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Craigflower  
Again

The Re-opening By-Law Fails to  
Pass Committee—Considered  
Again To-night.

Aldermen Warmly Commend the  
Times' Enterprise in Ad-  
vertising the City.

The Craigflower road re-opening by-law was stalled in its preliminary consideration last night, owing to a difference among the members of the board in regard to the wording of certain sections, and through some misunderstanding between the promoters of the by-law and the city solicitor in regard to the way in which it should be drawn up. Ald. Stewart finally issued an ultimatum that if the by-law was not modified to meet his views he would vote against it. It was then decided to defer further consideration of it until this evening, when a special meeting of the city council will be held to further consider it.

The minutes being adopted, Ald. Cameron rose and remarked that he wished to say a word in commendation of the Times newspaper. No doubt all had noticed their special edition of Saturday last. He regarded it as a most valuable advertisement for the city. It was most gratifying to the members of the council, as it certainly should be to the publishers, to have such a creditable number brought out in the city.

Ald. Hall warmly seconded Ald. Cameron's remarks. He had purchased a number of extra copies to mail to other parts to show what progress the city was making.

The Mayor remarked that at a recent dinner the editors of the two newspapers had stated that while differing on political issues they were one on every measure affecting the welfare of the city. (Applause.)

A communication was received from Chief Engineer Roy saying that James Bay flat question was engaged; the attention of the department.

The Mayor remarked incidentally that he had driven Hon. Mr. Sifton to the flats, and he believed that gentleman, on his return to Ottawa, would soon send the matter, as he could see no possible objection to it.

"It which case I move," remarked Ald. Yates, "that the Mayor's hat be recommended to the favorable consideration of the finance committee."

Amid applause the clerk read the declaration of the returning officer regarding the passage of the by-law. In the same connection Mr. Bodwell wrote asking that the city council pass a resolution empowering his company to proceed with the necessary steps toward incorporation. This was to be done at the pleasure of the city. The council approved the suggestion, and instructed the city solicitor to act with Mr. Bodwell in the matter.

Robt. Oakes, of Centre road, asked for sewer improvement there. Referred to city engineer for report.

Market Superintendent Johnson submitted his monthly report showing \$112.30 to have been received from the market.

Lindley Crease forwarded a petition for the improvement of Government street between Herald and Alward streets. Referred to the streets committee.

A petition for a light on the corner of Houghton street and North road was referred to the electric light committee. A petition for a sidewalk on Moss street was warmly commended by Ald. Hall. It was referred to the city engineer for report.

The finance committee recommended the appropriation of \$400 for the purchase of copies of the New Year's edition of the Colonist. Carried.

The electric light committee recommended adversely on the petition of Horace Knott for a light, and also to that of Clement Boyd.

In the former case the complaint was not well founded, and in the latter the petition would not stand any additional lights. Received and adopted.

The finance committee recommended the appropriation of \$6,125.50 for current expenses. The report was adopted. L. Dickenson drew the council's attention to the state of Government street between Johnson and Cormorant, and also of the state of the sidewalk on the east side.

Ald. Brydon said that there was no doubt the sidewalk was an eyesore.

Ald. Cooley—A footstep.

Ald. Beckwith thought the condition of the street was a great cause for complaint. Ald. Cameron said so, too. The Mayor said if the sidewalk was raised it would place a number of buildings in a hole. A way out of that would be to allow these people to raise their buildings to the grade.

The communication went to the city engineer for report.

Ald. Williams asked that his motion for the continuation of Broad street, be laid over.

Ald. Yates said it was an amendment to his motion, and was at any rate ultra vires.

Ald. Williams explained that his motion asked the incoming council to see to legislation along the desired line.

Ald. Yates replied that next year the council would have to do something for its own protection. He thought the city should pay two-thirds, but the law did not permit it.

The Mayor said this was the first council that had had the money to proceed with this work, and the property owners should gladly accept their offer.

Ald. Williams put in a plea for the laying of his motion.

Ald. Yates said that the city got more benefit than any one on it. Neither had they asked for the expenditure.

Ald. Brydon also spoke strongly in favor of Ald. Yates's by-law. Broad street under the city's new conditions was going to be a very important one.

Ald. Williams's motion was lost.

The Terminal by-law was finally passed.

Ald. Yates introduced a by-law providing for the payment of the city of one-third of the cost of extending Broad street. It received its first reading.

Craigflower Road Re-opening by-law was next reached, and the council went to committee.

Ald. Beckwith said it was understood that the by-law would be acceptable if provision was made for the payment for lands expropriated on a basis fixed by a board of arbitrators.

The solicitor explained that he had prepared two by-laws, one providing for expropriation involving a return of taxes and interest, and the other that the work be carried out under local improvement by-law. Either could be regarded as the by-law before the council.

Some discussion arose over whether the clause abrogating the closing by-law be repealed or not, as the city solicitor represented that it was not necessary, owing to the land being acquired by expropriation. The clause, however, stood.

Coming to the designation of the district over which the road travels, the Mayor suggested an amendment by striking out the specific name of the road, making the "arms more general. This would leave the establishment of a claim entirely on the shoulders of the individuals.

A long discussion followed, in which the prejudices and principles of almost every alderman was manifested. Finally it was decided to lay the matter over until this evening, for further consideration, and the board rose.

B. O. ORPHANAGE.

Satisfactory Progress Reported at a Meeting of the Committee Yesterday.

The ladies' committee of the B. O. Orphanage, which held its monthly meeting yesterday afternoon at the home, reported the progress of the committee for the month was adopted, an application from a city dealer for a share of the custom of the establishment was referred to the home committee, and applications for two children were sent to the reception committee for report. To the latter committee also went a communication applying for the admission of two children to the home.

A letter of thanks was received from Mrs. St. George for the care of her children, while votes of thanks were passed by the board to the E. & N. railway and the V. & S. railway for free transportation of donations, and to Thomas Alexander for free carriage of the same.

The Christmas festivities and tree will be held at the home on the 27th. Donations to these are earnestly requested. Mrs. W. R. Higgins and Miss Edith Carr were appointed visitors for the month.

M. E. Maloney, of Westholme, applied the board that the farmers there were forwarding supplies by the E. & N., and expressed regret that owing to the current ravages these were not so plentiful as usual. Those who have no vegetables to spare had donated cash, as follows: Thomas Windsor, \$2; Henry Fry, \$2; a King's Daughter, \$1. These gifts were heartily acknowledged.

The matron reported that Dr. Carter had successfully removed a growth from the throat of Sammy Belton, and that she had secured a bargain in twenty pairs of children's shoes at fifty cents each. She acknowledged the following donations for the month:

Mrs. P. C. MacGregor, clothing; Miss Merritt, maps, toys, etc.; Reformed Church Christian Endeavor, illustrated paper; Mrs. E. C. Renouf, clothing; Mrs. Fred. Davies, clothing and apples; Mrs. R. E. Knowles, clothing; Mr. Martin, sack of apples, two cans coffee; Mrs. Curwen, music box and books; Mrs. W. R. Higgins, clothing; A. Friend, clothing; Mrs. Charles Kent, wire flower stand and clothing; Mrs. William Angus, clothing and rubber boots; Mrs. Shakerspear, clothing; Mrs. William Gill, clothing; Mr. Newbigging, sharpening saw; Master Victor Levy, overcoat and toque; Mrs. A. E. Irving, clothing and boots; Mrs. McNaughton Jones, 15 sailor caps; Stonyhurst Working Party, per Mrs. Hartley, 16 serge dresses, 5 night dresses, 1 shirt and 1 pair drawers; Mrs. Green, parcel of clothing; Mr. A. G. Wrigley, 12 boxes apples and pears; Mr. James Todd, 2 sacks potatoes, 4 sack pears and 2 boxes apples; Mr. Jack, drifing and basket onions; Boys' Brotherhood Club, cakes and fruit syrup; Mrs. Hartman, clothing and boots; Mrs. Cogan (Sooke road), 1 barrel flour and 2 sacks carrots; Mr. Samuel Roberts (Sidney), 1 box pears, 1 box apples and 2 sacks potatoes; Mr. King, carriage; Mr. King (Cedar Hill), literature; Mrs. Erb, 2 sacks apples; 110 Michigan Street, clothing, hats, etc.; Mr. S. M. Robins, 6 tons coal; Colonist and Times, daily papers; Mrs. Bradley-Dyne, cash, \$5; Cash, \$1; B. M. Skinner, (Quamichan), Mrs. William Sfinner ("The Chills"), Duncan, Mrs. E. Musgrave, Mrs. J. N. Evans, Mrs. W. H. Elkington, 3 boxes apples, 1 box pears, 1 sack flour and 144 tons assorted vegetables and fruit; Mrs. Samuel Roberts (Sidney), fruit; Mrs. Ashdown Green (Duncan), vegetables.

GROUPS, COUGHS AND COLDS are all quickly cured by Perry's Peppermint Cure. It lessens the cough almost instantly, and cures readily the most obstinate cold. Manufactured by the proprietors of Perry's Dye-Pain-Killer.

Don't Guess At Results.

KENDALL'S SPAVIN CURE

This man knows what he did and how he did it. Such endorsements as the following are a sufficient proof of its merits.

Oshawa, Minn., Feb. 25, 1900.

Dear Sirs—Please send me one bottle of Kendall's Spavin Cure. I have cured my horse and one cow with two bottles of your Kendall's Spavin Cure in four weeks.

FRANK JUBERIK.

Price, \$1 per box. As an inducement for family use it has no equal. Ask your druggist for KENDALL'S SPAVIN CURE, also "A Treatise on the Horse," book free, or address DR. J. B. KENDALL CO., ENOSBURG FALLS, VT.

Deadlock in  
Council

Craigflower Road Re-opening By-Law Responsible for a Whirlwind of Oratory.

Alderman Objected to Phrase in Clause and Spirited Debate Ensued.

The city council was in fighting trim last evening. They had certainly a subject before them calculated to arouse all the ardor and spirit of each individual member of the august body. In the Craigflower road re-opening by-law. From the commencement of the proceedings an animated debate ensued, and this culminated in a deadlock only relieved by the Mayor's eminently practical suggestion that each alderman take a copy of the by-law home with him, carefully read it, and they could resume its consideration Monday evening next. The suggestion was acted upon and the council adjourned after one of the liveliest sessions of the present term. A delegation from Victoria West was in attendance and watched the proceedings with great interest.

Immediately upon assembling the council launched itself directly at the by-law, after resolving itself into a committee of the whole it was decided to strike out the clause No. 1 repealing the closing by-law, and which was passed at the previous meeting. Clause 2 of the by-law was to take the place of the clause just thrown out, and this was placed before the consideration of the council, the main portion being as follows:

1. All that piece of land which runs diagonally through blocks N and P, Victoria West, being a portion of section 81, Dequimist district, of the full width of sixty feet (60 feet), and which said piece of land, or some part thereof originally formed a portion of the Craigflower road, so closed as aforesaid, is hereby declared to be a public highway, and is from the date hereof, reopened to public travel, and the land necessary for the purpose not being heretofore public or crown land, shall be taken, entered upon, expropriated and used for such purpose.

2. In the event of the owners of the lots through which the said road hereby reopened passes, failing to prove a title to the land so taken therefor, the corporation shall refund to such owners in lieu of compensation for the land taken, the whole of the taxes heretofore paid by them in respect of such land to the city of Victoria, together with interest on the same at the rate of six per cent. per annum.

The reading of this clause was the signal for the discussion which ended in the deadlock. Ald. Stewart objected to the words "not being heretofore public or crown lands" remaining in the clause.

He repeated his ultimatum of the previous evening, and announced that he would oppose it if these words were not eliminated. They would cause endless litigation involving the question of title.

The Mayor explained that the words virtually meant that if any land other than that referred to was taken it would have to be paid for.

Ald. Yates inquired whether the last speaker was aware of the significance of omitting these words. Was he in favor of paying somebody for lands they did not own.

Ald. Stewart—Of course not.

Ald. Kinsman wanted to know where the by-law was intended to be applied. He promised by several aldermen a short while ago? The question was who owned the land? Was it not those property owners who purchased it and paid taxes on it? The city closed the road and the government said they owned it.

Other speakers said that it was not belong to them. Then whom did it belong to? He repeated his assertion that those who bought it and paid taxes on it had the best right to it. If the council wanted to expropriate why not take up the by-law of the previous evening and pass it?

A warning note was also sounded by Ald. Williams, who pointed out that the proposed by-law would certainly lead to endless legal difficulty and much expenditure both on the part of the city and the property owners. The by-law did appear satisfactory to the speaker.

The council could not afford to be cheapening. He could not see the advisability of making it necessary for the people affected to drag the matter through the courts. He favored expediting the land and paying an equitable price for it.

Ald. Stewart moved that the words "not being heretofore public or crown lands" be struck out of the clause. The road was there. Part of it had been used and the other had not. The city had given up its rights, and the crown said they had no right.

Ald. Beckwith was of the opinion that the three previous speakers had been borrowing trouble. He then explained that in expropriating the road a settlement would necessarily be effected, and this would be by arbitration. Every man would be paid according to award of the arbitrators. The speaker averred that he had been consistent on this question, and had opposed the closing of the road from the beginning.

Ald. Stewart, in reply, deprecated any arrangement which would compel the city to pay for crown lands. If the crown owned the land, and the city owners received nothing, if the city owned the lands the property owners received nothing. His contention was that any one who claimed property must prove that they owned land on either side.

Ald. Kinsman—Why does not Ald. Beckwith bring in that by-law that the council wants, bearing on this subject? Where is the fair by-law?

Ald. Beckwith—I have something to say in reply to Ald. Kinsman. Fortunately one can speak as much as he desires on this question.

Ald. Kinsman—I don't care how many times you speak, Ald. Beckwith, (Laughter.)

Ald. Yates then took a hand in the mix-up. He showed how the council first would have none of the by-law

without the compensation proviso. Then the speaker brought this in and the complaint was that there would then be two separate by-laws. Then compensation with interest was suggested, and someone wanted the interest to be compounded interest, and the aldermen wearily enumerated a number of other objections. The by-law allowed for the expropriation of the land and the property owners paid for what they owned. If it was proved that they had paid money erroneously to the city then they would receive their money back.

Ald. Stewart—What harm will it do to take the words out? I certainly believe in paying the people for what they own. But I believe those words are there for some other purpose.

Ald. Brydon said that the road had been recognized as public or crown property.

Ald. Kinsman—By whom?

Ald. Brydon—By the public.

Ald. Kinsman—Not by the government.

Ald. Yates—Yes, for 46 years.

Continuing, Ald. Brydon asked how it was that the government opened the road after the city had closed it if they did not recognize it as crown property. If those words were omitted, the city on its own would mean that the road would be diverted to some other course. In that case the by-law might as well be dropped. There would certainly be no need of litigation if the matter were dealt with by arbitration. Litigation did not necessarily follow arbitration. The speaker then referred to the expense of the council in closing the road last year.

Ald. Kinsman—What has this council to do with that of last year, anyway? What did those people get for their expense?

Mayor Hayward—Yes, but what did they establish, Ald. Kinsman?

Ald. Kinsman retorted that they established that the city had the right to just throw out, and this was placed before the consideration of the council, the main portion being as follows:

Continuing, the alderman emphatically reiterated his previous statement that those who paid taxes for this property should own it. If they did not own it why were they taxed? Who wanted the road opened? There were no people on the property owners of Victoria West in a body.

The Mayor explained that if the by-law did not carry the question would be in an anomalous position. If not the road would be neglected and virtually nobody's property. Should the by-law pass it will be in the hands of the city and maintained in good condition.

Ald. Hall was in favor of proper compensation, but at the same time he would not vote for the by-law if those words were allowed to remain. If the city wished to have the road they should certainly grant adequate compensation.

An incidental rhetorical disturbance was provoked somewhere about this juncture by Ald. Stewart, who expressed the opinion that the words were inserted in a vindictive spirit.

This brought Ald. Yates to his feet with a demand for a withdrawal.

The offending alderman smiled amiably and withdrew the phrase, but casually rejoined that "he thought the same."

Ald. Kinsman—That's right, Stewart, think as you wish.

Ald. Brydon then took Ald. Kinsman to task for encouraging his colleague in his refractory conduct, but Ald. Stewart disavowed any intention to accept assistance in this regard, and cogently pointed out that he could use his own judgment.

Mr. Cooley also contributed to the gaiety of the proceedings by requesting Ald. Stewart to be "less insulting," and brought the debate to its original standpoint by explaining that if the people could show that they had the deeds to the property they should be compensated. Otherwise they should receive nothing.

Mayor—Well, it will be a great pity if we can't settle this question.

Ald. Kinsman—If you can't settle it, Mr. Mayor, you might as well let the judgment remain there until the day of judgment.

Mayor—Now that is really vindictive, Ald. Kinsman.

Ald. Beckwith ejaculated that it was fortunate that some were so intensely interested in the matter that they would not allow business to go on.

In response to a question from the Mayor, Ald. Cameron, said that the whole matter was one of ownership, if both parties in the district could not settle this question the council should be out of it. Who owned the road? The crown gave up its rights to it when the city closed the road, and extended. The city closed the road, the speaker believed that both the city and government had forfeited their rights. There are people in possession. They have been taxed and assessed as if the road had not been touched at all. The majority of the people did not want the road reopened, and he could not see the justice of compelling people in other parts of the city to pay for the opening of the road.

Ald. Stewart moved that the words "not being heretofore public or crown lands" be struck out of the clause. Those who had titles to the land owned it. What was wanted was an adequate remedy, but as matters stood the by-law, in his opinion, would open up endless litigation.

The Mayor then advised that the aldermen take the copies home with them and carefully read them.

This commended itself as the most feasible course and the suggestion was adopted. Ald. Beckwith incidentally remarked that he hoped that in the beginning of next year Ald. Williams would have the decency to refrain from flying Victoria West and tell the electors how he supported the by-law.

Ald. Williams—I will not reply to Ald. Beckwith's gratuitous insult, Mr. Mayor. It is not worth it.

The meeting then adjourned.

## IT'S MIRACULOUS.

Catarrah, Colds, and Headache Can Be Relieved in 10 Minutes and Cured. Dr. Agnew's Catarrhal Powder Is a Wonder Worker.

"I had Catarrh for 1 year." "I had Catarrh for 2 years." "I had Catarrh for 5 years." "I had Catarrh for 20 years." "I had Catarrh for 50 years." and Dr. Agnew's Catarrhal Powder cured me." are sentences from the volumes and volumes of testimony for this great catarrh cure, now mythical patients and words from men and women all over the continent who have been cured. It relieves Colds and Headache, cure Catarrh in 10 minutes. Sold by Deas & Hiscok and Hall & Co.—18.

Dawson  
Arrivals

Small