

MAY DROP WATER CLAUSES BILL

MANY SECTIONS YET TO BE CONSIDERED

Commissioner of Lands Accepts Advice of Leader of Opposition.

Legislative Press Gallery, March 8.

A quiet afternoon was spent in the legislature this afternoon, the main matter before the House being the Water Clauses Bill. Eleven sections of the bill were discussed, and all were passed. The House has got just half way through the bill, 156 sections out of 331, and of that number 57 have been held over for further consideration.

The impression is gaining ground that the bill will be dropped for the session. It is in poor shape and will need a lot of amendment before it suits either the commissioner of lands, who is in charge of it, or the leader of the opposition, who is its most watchful critic, and to whom will really be due the credit when the bill finally passes, for what ever good points it possesses.

The attorney-general introduced a bill amending the Explosives Storage Act by declaring that the storage of any quantity of gasoline over 500 gallons constitutes the building, tank or other structure where it is kept, a powder magazine within the meaning of the act.

Another bill introduced by the attorney-general is designed to remedy an inadvertence on the part of the Armstrong Power & Light Company, Ltd., which failed to apply for a certificate approving its undertaking.

J. A. Macdonald obtained an order of the House for copies of correspondence and the documents relating to the recently constructed Rossland-Trail road.

Question Time.

Mr. Brewster asked the minister of public works the following questions:

"1. Is it the intention to change the present travelled road—the only road now open from Alberni to New Alberni, running to Waterhouse's wharf?"

"2. If so, can a road of equal or less grade be obtained?"

"3. If so, where?"

"4. If not, will the old road be allowed to remain?"

Hon. Mr. Taylor replied that there was no information in the department on any of these points.

Mr. Oliver asked the attorney-general the following questions:

"1. Is there any hotel licensed at Kitimat?"

"2. Is there any provincial constable stationed at or near Kitimat?"

"3. Is liquor being sold at any unlicensed hotel at Kitimat?"

Hon. Mr. Oliver replied:

"1. Yes, Kitimat hotel."

"2. No."

"3. Not so far as the department knows."

Mr. Oliver also asked the commissioner of lands:

"1. Has the government entered into any agreement or arrangement with the Grand Trunk Pacific Townsite Co. respecting the sale of town lots at Prince Rupert?"

"2. If so, what are the terms of such agreement?"

Hon. Mr. Tatlow replied:

"1. No. 2. Answered by reply to question 1."

Fortnightly Pay.

The speaker gave his decision on J. H. Hawthorthwaite's motion to refer to a committee a bill amending the Coal Mines Regulation Act, with the object of securing the insertion of new sections dealing with fortnightly pay-days for men working underground, and making inquests compulsory in cases of mine accidents, concerning which the premier had raised the point of order that these proposed amendments were not relevant or within the scope of the bill. The test of this was whether an amendment was coherent and consistent with the scope of the bill. The Coal Mines Regulation Act was passed primarily for the protection of men working in mines, but it had been added provisions forbidding the payment of wages in mines or taverns and as to payment by weight of coal. These were not particularly drawn for protection of men while in the mine, and he was therefore of opinion that the proposed amendment as to a fortnightly pay was within the rules and germane to the original act. The other amendment was likewise coherent, because in the original bill the matter of inquests was dealt with, the object being to find out the cause of accidents so that if any legislation would do away with the causes it might be adopted.

Mr. Hawthorthwaite then moved that the bill be re-committed to committee to add the pay-day section.

The premier considered that this was

one of the sections which was better settled between the parties, and that it was not a sound or wise thing for the legislature, except in an extreme or urgent case, to step in between them. No one was more anxious to protect the workmen than he was, and that the workmen appreciated this fact was plain from the fact that the great majority supported the government. The premier intimated that W. R. Ross' bill for a fortnightly pay-day in industries paying over \$50,000 a month must fall in the same way. Mr. Macdonald recalled that he had voted in favor of the second reading of bills with a similar object to this, but this amendment either did not go far enough or went too far. In other cases the proposal was that the fortnightly pay should apply to all mine-workers, but this dealt only with coal miners working underground. He could see no particular connection between underground working and more frequent pay days. In many cases it would be a hardship on the employer and not a benefit to the employee to get paid fortnightly. Mr. Macdonald said he would oppose this amendment but he would vote for Mr. Ross' bill when it came up.

The motion to recommit was lost, thirteen members voting for it—Hawthorthwaite, Williams, McInnis, Brewster, Jardine, Henderson, King, Naden, Hall, Eagleson, Jones, Yorkston, Ross.

Accidents in Collieries.

Mr. Hawthorthwaite next moved his amendment making corner's inquests compulsory.

The premier declared that an inquest was being held in every case in which it was desirable. The coroners investigated every case and where the facts were such as not to warrant the expense of an inquest none was held.

John Jardine supported the amendment as a necessity.

Parker Williams pointed out that there were many cases where no inquest was held, so that the holding of an inquest was a very desirable thing in every case. In the recent case of a young man who fell 50 feet down a mine shaft at Nanaimo there was no inquest, although surely the question should have been settled as to whether he was responsible himself or whether anyone else was to blame.

Mr. Macdonald supported the amendment along the right lines. The law gave relatives a right of action where there had been negligence on the part of the employer, but if they were not convenient and an inquest was held their chance of taking action was probably lost. Coroners, while doing their duty faithfully, were not legal men, and were not in a position to decide from the information they got whether there had been criminal negligence or not. The province could very well afford to bear the expense of an inquest in every case.

The amendment was lost by a vote of 15 to 24, those voting for it being Hawthorthwaite, Williams, McInnis, Macdonald, Oliver, Henderson, Munro, Jardine, Brewster, King, Naden, Hall, Eagleson, Jones and Yorkston.

The bill was read the third time and the same stage was given to the bill amending the Municipal Clauses Act and confirming the new official map of Alberni.

Clearing Wild Lands.

Parker Williams proposed an amendment to the Bush Fire Act to the effect that any farmer or settler, satisfying the government agent that his clearing operations will be facilitated by adjoining owners will be granted a satisfactory fire-guard around such lands, may obtain an order requiring this to be done; and that in case of refusal to comply within a reasonable time the government agent should cause such guard to be made and assess the cost against the lands.

The commissioner of lands said there was merit in this proposal, which he would have brought before the forestry commission when it met, but as to the amendment he held it was out of order, in proposing an expenditure of public money.

The speaker upheld this point of order, and when Mr. Williams appealed against the ruling the House upheld the speaker.

The bill was given its final reading.

Follows Macdonald's Advice.

The commissioner of lands brought in an amendment to the Timber Manufacture Act along the lines suggested by the leader of the opposition the other evening, as to the export of piles, telegraph and telephone poles, ties, crib work and similar timber hewn by hand, giving power to the lieutenant-governor-in-council to exempt these from the operation of the law.

Mr. Macdonald said he had an amendment on the notice paper and the bill was allowed to stand over.

Water Clauses Bill.

The Water Clauses Bill was taken up at section 145, dealing with the powers of municipalities as power companies.

Whenever a municipality passes a by-law for the operation of waterworks, electric light or gas works, street railways, ferries or tramways it may take out a license for water rights, and then has all the rights, powers and privileges of a power company and is subject to all the obligations of such a company.

On taking up part eleven, dealing with clearing streams for driving logs, one of the powers of the commissioner of lands is to require the provision of license to furnish security for compensation for loss or damage to riparian property.

Stuart Henderson did not see any reason for this section. If a land surveyor carried out the work, he pointed out, he should be responsible for any damage done. He moved that the word "shall" be struck out and replaced by "may," as the commissioner of lands may see fit.

This was voted down.

On the next section, which empowers a licensee, his engineer, surveyors or servants to enter upon all lands along a stream proposed to be improved, Mr. Henderson objected to the use of the word "engineer" as loose and indefinite.

He moved to strike it out, but the House allowed it to stay. Hon. Mr. Fulton taking the view that it meant an engineer or other competent person, although in the interpretation clause it is stated that "engineer" as used in the act "shall mean any engineer employed by any company in connection with the local or construction of works under this act."

A few sections later came one permitting the lieutenant-governor-in-

council to appoint an engineer to examine the works, when Mr. Henderson asked what an engineer was supposed to mean here.

Hon. Mr. Fulton proposed to add the words "or other competent person," to the section.

Mr. Macdonald said this would not help matters any. The interpretation of engineer was given in the act and to give the lieutenant-governor-in-council permission to appoint an engineer could only be interpreted as an engineer in the employ of the company.

"It must mean some other engineer," said Mr. McPhillips.

"It means what it says," returned Mr. Henderson, "and 'engineer' means just what the interpretation clause says it means."

Henderson moved that the section be amended by making it read "engineer not theretofore connected with the work."

This was lost and Mr. Fulton withdrew his amendment, the section being altered to give the lieutenant-governor-in-council power to appoint an engineer by striking out "engineer" and replacing it by "competent person."

Mr. Oliver suggested that when plans of the works were forwarded to the commissioner of lands, the request also be filed for public information in the registry office of the district.

Mr. Fulton promised to take this into consideration.

Public accounts act was put through the committee stage before the House rose at six o'clock.

LOCAL THEATRES ARE PRONOUNCED SAFE

City Council Receives Report From Officials Upon Situation.

The city council on Monday received a report from the city building inspector and the fire chief upon conditions with respect to safety in the local theatres. The report showed that proper precautions were taken in every case, but suggested that those in charge of moving picture machines should pass an examination before the city electrician before being allowed to operate them.

The report in part says:

Taking into consideration the question of the danger of the moving picture machine, it might be said that the actual liability of a fire resulting from any of those in operation is most remote on account of the precautions measures taken to obviate such a probability. Different theatres appear to have adopted different features of safety. Apparently the latest and best of the theatres have been secured the most modern appliances, and all have expressed a willingness to adopt any suggestion that might tend to add to the safety of their appliances.

The various theatres have been given the opportunity of making their own regulations governing the operation of these machines, although we have before us several copies of rules as laid down by different boards of underwriters as well as a copy of the paper read before the city council on the subject recently held in this city. All these very fully with this subject and we would recommend that authority be given to the building inspector, city electrician and the fire marshal as to the matter of drafting regulations governing this feature. Mr. Lawrie, the secretary of the local board of underwriters, has kindly offered his assistance in this matter. Under existing conditions we find that in all cases the operators' booth has been lined with asbestos and covered with galvanized iron so that the probability of a fire resulting is most remote, the only real danger that might arise would be in the event of a film catching fire or a certain amount of smoke and a flash of fire might emanate from the operators' booth, thus creating the possibility of a fire starting and spreading.

The report in part says:

It is suggested that the city should perhaps in a stamped, although we have demonstrated earlier in this report the entirely adequate capacity of all theatres. The remainder rests with the several managers to be in a position to control the audience in an emergency.

(a) We wish to impress upon your honorable body the fact that both the building inspector and fire marshal are in the habit of making weekly theatrical inspections.

(b) We find that according to the 1908 Vancouver city by-law their regulation provides for 18 feet of exit for every one hundred persons, and the Victoria regulations provide for 22 feet for every one hundred persons.

(c) In the case of the Victoria and Grand theatres, these being three-story buildings, are both provided with fire escapes and stairways.

(d) In this report we have dealt with every phase of safety except that of electric wiring, which we consider should be handled by the officer appointed for that purpose, and would impress upon you the necessity of a set of regulations governing the operation of the moving picture machine on account of the probable opening of more of these places of amusement, in which event all should be put on a uniform basis of rules, as in the case in other cities.

On account of a considerable knowledge of electricity being required in the operation of these machines, we would recommend that all persons employed to operate same be required to pass an examination before the city electrician who will be empowered to grant a license to all successful applicants.

"COMMODITIES CASE."

Washington, D. C., March 8.—The supreme court of the United States failed to hand down a decision in the case known as the "Commodities case," involving the validity of the provision of the Hepburn rate law prohibiting railroads from holding an interest in, or owning mines or other concerns where the products are shipped over their lines or railroad.

The office of the Imperial Bank of Canada in this city has been advised that a branch of that institution has been opened at Cochrane, the new town located at the junction of the Transcontinental and the P. and N. O. railroads.

Water Supply

FOR OAK BAY

AGREEMENT RATIFIED

BY CITY COUNCIL

Street Work Decided Upon at Last Night's Meeting.

(From Tuesday's Daily.)

The city council last night ratified the agreement between the city and Oak Bay to supply the latter with water at the city boundary, but not without a protest by Ald. Turner, who asked if the city had undertaken to sign the agreement against the advice of the city barrister. The mayor said the city barrister did not agree with the proposal, whereon Ald. Turner told the council it was useless to have a city barrister employed if we did not follow his opinion in all matters.

"What's the use," he said, "of a city barrister if we take his opinion on one matter and decline it on another? We might as well fire him right away."

The mayor explained that there would be a water board appointed to consist of three members, J. S. Floyd would be one, and the other two would be named by Mr. Mayor and outline a scheme of rates.

Ald. Turner, however, could not agree with the council in acting against the advice of the city barrister, and was supported by Ald. Humber.

When the question came to the vote, however, Ald. Turner failed to vote either way, and was upbraided by Ald. Humber, who took the negative side alone, with "what are you doing?" Ald. Turner smiled and the council laughed.

The mayor pointed out the city would sell the water in bulk to the Oak Bay municipality at the city and Oak Bay boundary. He could not say if the appointments on the commission would be permanent.

E. G. Prior & Company was awarded the contract for the supply of valves for the water works system. The lowest tender offered, the Kerr valve, had been condemned by the foreman.

The second tender was that of E. G. Prior & Company, and agreed to supply the Crane valve which was passed as satisfactory. The tenders were: Sheret, \$1,183.25; E. G. Prior & Company, \$1,243.05; W. S. Fraser & Company, \$1,272.20; W. Winterburn, \$1,385; Mather & Yull, \$1,523.05.

Local Improvements.

The city assessor's report contained but one objection to the proposed local improvements. The one objection was for Pine street, but was counteracted by another petition from a larger number of owners asking that the work be done. The various works will be carried out in the usual course.

The building inspector and fire wardens were advising the council to order the removal of the frame building at the rear of the Belmont hotel, on View street, known as No. 707, in which a fire occurred two weeks ago. It had been found stocked with paint and oil, and was a menace to surrounding property. The assessor's report had been made in an inquiry into the matter.

The city solicitor was instructed to take up other matters requiring attention of the report of the sanitary inspector. They are concerned with property owned by J. Douglas, P. L. Dickson and A. C. McCallum. A house, 1231 Fairhead road, was reported on as structurally unsafe, but imperfect in its sanitary conditions.

The amended resolution of Ald. Bishop to pave Douglas street from Yates to Fisguard streets was carried, but the matter of material to be adopted was left to be decided upon by the council.

A resolution of February 15th last regarding local improvements on Pembroke street, between Haughton and Shakespeare streets, was reconsidered and the following was decided on: To upgrade Pembroke street between Haughton and Shakespeare streets and construct permanent sidewalks on the north side thereof from the east line of Haughton street to a line with the east side of Belmont street, and on the south side from the end of the present walk to the west side of Belmont avenue.

Committee's Report.

The report of the streets, bridges and storm drains committee, which was adopted, read as follows:

Your streets, bridges, sewers and water committee having considered the undermentioned subjects, beg to report as recommended as follows:

1. Recommended that the resolution passed at a meeting of the city council on the 22nd June, 1908, regarding the improvement of Belmont avenue be reconsidered, and that the said avenue be graded and macadamized, and permanent sidewalks constructed on both sides thereof with curbs, gutters and boulevards (including maintenance) from Pembroke street to Pandora avenue, and from Pandora avenue to Fort street, the said work to be carried out as to local improvement propositions.

2. Recommended that the resolution passed at a meeting of the city council on the 15th February, 1909, regarding the improvement of Pembroke street from Stanley avenue to Shakespeare street, be rescinded, and the following recommendation adopted, viz.: That the grading of Pembroke street be carried out as petitioned for by Mrs. Margaret Holmes, et al., on August 14, 1908, also that the request of Mrs. Margaret Holmes and Sarah West, of August 14, 1908, for the construction of permanent sidewalks on both sides of Pembroke street from Haughton street to Belmont avenue be granted.

3. Re communication of Frank Higgins, complaining, on behalf of his client, Mrs. Clearhugh, of the grade to which the permanent sidewalk is being laid on Port street. Recommended that the grade be lowered to the level of the street, and that the matter is being remedied, gates raised and the grade of inside approach heightened.

4. Communication of Rev. D. McRae, calling attention to an obstruction on Dundas street, and of the dumping of mud on his property on said street. Recommended that the writer be informed that the obstruction on Dundas street by the telephone company has been removed, and that the mud complained of will be removed by the city.

5. F. Elworthy, secretary of the Provincial Royal Jubilee hospital, complaining of the flooding of the hospital grounds by surface water from Richmond road, also to the unsatisfactory condition of said road in front of the hospital. Recommended that the writer be informed that the surface drain now being constructed in the locality of the hospital will remedy the matters complained of when completed.

6. Communication of C. F. Davis, re overflowing drain on Quebec street. Recommended that the writer be informed that this nuisance is on private property, and that the sanitary inspector has the statement of same in hand.

LOCAL COUNCIL

OF WOMEN MEETS

Committee Named to Organize for Quinquennial Convention.

The regular meeting of the Local Council of Women was held in the city hall Monday, with the president in the chair, and four members of the executive, delegates, and the recording, corresponding and press secretaries and treasurer present.

The following committee was appointed upon provincial organization: Mrs. Day, Mrs. Cooper, Mrs. Jenkins, Mrs. Spofford, Mrs. Fitzgibbon and Miss Crease.

Rates for delegates attending the quinquennial in June next were quoted as follows:

On June 2nd and 3rd rates from Vancouver and Victoria, to Port Arthur will be \$60 return, allowing for stop-overs en route either way. The rates from Port Arthur eastward have not yet been secured but it is hoped to make this single fare, making the cost of full ticket \$85.75.

An application came in from the Y. W. C. A. asking if it were possible to invite the affiliated church societies to contribute a small sum monthly and by this means to provide a salary for a person who would meet in coming boats and trains and receive and advise strange and friendless girls.

A committee was appointed to confer with the Citizens' league upon the subject.

Forty copies of Mrs. O. C. Edwards' booklet on laws concerning women and children were ordered purchased and it is hoped that all affiliated societies and individual members of the council will secure a copy.

The standing committees for the international are as follows: Mrs. Jenkins, education; Mrs. Day, social reform; Miss Spofford, industrial; Mrs. Law, philanthropy; Mrs. Hasell, literature; Miss Crease, art.

Mrs. Jenkins spoke appreciatively of the recent address given by Mr. Kelso in the interests of the children's juvenile court. A resolution was ordered to be sent to Mrs. Mortimer in acknowledgment of her recent heroism in saving a boy from drowning.

Mrs. Dunsinville's message to the effect that she hoped to be able to give a reception in honor of Her Grace the Countess of Aberdeen and the delegates from the quinquennial during their visit to the coast, was received with much pleasure.

A public meeting will be held on that occasion which will be addressed by the distinguished visitors.

Miss Townsend visited the meeting yesterday and at its close spoke with much feeling upon the special work of women in connection with the national union of women workers in England, and presented to the women of Victoria a greeting from them.

FAST TRIP BY BARQUE.

French Vessel Made Voyage From Columbia River to Europe in Ninety-one Days.

Coming within three days of breaking the world's record for the passage of a sailing vessel between Columbia river and a European port, and making a showing for quick voyages that has not been equalled in the past eighteen years, the French barque Gael, Captain Savary, passed Dungeness after having been out but 91 days, according to a message which has been received by the Merchants' Exchange.

There is but one quicker sailing passage on record, and that was made by the British barque Cathloch, in 89 days, twenty-five years ago. Some years later the British barque Mackintosh completed the same voyage in 81 days, which has stood undisputed as the record best until now, when the Gael has succeeded in equalling it.

TAKE PROMPT ACTION.

Authorities of Nanaimo Active in Fighting Slight Outbreak of Smallpox.

(From Tuesday's Daily.)

The smallpox scare that Nanaimo has had is believed to be nearly over. M. Bray, government agent in that city, is in Victoria at present making arrangements for the most perfect isolation of any who may become affected, and an isolation hospital has been provided. The cases have been very mild, as evidenced by the fact that a local doctor in Nanaimo pronounced them as chicken-pox attacks. No deaths have occurred, the whole promises to be stamped out without difficulty. The original cases, it is said, were introduced from Vancouver, a dispatch to the Times from Nanaimo says:

"Little of interest transpired at the meeting of the city council last night. The interest centred in the meeting of the council as a board of health. The town is suffering from a slight epidemic of smallpox of the very mildest type. Dr. Fagan was called to town on Sunday and recommended a measure of public quarantine. In all there are no cases affected and 20 cases, not one of which has been anything but surprisingly mild. A telegram was read from the health authorities of the city council, and recommended a measure of public quarantine to prohibit all public meetings, and asking that the regulations be enforced. After discussing the matter it was decided that the opera house, the Crown theatre, all bowling alleys and pool rooms, public, private and Sunday schools, should be closed. Churches are to be allowed to remain open. Public meetings are not prohibited, and the friendly societies may still meet."

HALF SURRENDER IN INTEREST OF LOGGERS

Government Partially Adopts J. A. Macdonald's Suggestions.

When the House met at 8:30 Monday night the commissioner of lands moved his amendment that the lieutenant-governor-in-council should have power to authorize the exporting of piles, telegraph and telephone poles, ties and crib timber, although not manufactured in the province.

Another amendment stood on the order paper in the name of the leader of the opposition, to the following effect:

"Nothing in this act contained shall be construed to prevent the export of pile and crib timber, railway ties, mining poles, telegraph or telephone poles, fence posts or fire wood."

Hon. Mr. Fulton went as far as admitting that both he and Mr. Macdonald wanted to attain the same end, but he considered that his own amendment was the better. Under that of the leader of the opposition sawlogs might be exported, but under his the inspectors would be able to examine all poles, etc., which anyone applied for permission to export.

"This is just another instance of the taking of unlimited power into the hands of the lieutenant-governor-in-council," said Mr. Macdonald, "I see no reason why this legislature should not decide what should go out of the province."

His proposal, he said, would not allow any unmanufactured timber out. All the items mentioned in his amendment were manufactured as far as they ever would be. It would not be possible to take sawlogs out under the guise of any of these things. Surely the inspectors would keep lumber men right. Even under the proposal of the commissioner of lands they would have to keep a watch. A large number of contracts had been made, and hundreds of thousands of poles and other hewn timber which had been cut and manufactured completely had been sold under these contracts and were standing on sidings ready to be loaded out. If the commissioner's amendment was carried all dealers would have to apply to the governor-in-council for a license and submit to considerable delay.

Inspectors Keep Watch.

The premier considered that in substance both amendments were the same but he thought that of his colleague the more feasible. The latter was a red tape and no inconvenience to anyone. The bill would not come into force until July next.

"How do you prevent breaches of the law now?" asked Mr. Macdonald. "Is it not by your officers?"

"Quite so," replied the premier. "I am informed that our officials keep a close watch on the different logging camps, and so far have very successfully prohibited any invasion of the present legislation."

J. H. Hawthorthwaite thought the amendment of the leader of the opposition put the case more plainly and strongly.

The commissioner's amendment was put, and as the speaker gave it as his opinion, in reply to questions from Mr. Hawthorthwaite and Mr. Macdonald, that the latter's amendment would be out of court in case of its passage, the Liberals allowed it to pass, on the principle that half a loaf would be better than no bread to the loggers. They still hold to the view, however, that Mr. Macdonald's amendment should have been adopted and that nothing short of it would be doing justice to an important industry in the province, one which Mr. Oliver pointed out was worth many hundreds of thousands of dollars.

UNSOLD WHEAT AND CORN.

Washington, D. C., March 8.—The department of agriculture today estimated that the quantity of wheat in farmers' hands on March 1st was about 21.6 per cent, equivalent to 143,622,000 bushels of last year's crop, and corn 39.3 per cent, equalling 1,047,763,000 bushels of last year's crop.

NEW APACHE WAR CHIEF.

Lawton, Okla., March 8.—At an informal meeting of more than half of the Apache prisoners of war at Fort Sill eligible to vote for a chief to succeed the late Geronimo, Asa Deklugie, son of Whos, of the Nedil branch of the tribe, was chosen chief yesterday. A formal election will be held soon, but yesterday foreboded the tribe's action.

CITY'S WATER BILL HELD UP

NO AGREEMENT CAN BE REACHED ON IT

Premier McBride Refers Subject Back to Conflicting Parties.

(From Tuesday's Daily.)

The fight made by the opposition for the opportunity to prepare clean voters' lists and the consequent protest against the objectionable amendment proposed by the government have distracted attention from the city's waterworks bill. Mayor Hall and the members of the city council, however, are not allowing the matter to drop and are busy in their effort to get legislation passed this session that will allow of some move being made.

An amendment was put on the order paper some days ago by W. R. Ross, chairman of the private bills committee, in which it was provided that the city should be able to expropriate the works of the Esquimalt Waterworks Company. It was provided that the whole of the works should be taken if a move in that direction was made. The intent seemed to be that the actual cost of the works of the Esquimalt Waterworks Company should be added to that of the city water works.

It was specified that in arriving at the cost sub-section (a) or section 123 of the Water Clauses Act should apply.

The city council and a citizens' committee met the city barrister, W. J. Taylor, K. C., and H. B. Thompson, who was charged with the bill, the council and citizens seemed satisfied that the bill was all right from their standpoint.

Mr. Taylor redrafted the amendment, striking out some of the phraseology that could not apply in the particular case, but which carried out the same intent. His amendment, which was to take the place of that proposed by Mr. Ross, was to add a new section to the bill as follows:

1. It shall be lawful for the commissioner, his agents, servants and workmen, to enter into and upon the land and undertaking of the Esquimalt Waterworks Company and to survey, set out and appropriate the same, but the commissioner shall have power to appropriate only a portion of said land and undertaking either under the provisions of this clause or of any other power conferred upon the commissioner, unless the commissioner and the company agree to the contrary.

2. In case of any disagreement between the commissioner and the company as to the purchase price of said land and undertaking, the same shall be decided by arbitrators appointed under and with the sanction of the lieutenant-governor-in-council, and the provisions of the statutes of 1892. The provisions of the "Arbitration Act" shall also apply to the arbitration except where varied by said act of 1892.

3. The arbitrators shall arrive at a fair purchase price of the company's land and undertaking, and shall be satisfied with money actually and bona fide spent in and about the construction and maintenance of the works, and by adding to such sum twenty per centum thereof, but no other sums.

4. Notwithstanding anything contained in the previous section, the commissioner may enter upon the land of the Esquimalt Waterworks Company and may survey, set out and appropriate