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COLONIST

by two strange, well-

Rivers Insurance June 23.—The Montreal apanies place their losses Rivers fire at over half

Foreman Killed Ont., June 23.-John tion foreman on the railway at Yarm struck and instantly kill-ng last night. He was 60

wn, P. E. I., June 23.—
e steamer Perry, which cently at Hawkesbury, le children, one of them years old, who were sent the ship's officers by their Boston, addressed to their Mrs. John Hughes, St. Mrs. John Hughes, St.
I. They made the trip all
we since been living with
ther. Yesterday the litburned to death in a fire
yed her grandmother's

gart Renominated June 23.—Hon. John today nominated by the association of South ir candidate in the comtary elections

amer Aground

nt. June 23.-The steam? which ran on Fine View housand Islands park, on been abandoned to the Powerful tugs. could off. The steamer was on from Alexandria bay to arge of Capt. J. E. Meno, on, also on his first trip. overing the shoal caused. The steamer was built been twelve years on the worth \$25,000.

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## HEARING OF APPEAL IN KOOTENAY CASE

GILL WILLS AND COUNT OF A STATE O

and now that the happy relationship of the services of the sound to the common the sound the services of the sound of a citation and the services of the sound of the Son of a preached has been clusted upon the sound financial basis has been control to sound the sound that the services of the sound of the Son of a preached has been clusted upon the sound financial basis that it has to edited and the sound financial basis that it has to edited to the new it had not been to the sound of the sound

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An Ottiawa despite says an order
Chief say the Hunter: "What is the brown in force the Coast, Will be the order of the Candidan Province o

## CANNOT PREVENT GITY **GIVING OUTSIDE SUPPLY**

(From Tuesday's Daily.)

That the water commissioner is acting quite within his rights when, under the sanction of the city council, he has supplied residents of outlying sections beyond the city limits, with a supply of water from the city water-st works, and that the contention of Messra. McPhillips and Heisterman that unless the city ceases so supplying outsiders they will take legal action to compel it to do so, is not legally possible, was the advice given the council last evening by the city selicouncil was referred to the city soli-citors. The communication of Messrs. McPhillips and Heisterman, which was read at a recent meeting of the council was referred to the city soli-citors for report while the water com-missioner was also safed to record missioner was also asked to report on the present situation so far as the supply to outside sections is con-

Solicitor's Opinion. The communication of the city solicitors a copy of which together with a copy of Water Commissioner Raymur's report will be forwarded to Messrs. McPhillips and Heisterman, was as follows:

June 17, 1908.
Gentlemen,—We have the honor to report upon the contents of the letter addressed by Messrs. McPhillips and Heisterman to the council alleging a non-supply of water, our reply being directed to the legal status of the council, leaving the water commissioner to deal separately with the complaint generally.

We note that on seven different one

complaint generally.

We note that on seven different occasions Messrs. McPhillips and Helsterman allege in their letter that there is a duty cast by statute upon the corporation to supply a sufficient quantity of pure and wholesome water for the use of the inhabitants of the city of Victoria, the breach of which duty lays the city open to proceedings. Notwithstanding the repetition of the statement we must with deference express a contrary opinion.

Where the water supply is oper-

where the water supply is operated by a company for gain, legislatures usually insert an enacting section, making it a legal duty to supply, a breach of which duty warrants proceedings. A municipal corporation is not put under such statutory liability. The duty of the water commissioner as defined by section 4 is to examine, consider and decide as to supply "by the means contemplated by the act," which means include the taking of all waters from within a radius of 20 miles and do not include the supply of water for "irrigation" purposes.

Action Will Not Lie.

Messrs. McPhillips and Heisterman express an opinion that proceedings at

express an opinion that proceedings at law will lie to compel the corporation to desist from the supplying of water outside the corporate limits. This advice is given in the face of section 27 of the act of 1878, which reads as follows:

which was thad done had been in 1888, handsome church have been made still, more beautiful. (Applause.) I thank good and take courage for the time of that is to be, and if you are so prosperous in your family life, in your business, and in your church work as my prayers will seek to make you to become, then, indeed, will every one because of the individual." (Applause.)

The chief justices and the individual. "Applause of the individual." (Applause) and to the individual." (Applause) and the individual." (Applause) and the individual. "Applause of the individual." (Applause) and the individual in the conference to such portions of the extended to the individual." (Applause) and the individual in the conference to such portions of the extended to the individual. "Applause of the individual." (Applause) and the individual in the conference to such portions of the extended to the individual." (Applause) and the individual in the conference to such portions of the extended to the individual. "Applause of the individual in the conference to such portions of the extended to the individual." (Applause) and the individual in the conference to such portions of the evidence of the individual in the conference to the individual in the

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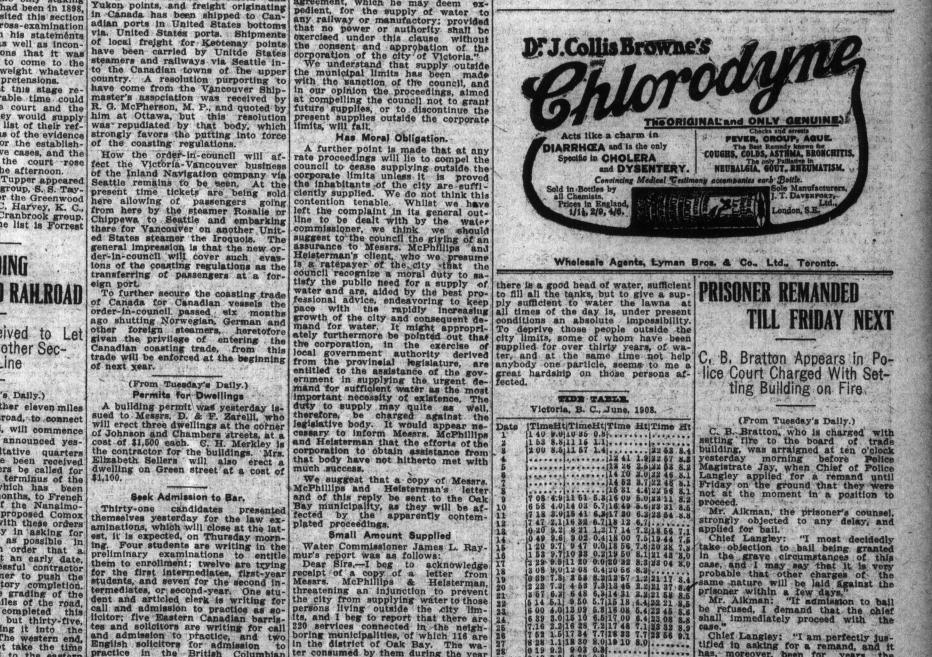
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