

## THE CITY'S PARLIAMENT.

Opposition to the Jubilee Hospital Aid Plan is Probable.

## COMMITTEE TO INVESTIGATE IT

Ald. Wilson Heads a Movement to Delay Granting Leave to Present the By-Law—Leave was Granted, However—Over-Over Motion.

From Tuesday's Daily.

Mayor Teague was unable to be present at last night's meeting of the council. Ald. Munn, senior member of the council, therefore filled the chair and presided over a full house.

A. T. Monteth, secretary of the B. C. Pottery & Terra Cotta Co., wrote asking that the company be given an order to complete their contract with the city sewer pipe. The letter was on motion of Ald. Baker referred to the finance committee. Ald. Humphreys said the work on certain sewers had been delayed because the company had not been able to furnish at once the pipe needed.

Market Superintendent Johnson reported the revenue of the market for February to have been \$101.25. It was received and filed.

John P. Matthews wrote complaining that the council's resolution to give the city patronage out equally among those entitled to it was causing loss to the city. A favored few were given work. The street committee will see what can be done.

J. G. Elliott, secretary of the B. C. Board of Underwriters, wrote saying that since the city had given the building fire better fire protection the board had rescinded its resolution to advance rates on the dwellings therein. Received and filed.

The following letter was received from O. A. Latimer, under secretary of the city, Ottawa, Feb. 24, 1894.

Sir: His Excellency the Governor-General has had under his consideration in council a report, dated 19th January, 1894, from the honorable the minister of the interior, stating that he had had under consideration a copy of a resolution passed by the municipal council of the city of Victoria, drawing the attention of His Excellency's government to encroachments of the city on the west shore of Dallas road between Oswego and Boyd streets, and to the habit of persons removing large quantities of gravel and rock out of that foreshore.

His Excellency is advised that the preservation of Dallas road is absolutely a municipal affair, and that there is no ground upon which the Dominion government could be called upon to protect the same.

His Excellency is further advised that it is not the duty of the law officers of the crown to initiate any investigation as to the alleged trespass, but that if either the department of public works or that of marine and fisheries finds that the harbor or other public property is being injured by these trespassers, and that legal action or assistance is required in the matter, the services of the department of justice may be had at any time. I have the honor to be, sir, Your obedient servant.

L. A. CAMPBELL, Under Secretary of State.

A. Campbell Reddie, deputy provincial secretary, wrote acknowledging the receipt of amendments suggested by the council to the municipal act.

Both letters were received and filed.

Wm. Houston, who applied for the street lines of Mary and Jessie streets, and was first told that the city engineers' charge would be \$5 and then that it would be \$10, wrote complaining of the action. Ald. Ledingham explained that it was a corner lot, and while Mr. Houston had a contract to have the lines furnished for \$5, the act provided that \$10 should be paid. Ald. Baker said he and the engineer thought the charge excessive and that the act should be amended. The street committee and engineer will investigate the matter further.

Letters from C. T. Dupont, president of the V. E. & L. Co., and E. Crow Baker, secretary of the V. E. Co., wrote re lighting matters. The letters were in view of the council's action in deciding on a by-law.

Secretary E. Crow Baker of the Pilotage board, wrote saying that the application of the Hastings Steamboat Co., for remission of pilotage fees had already been acted upon. The city clerk will communicate with the mayor of Port Angeles.

Chief Deputy reported two fires in February, with a total loss of \$10, and pointed out some changes and needs. The report went to the fire wardens. The complaint of the poor condition of the fire alarm system will probably receive early consideration.

Thomas Earle, M.P., wrote acknowledging the receipt of a resolution re Dallas road and requesting to endorse it to secure a grant for the improvement. It was received and filed.

B. H. West and 16 others, residents of Oaklands, wrote asking that their request for a school be not deferred again. Ald. Baker said it was to be regretted that this part of the city could not be given a school. The petition was referred to the school trustees.

Geo. Dew, caretaker of the Ross Bay cemetery sent in a letter urging that his salary be not reduced. He claimed long hours, few holidays, and hard work. He receives \$75 a month, has free house rent and has help on all graves over 20 to a month. The cemetery committee will look into the matter.

J. E. Firth wrote saying that in the selection of an engineer for the pumping station, neglect of hand had been resorted to. He said that fair play should be regarded. Ald. Harris said the man had simply been put in the place of Engineer Devolte, the regular man. The letter went to the water committee.

Ald. Harris asked what had become of a communication asking for water main on Sea View avenue. Ald. Humphreys said the water committee had the letter under consideration.

It was decided to consider the application for superintendent of streets at a special meeting to be called by the mayor. The names of the applicants were read. They were as follows:

Robt. Anderson, W. H. Brown, John Clarke, Maurice Churton, Wm. H. Danby, William Hassard, George Horn, Percy H. Hodges, Frank Hales, C. A. Kirk, Geo. Lyall, Charles Lester, T. H. Duffie, John McDougal, Allan McCoullough, J. Parmenter, W. M. Rutledge, G. E. Snider, N. P. Stenberg, Andrew B.

Colmie, Orlando Warner, James Wilson, T. C. Blackett.

Ald. Harris moved, seconded by Ald. Baker, that leave be granted to introduce a by-law to grant \$55,000 to extinguish the debt of Jubilee Hospital.

Ald. Wilson moved that the matter had been sprung on the council very suddenly. He thought that the practice of impetuous institutions applying for city aid was becoming a very common one.

He pointed out that the citizens took little interest in voting away the city's borrowing power. He characterized the action of any institution in placing the responsibility for debt upon the city as cowardly.

Chairman Munn said he was hardly in order. This was not the time to oppose the matter, as the by-law was not before the council.

Ald. Harris and Ald. Baker said this was simply to ask leave to introduce the by-law.

Ald. Wilson said he would accept the chair's ruling, but desired to explain himself a little further. He had been called upon by a number of citizens in regard to the proposition, which was a most important one, and he simply wanted it delayed for a week. The members of the council had a right to investigate it fully.

There had been claims that the hospital was not properly managed, and he wanted that point carefully gone into, and he desired a committee should be named. Of course there were many things that could be said in favor of the hospital, but they had a duty to perform and should exercise the greatest care.

Ald. Styles said a full statement had been presented by the directors of the hospital. There was no harm in granting the leave; they could take their time about the final action.

Ald. Humphreys said he was not opposed to aiding the hospital, but had heard the management was not the best. He would second a motion to name a committee to fully investigate the hospital and the proposition before the council. The matter should be fully gone into.

Ald. Harris said nearly all of the speakers were out of order. It was not the time for discussion, he was simply asking for leave to introduce the by-law.

Ald. Dwyer said there was no harm in granting the leave. He, however, favored the greatest care and believed the hospital should not be run by any one, two or three men.

It was decided to grant leave, and upon motion of Ald. Wilson, seconded by Ald. Humphreys, an investigation committee was decided upon. The chair named Ald. Wilson, Humphreys, and Styles. Ald. Harris declined to serve.

Ald. Ledingham moved, seconded by Ald. Baker, that the legal expenses of all ratepayers who had to go to the superior court to get on the voters' list where errors had been made in preparing the list be paid by the city.

Chairman Munn said the motion hardly agreed with the revenue by-law.

Ald. Humphreys said the motion should go to the city barristers.

Ald. Baker said that he regarded it as only right that the city should reimburse all who had to go to any expense in getting on the list.

Ald. Ledingham said the city made the error and paying for it now would make it official more careful in future.

Ald. Dwyer favored the motion, but urged that in future some simple means of getting on the list be placed in the act.

Ald. Humphreys and Styles believed the city barristers should be consulted. The latter pointed out that due notice was given by the council of revision, but still some who had been refused had got their names on the list by order of a Supreme Court judge.

Chairman Munn suggested that the words "in the opinion of the council" be added to the motion and in that shape it be passed. It was agreed without a vote that the city barristers be consulted.

Ald. Humphreys moved, seconded by Ald. Ledingham, that leave be granted to introduce a by-law to amend the Oak Bay avenue exchange by-law. Carried.

The finance committee reported recommending the appropriation of \$4,588.32 out of the general revenue. The committee reported in favor of appropriating \$478.67 out of the surface drainage fund. A requisition from the school board of \$3985 was favorably acted upon.

The sewerage committee reported on a number of minor matters. Received and adopted. A similar report from the street committee was also received and adopted. The cemetery committee reported recommending that the city purchase a few acres of land for a new cemetery, and that he be authorized to employ the necessary help. Received and adopted. The matter was first brought up in a motion which had not been bulletined, and the chair desired to enter into it, advising the formulation of a report.

The water committee presented a report, among other things favoring the extension of the government street main to connect with Johnson street, and the substitution of a 3-inch main for the 2-inch main on Herald street, the pipes to be made in Victoria. The report was adopted.

The estimate by-law was reconsidered, adopted and finally passed. The chair moved to entertain a motion from Ald. Ledingham for any change.

America Photographed.

The readers of the Times have now an opportunity to procure, at half price, the artistic and instructive work "America Photographed," which is to be issued in a handsome series of portfolios, each one of which can be secured for one coupon cut from the Times and ten cents. The advertisements on the second page of this issue fully explain the character of this beautiful publication, which is at once an album and a valuable descriptive book. Part one is offered now. Samples can be seen at this office. Until the number of copies that will be called for is ascertained there will probably be a few days' delay in filling orders, which will be booked and filled as quickly as portfolios are received from the printers. Cut out the coupons and send in orders at once, as coupons for Part One will only be published for a few days. There is very little doubt that the sale will be large, and it should be borne in mind that as the portfolios cannot be secured excepting with a coupon orders should be given before No. One coupon is withdrawn.

## KEEP THE PEACE.

Outcome of the Charge of Assault Against Capt. Clive Phillips-Wolley.

## PREFERRED BY N. P. SNOWDEN

Case Was Heard in Police Court This Morning and Resulted in a Lively Legal Battle—Some Strong Personalities—The Bond is \$1000.

Capt. Clive Phillips-Wolley, author, athlete and gentleman, was this morning bound over to keep the peace for three months and to pay \$2 costs for slapping the face of Captain Northings P. Snowden, capitalist and French consul.

The hearing before Magistrate Macrae drew a crowd that filled the court room. Robert Cassidy appeared as prosecutor, while Major Irving defended Captain Wolley.

The legal battle was a hot one, unfortunately leading into an old trouble, in which E. M. Johnson was concerned, and there were some very warm passages between witnesses.

P. Snowden was the first witness called. He testified as follows: On Friday, the 2nd, he was not on speaking terms with the defendant, and had not been for several months, the result of two actions in the supreme court.

On that day I was passing E. M. Johnson's office, and saw Mr. Wolley on the other side of the street. Mr. Johnson was going into his office, and I spoke to him. I passed on to the office of Mr. Snowden, and saw him. I met Mr. Wolley on Broughton street in front of J. P. Burgess' shop. He asked me if I had told Johnson I was going to sue him. I said that I had said anything to him, and he said to me, "I have boxed this man's ears," or words to that effect.

I stepped into Johnson's office to hear what was being said. They were both talking in a loud tone, and I left the room. I saw Mr. Wolley going to fight in my office and break my clock. Had it been me I would have struck Wolley. I told Mr. Wolley on the morning of the 2nd that Mr. Snowden had said to me, "I will make you suffer for this," or words to that effect.

Cross-examined by Mr. Irving, as to the fact that Mr. Wolley for some time and the match with Jim Hall took place two or three years ago. They were very friendly then. I did not regard it as creditable; I did not introduce it as discreditable. Mr. Wolley then said, "I believed Mr. Snowden wanted to insult me."

Magistrate Macrae ordered the evidence read over, as there was a conflict in it. "Oh," said Mr. Cassidy, "there is always a conflict in evidence where Mr. Johnson testifies."

Mr. Johnson simply said he had given the evidence to the best of his ability.

Cross-examined by Mr. Cassidy, Mr. Johnson again said Mr. Snowden admitted that he had told E. M. Snowden he had distinctly said he was to be sued. He had assumed that Wolley and Snowden were going to fight.

By this time matters had reached rather a hot stage. The humor was thrown into the situation. Mr. Cassidy said, "People regard you as very clever, Mr. Johnson. Quickly came the reply, 'People do not regard you as clever, Mr. Cassidy.'"

Continuing, Mr. Johnson said he could see nothing inherently strange in Mr. Snowden's alleged admissions. Snowden was so frightened that had Wolley asked him to stand on his head he would have done so.

Magistrate Macrae recalled Mr. Snowden. He denied the alleged admission and said Johnson deliberately lied.

Capt. Wolley was recalled by Magistrate Macrae. He said there was a general excitement on the 2nd when he saw Mr. Snowden. He said he had made the statement whether he said he knew it was true or not he would not swear to a certainty.

A ten-minute recess was declared to give David Leeming to see if he could settle the point of Mr. Snowden's admission. Mr. Leeming said he was a clerk in Mr. Johnson's office. He saw the three gentlemen in the office on the morning in question. Mr. Wolley and Mr. Snowden were talking together. Wolley said "I have boxed this man's ears," or words to that effect. Mr. Snowden seemed quite nervous. Mr. Wolley said he would not fight him but he would hear him. Mr. Wolley was the honest "lie." He heard Mr. Snowden say "nothing." He was 12 or 13 feet off. He heard distinctly what Wolley said. He had seen Mr. Johnson and Mr. Snowden just before on the sidewalk walk a few feet from the door. They were talking and Mr. Wolley was saying "I have boxed this man's ears." After the assault Mr. Wolley entered the office first. They were in the office. Wolley also said Snowden first tried to get him to turn against Johnson, and then Johnson asked him to stand on his head. Snowden's answers "They were all excited." Wolley was mad and Snowden nervous. He could not tell what the last words were to a certainty and did not remember much that was said.

Both attorneys made arguments. Mr. Irving a short one and Mr. Cassidy a rather lengthy one. At the conclusion, his honor bound the defendant over to keep the peace for three months on his own recognizance in the sum of \$1000 and required that he pay the costs of \$2.

Saatch Agricultural Meeting.

On Saturday last the second of the series of meetings being held under the auspices of the N. & S. Saatch Agricultural Society took place at the West Saatch school house. The meeting was attended by a number of the farmers of the district. President Stewart, in his opening address introduced the subject of co-operation. Those present entered into an animated discussion of the subject, the general opinion of the meeting being in favor of co-operation. The cooperation can be secured with other districts. These meetings will doubtless have a stimulating effect on the farmers of this community. Their next meeting will be held at the Sidney Hall on April 2nd.

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said: "My God, you shall pay for this!"

We walked down the street, and I am not sure whether I led him into the office or not. I am positive Johnson said nothing before we entered the office. He was quietly talking to a couple of customers.

The cross-examination of Mr. Wolley by Mr. Cassidy was as fine a bout as ever took place between witness and lawyer, except possibly, that between Mr. Johnson and Mr. Cassidy. Mr. Wolley said he expected Mr. Snowden to behave like a sheep. He certainly did not expect to see him in his fight. I am not a professional pugilist; I am not a pugilist.

Cassidy—I mean an amateur pugilist. Wolley—Why don't you say so, then. I was an amateur boxer, but am forty years of age, and have not boxed for three years. Yes, I am proud of being an Englishman and of being able to take care of myself. At the request of some gentlemen present, I sparred with Jim Hall. Many representative citizens were present; it was in a private club. I have sparred in many boxing contests. I knew I could do what I pleased with my fists, and I was not afraid to simply box the ears for lying. Had he been as big as a house or John Sullivan I would have done so. He is not so much smaller than I. I believe our fight was a fair one. I never struck a man in anger before.

To the magistrate Mr. Wolley said only a few seconds elapsed between the time he left Johnson and the assault.

E. M. Johnson knew both the gentleman and the woman. Mr. Snowden came by, and opening the door looked in and said: "You had better look for Wolley, Johnson; he is going to sue you." He said, "He is going to sue me as soon as he can get his lawyer, and get awfully savage. He stated a fact. I inferred that he, too, was being charged with fraud. Snowden had hardly gone when Wolley came along. I stepped on his toes and he said to me, 'I have boxed this man's ears,' or words to that effect. I said, 'There is Snowden; you had better go and ask him.' I did not see Mr. Wolley strike Mr. Snowden. I was behind my counter when they came in. Wolley asked Snowden if he had said he was going to sue Mr. Johnson. Mr. Snowden said 'I did.' Mr. Wolley asked if it was true, and Mr. Snowden just said, 'No, it is not.' Wolley said then you have struck him. Wolley then said, 'Johnson, I have brought this man in to tell you I have boxed his ears in front of me for stating a lie about me.' Snowden left, saying, 'I will make you suffer for this,' or words to that effect.

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## THE GREAT INTERIOR.

News of the Week From the Upper Country Papers.

## RAILWAY TRAFFIC BADLY HINDERED

Latest Report From the Big Bend Country—Yarnon and the Fossil Okanagan—An Excellent Winter on the Cattle Range.

(Golden Era.)

During the first part of the week the trains from the west were delayed by snow slides in the Selkicks.

The funeral of the late Miss Hardie took place on Sunday morning at 9:30 o'clock, to the new burying ground. The Rev. Archdeacon McKay officiated at the grave. On Sunday evening Rev. Mr. Ross in the course of his sermon paid the touching tribute to the memory of the late Miss Hardie, referring to her many sterling qualities and her unswerving energy in ministering to those under her care. These remarks are echoed by all who knew her and though she had been a short time in our district her influence was gone beyond the town where she lived, and many here could endorse the words by Mr. Ross.

(Kootenay Star.)

A fair idea of the wealth of the Consolidation Mine, in the Big Bend, can be had from the returns from the working force of thirty men, which is easily possible on the wide pay streak, would pay a dividend of five per cent. per month on a capital of \$200,000; that is, if the gravel continues as rich as it has been during this winter.

J. M. Kellie, M.P.P., has sold out his interest in the townsite of Lardau, on the N. E. Arm, at a great sacrifice.

Work on the Revelstoke & Arrow Lake Ry. is being pushed on to completion in spite of the deep snow. About 400 men are employed between the wigwag and the end of the track at the mouth of the N. E. Arm. The rock cuttings below the Green Slide are progressing rapidly and it is said will be ready for the rails as soon as any other portion south of it. Revelstoke Lumber Co. is getting out 30,000 additional ties, and grading contracts have been let to Messrs. Haney, O'Leary and Welsh, with orders to push on the work with all speed. The road, it is stated, will be in running order from Revelstoke to the