted him to kill game to an unlimited extent instead of confining himself to two elephants, two rhinoceroses, two hippopotamus, etc., of the regular license. Lions and leopards are classed as vermin and consequently no license to kill them is required.

The white population has heard much of Mr. Roosevelt's personality, and in a joking way frequent references to the "big stick" are being made.

The prospects for good hunting are considered excellent. Many of the settlements in the outlying districts, realizing the increasing interests in the prospects for sport because of the coming of Roosevelt, are voluntarily sending information about the movements of game. According to a dispatch received here to-day a record group of lions numbering 32 was seen on the Nadi plateau on Tuesday, about 50 miles north of Port Florence.

Four families of giraffes have been seen at Makindu, 200 miles inland from here on the line of the Uganda railroad and elephants have been seen at Elburtgen, 475 miles inland from the railroad and along the Sabikki river not far to the north of Mombasa.

R. J. Cunningham, the noted English big game hunter, who is to be guide to the Roosevelt party, has been here for some time completing the preparations for the trip into the wilderness. He is hiring native porters for the expedition and takes only experienced men who are known to be courageous and to possess great physical strength. The Safari kit—in other words the camp equipment for the work in the open, is arriving from London and all will be in readiness when Mr. Roosevelt gets here.

The railroad car used over the line as far as Port Florence by the other distinguished visitors to Uganda, such as the Duke of Mecklenburg, the Duke of Connaught, the Duke of Abruzzi, Joseph Chamberlain and Winston Spencer Churchill is being refitted for the use of Mr. Roosevelt. This car is most complete in its details and provides the traveler with every comfort. Everything points to a successful stay in British East Africa and Uganda for Mr. Roosevelt. The natives are peaceful, game is plentiful and the people of Mombasa are awaiting eagerly to extend him a welcome.

THREE VICTIMS OF SEWER CAVE-IN

Hamilton, Ohio, March 11.—A sewer trench eight feet deep caved in today, burying three men alive. All available workmen are engaged in digging out the men.

When the rescuers reached the bottom of the sewer they found the dead bodies of James Robinson and Alexander Howard. Thomas Revera was rescued alive, but will probably die.

MUNICIPAL TAXATION.

Vancouver's Mayor is Studying Eastern Methods.

Montreal, Que., March 11.—Mayor C. S. Douglas and ex-Mayor Buscombe, of Vancouver, B. C., paid a visit yesterday to acting Mayor Duquette at the city hall. The visitors are studying different forms of municipal taxation.

MURDER OF PRIEST.

Newark, N. J., March 11.—The efforts of the entire police force have, so far, been unavailing in getting any tangible clue to the murderers of Father Ansion, who was shot and killed in the rectory of the St. Stanislaus Polish church, of which he was pastor.

A DE LA ROCHEFOUCAULD DEAD.

Paris, March 11.—Francois, the four-year-old son of the Duchess De la Rochefoucauld, died to-day. He had been ill for six weeks of meningitis. Duchess De la Rochefoucauld is a daughter of the late Senator Mitchell, of Oregon.

PRICE OF TIN PLATES.

New York, March 11.—Unofficial reports were made to-day that prices for tin plates, which, with wire products and steel rails, have remained unchanged since the new prices for the steel products were adopted, have been cut 25 to 30 cents a box, which is equivalent to $5 or $6 a ton.

CONVICTED SIXTY TIMES.

Man Who Held Montreal Prison Record Goes Before Highest Tribunal.

Montreal, Que., March 11.—After spending more than twenty years in Montreal, Jack James Brennan, a native of Ireland, 47 years of age, died yesterday in the prison hospital of heart disease. Brennan, during the last twenty years, was convicted about 60 times, which, according to court officials, smashes all records.

ILLNESS OF PREMIER STOLYPIN.

St. Petersburg, March 11.—Premier Stolypin, who is suffering from a serious attack of influenza, passed a bad night and his condition to-day inspires anxiety.

ANOTHER DEAL IN COAL LANDS

REPORTED SALE OF FOUR THOUSAND ACRES

English Company Will at Once Install Boring Plant.

(Special Correspondence.)

Nanaimo, March 11.—It is reported to-day that another big local coal deal has been completed. About a couple of years ago a number of ranchers in the Cedar and Oyster districts bonded their land and commenced boring for coal. The boring was later abandoned owing to lack of funds to carry it on.

The report to-day is than an English company has bought the coal rights of about 4,000 acres of this land. They will install at once an up-to-date boring plant which will be shipped here from Washington, designed for deep boring. In the event of coal being found in paying thickness the company has already sucured a right-of-way to the sea and has a market for its coal with one of the American railways.

DR. GRENFELL ON HIS WORK IN LABRADOR

Noted Missionary Delivers Interesting Lecture in Seattle, Wash.

Seattle, Wash., March 11.—"Where there is no superfluity of wealth or liquor, there is no crime."

This was one of the statements of Dr. Wilfred T. Grenfell, the physician-missionary, of Labrador, in a lecture last night at Plymouth Congregational church, to an overflow congregation. On account of the fact that many people were turned away, Dr. Grenfell will deliver another illustrated stereopticon lecture at Plymouth church to-night, after which he will leave for Spokane.

Dr. Grenfell is making a lecture tour of the United States for the purpose of raising funds for more hospitals on the narrow strip of land on the northern coast. He is now working under the Grenfell Association of England, and the work is non-denominational.

His lecture, copiously illustrated with the stereopticon, in which many local views were shown, was replete with pictures of the natives of the country, the hospitals already established, and the fisheries, the chief industry. He said the rights of England, Canada and America are recognized in the northern waters. Speaking of diseases, he said there was no epidemic maladies, but that poverty among the natives had brought on tuberculosis, and that outdoor treatment had been resorted to with beneficial results.

Dr. Grenfell began work in Labrador in 1889. In his work he has a hospital ship, on the bow of which is painted, "Jesus says, 'Follow Me.'"

AFFIRMS DECISION IN BUCK STOVE CASE

Washington Court of Appeals Sustains Judgment Against Labor Federation.

Washington, D. C., March 11.—The Court of Appeals of the District of Columbia to-day modified and affirmed the opinion of Justice Gould, of the supreme court of the District of Columbia, enjoining the American Federation of Labor, Samuel Gompers, and other defendants from publishing in the "we don't patronize list," the name of the Buck Stove and Range Company of St. Louis.

The opinion which was handed down by Justice Robb holds that the decree of Judge Gould should be modified to the extent that there should be eliminated from the decree the restriction of the labor organization and the other defendants from "mentioning, writing or referring" to the business of the Buck Stove and Range Company, or its customers. Otherwise the decision is affirmed.

The court holds that the combination and boycott, in furtherence thereof, and the publication in the "we don't patronize list," in aid of the boycott, is illegal.

WATERWORKS BILL APPROVED

BEST DISPOSITION OF UNFORTUNATE TANGLE

Opposition Leader So Terms it—Stuart Henderson Raises Point of Order.

Legislative Press Gallery, March 10.

This evening the Victoria City bill was practically passed in committee, and while it stands over until to-morrow it is only on a point of order raised by Stuart Henderson, who seems to be alone in his opposition to the bill.

At the afternoon sitting the non-contentious clauses were adopted and the now famous section 2 and H. B. Thomson's city amendment covering the case of the Esquimalt Waterworks Company were left over until evening to give the leader of the opposition an opportunity to peruse the amendment.

Practically all the members of the city council were present in the lobbies, with W. J. Taylor, K. C., the city barrister and City Solicitor Mann, while A. P. Luxton, K. C., was there to watch the interests of the company.

"Ample" Compensation.

In the chair was H. G. Parson, member for Golden, and little time was taken in getting rid of the clauses in which no one but the city had any interest.

J. H. Hawthornthwaite asked what meaning "ample" was supposed to have as regarded compensation.

Mr. Thomson did not think the word made any difference where it was.

"But we are enacting legislation now," objected Mr. Hawthornthwaite. "There may be 'due' compensation but if we put in 'ample' it may be construed as giving the company a right to demand more than Victoria wishes to give or than would be fair compensation."

The attorney-general moved to strike out the word, and this was done.

W. R. Ross stated that he withdrew the amendments he had on the order paper. These were practically along the same lines as Mr. Thomson's except as to the basis of arriving at the value of the works.

The Esquimalt Amendment.

Section 2 as finally passed ratifies and confirms to the city the powers, rights and privileges granted and conferred by the act of 1873, as amended by the act of 1892, and declares that such powers, rights and privileges were and are in no way abrogated or diminished by the Water Clauses Act or any other statute.

To this Mr. Thomson proposed to add the following clauses:

"Provided that the commissioner shall not enter upon, take, or appropriate any of the lands, waters, rights or privileges of the Esquimalt Waterworks Company without, if that company so requires, taking, appropriating and purchasing the whole undertaking of the said company; and the price or compensation to be paid by the said corporation to the said company for the value of the property so purchased, taken or appropriated shall, in case of disagreement, be decided by arbitrators appointed under the said statutes of 1873, chapter 20, and 1892, chapter 64.

"Provided also that the corporation of the city of Victoria may expropriate a sufficient right-of-way over, through or under the lands of the Esquimalt Waterworks Company, for the purpose of conducting waters from the Sooke watershed to the waterworks system of the city of Victoria, notwithstanding the foregoing. Provided further, that the power in this section contained shall not extend, and the said commissioner shall not have or exercise under any power in that behalf vested in him, the right of expropriation over the land forming the reservoir site below the power-house of the said company at Goldstream. And provided further that the works for conducting the said water from Sooke Lake watershed shall be begun within two years of the 15th day of March, 1909, and finished within eight years from said date as to the first means of conduit of such waters.

"Provided further, that the following shall govern the said arbitration proceedings in determining the compensation for the expropriation of the undertaking as a whole:

"'(a) An offer of purchase shall first be made of not less than $700,000 (to be deemed a tender), and the company shall have two months to accept or refuse such offer:

"'(b.) If the company decline such offer and arbitration ensues, the arbitrators shall be limited to awarding to the company, and no such award shall exceed, the sum which the company would become entitled to, determined as if the said Esquimalt Waterworks Company were a company incorporated under the Water Clauses Consolidation Act of 1897, and as if its franchises, undertakings, property and assets were in process of compulsory purchase by order in council under the provisions of section 129 of said Water Clauses Consolidation Act, 1897, but so that the interest on capital invested shall be calculated at not exceeding six per cent simple interest per annum, and the bonus on the capital actually invested at not more than twenty per cent.'"

Amendment Satisfactory to City.

Parker Williams wanted to know how the House was to arrive at $700,000 as a price to be offered for the Esquimalt works.

H. B. Thomson replied that the

(Continued on page 5.)