nches; and 1905, 66.81 inches. This, he

said, was the total precipitation in-

precipitation to arrive at the amount of water capable of being gathered.

The maximum daily precipitation for

the winter months of 1902-'03 was then

btaining a record.

A. E. McPhillips, K. C.

luding snow and rain.

from evaporation, etc.

quired at any time.

Thos. Earle.

Monday morning.

used. It was turned over on end.

lectric lighting and the tramcar ser-

therefore only a proper precautionary

examination will begin this afternoon.

Cheney vs. Harrison Amicably Settled

Out of Court-Another Case

Vesterday afternoon in the case of

tion of some which has been taken on

Later on in the evening the parties to

and accordingly had the record with-

Postponed.

This was accordingly done.

XPRESS CAR

TRAIN ELD UP SATURDAY

Was One of Those Deescribes Action of ked Men.

ig and somewhat une befel Mrs. (Rev.) of Fredley, Mont. to Victoria to visi of Lampson street. k to be one of the North Coast Limited h, as most Vic seen by telegraphic d up and robbed in Vash., last Friday .30 o'clock. Beyond ght and the inconsuch an unforesee Mrs. Pritchard was occurrence. The heir energies to the the express cars h they effectivel has been stated

itchard was told

nately \$100,000. This

one of many con nd cannot be relied d by Mrs. Pritchard same as that detail hes. At the poin the train and run all and express cars, f the balance of the then forced the enof their guns to set dynamite, which and sides of the ex tered the "through" They then decampa its, taking shots at ad put his head out and at the brake bserved approachdeparture no time ng the train. The ued without any in. a detailed report ing given at the next

nediately organized Yakima and Kittitas still in pursuit of the

aph account of the passed Spokane at ite to the Sound. En Howe was in charge west of Spokane, Hillside sta-

North Yakibed over the tender the cab and present eads of the engine was stopped at the robbers. Then the press and mail cars down the track and an stood guard over to the express car

ved at the general offiern Pacific state that asked and heavily ht in build, and were oats and blue over overalls were badly g the trainmen both the direction of North

Press dispatch from ays: "It was learned he two highwaymen North Coast Limited nt succeeded in getting press car. The safes in them than on any ich good elues have the two robbers by ific and other detect are entertained that ured. According to luctor J. R. Upson, the ld-up occurred. Upson senger told him he there was more than

ON TRAIN.

ot on the Life of Presi-Loubet.

7.-The Journal this at an infernal machine proceeding from Harng party. It consist can, cylindrical in fuse attached, which ie bomb through the at St. Norla while the shunted. The Marand Paris detective immediately a ape dent, and an investi-

ecutor and examining gin Bouquet, the paper to Saint Nom to-day ineers and examin weighs about a pound. NG TO STATIONS. Took Part in Demon-

irkisa Waters Are Withdrawn.

Dec. 17 .- The warships ch took part in the reagainst the Porte d to return to their rethe Porte having agreed

EN DEATH.

8.-Henry N. Weaver Weaver Coal and Coke e last night. He was N. Y., in 1854.

BUSINESS BEFORE BOARD OF TRADE

SEYMOUR NARROWS BRIDGE DEALT WITH

Resolution Passed Asking For Grant From Parliament to Ascertain Cost of Work.

The board of trade held its monthly general meeting last evening. The president, T. W. Paterson, M. P. P., occupied the chair.

The first subject to come up for discussion was the question of a new dredge to replace the Mudlark. It was some misunderstanding as Geo. Riley, M. P., understood that a dredge was to be built, while a communication indicated that no appropriation had been made for the purpose.

C. H. Lugrin said it was generally understood that the appropriation had been made, Mr. Riley intended to proceed to Ottawa to clear the matter up. S. J. Pitts advocated writing to the department at Ottawa in order to clear the matter up, and moved in that

J. A. Mara said that the inference to be drawn from the minister's letter was that there was no appropriation. President Paterson said that he thought that in the estimates it would be found that there was \$60,000 of an appropriation for general dredging. It was likely the intention to proceed with the building of a dredge here from that amount.

Mr. Lugrin said that another member of the House of Commons in British Columbia had said that there was an appropriation for a dredge. A. McKeown moved that a telegra-

phic message be sent to the minister asking if this appropriation had been It was decided to telegraph for in-

Secretary Elworthy called attention to the fact that the reply of the C.P.R. respecting freight rates to Calgary and Edmonton had been received. Mr. Mara thought the report should be given to the press so that it might

come before the public. President Paterson suggested that the report be referred to the railway ittee and handed to the press for publication.

A motion to this effect was carried. The committee on pilotage reported, submitting the communications relaive to pilotage, which had been passed between the secretary of the board and the department at Ottawa. The committee asked further time.

The report was received and adopt-

Mr. Lugrin moved as follows: Resolved, that the boards of trade and other representative bodies of Vancouver Island be and they are hereby requested to unite with this board in a memorial to the Dominion government, asking that a grant may be made at the next session of parliament to defray the expenses of ascertaining the cost of making a connection by railway between Vancouver Island and the Mainland of British Columbia, by way of Seymour Narrows and Bute Inlet;

Further resolved, that the Hon. Senator Templeman, the Hon. Senator Macdonald, and Messrs. George Riley, M. P.; toward the securing of such a grant.

Mr Lugrin said that the minister of railways had asked him to go into this subject. The minister of railways and fisheries of British Columbia adjacent to other cabinet members expressed the State of Washington, and the closure themselves as not being well acquaint- of sockeye canning and fishing in 1906 had been bursting of pipes. ed with the project, and of being desir- and 1908. ous of getting fuller knowledge as to That letter explained most fully the the cost, etc.

This was a subject in which Victorians should be intensely interested. subject, and found that the best way to reach Bute Inlet from the Island seemed to be by way of a bridge at Seymour Narrows. There are three ways in which con-

nection could be made between Vancouver Island and a transcontinental railway coming to the coast by way of Bute Inlet. One was by a ferry 15 miles long from Chatham Point, Van- the Canadian restriction. couver Island, to the head of Frederick Arm; another was by four bridges, one at Arran rapids, 1,100 feet long, and others at the three openings of Cardero Channel respectively 1.350 feet, 1.140 et and 640 feet long, the railway to be extended to a point on Valdez Island, from which there would be a ferry two miles long to Chatham Point; another was by constructing in addition to the above named bridges, three others, namely, one at Middle Channel 1,100 feet long, and two at Seymour Narrows, 1,200 and 1,350 feet long, respectively, which would give unbroken ail connection between the Mainland and the Island.

Mr. Lugrin read from a dispatch to show that car ferries were an important feature of transportation at the present time. The dispatch reported that Mackenzie & Mann were conolating an ice breaking ferry on Lake Superior to form a part of a ranscontinental system, the connection being from Port Arthur to avoid building of a railway along the orth shore of Lake Superior. He imself was not prepared to say that ictorians would be satisfied with a car ferry to the Mainland. What was anted he believed was a bridge. Hon. adjutant, Lieut. Von Plessen met the Senator Templeman and Mr. Riley ere ready to assist in every way. Mr.

Mr. Pitts in seconding the resolution time to bring this up. With the general progress of western Canada Vic-

torians should take a part. The resolution carried. the hoard to appoint delegates to a sents

Ifth, 12th and 18th of January next.
It was resolved to ask Mr. Hiley, the board. The president was also empowered to delegate any other repreentatives who might be visiting Ot-

The meeting then adjourned.

GAZETTE NOTICES.

This week's Provincial Gazette contains notice of the following appoint-James Evans, of Salmon Arm, to be justice of the peace. Charles Isaac Allen, of Whaletown,

Cortez Island, to be a justice of the Hugh Peed Lane Bayliff, J. P., and Robert Cecil Cotton, of Chilcotin, and Sidney Williams, of Quesnel, to be deputy game wardens for the Lillooet and Cariboo electoral districts.

Thomas Graham, of Bullion, Cariboo district, to be a notary public in and case, Esquimalt Waterworks Company for the province. Allan A. Magee, of Montreal, barris-

ter-at-law, to be a commissioner for taking affidavits within and for the pointed out that apparently there was use in the courts of British Columbia. K. C. The government has appointed the following members on the board of examiners at the coal mine oposite their names: Thomas Budge, of Nanaimo, from the department of public works | Nanaimo mine; William G. Simpson of Ladysmith, Extension mine; John Kesley, of Union, Cumberland mine; John McCliment, of Fernie, Coal Creek mine: Evan Evans, of Michel, Michel

> Notice is given that public offices of the provincial government will be closed on Tuesday, December 26th instant, and Tuesday, January 2nd, 1906. Certificates of incorporation have been granted to the following companies: The Alexandra Cannery, Ltd., with a capital of \$20,000; the H. T. Shelton Furniture Co., Ltd., with a capital of \$10,000; the Vancouver Realty Co., Ltd., with a capital of with the National Electric Company \$10,000.

Notice is given that at the next session of the legislature application will this contract. It was on account of be made to incorporate a company for the likelihood of a demand for the city insuring plate glass, etc. Incorporation will be sought for the

pany to carry on a general loaning Application will also be made for the incorporation of the St. Mary's and Cherry Creek Railway Company from the North Star branch of the B. C. Southern, about a mile west of Bayard, thence along the east side of Luke Creek and the northeastern side of Dunsmuir told witness that he had Cherry Creek, to connect with the C. had negotiations with Sir John A.

D. G. Macdonald gives notice that he will apply for a charter to incorporate the Vancouver & Northwestern Railway Company to build from Vancouver to the Pitt river, thence by the Lillooet river, the Stave river and the Harrison river to Lillooet, thence northerly to the 60th degree of latitude.

CANCELLING CLOSE SEASON.

Letter Received by Mayor Barnard From Ottawa Relative to the Subject.

A few days ago the Times in a ed, the committee was thanked and granted further time.

Special dispatch from Ottawa announced that the government would cancel the prohibition against the taking of sockeye salmon in 1906. This prohibition was provided for condisimilar action. The failure of the latter to agree to this has been followed by the decision of the Ottawa government to cancel the prohibition in so far as it relates to Canada.

> question, which reads as follows: Department of Marine and Fisheries,

Deputy Minister's Office, Ottawa, December 4th, 1905.

which actuated the minister in reaching a decision to provide for the closure in He had made careful inquiries into the the event of the efforts said to be exert ed on the part of the Washington State

authorities proving efficacious. It was pointed out that if the net resul of the negotiations left the Washington State side without any corresponding prohibition, in the face of that provided by Canada, there was a very simple nedy at all times available in the passage of an order in council cancelling

The department is in receipt of tele graphic communication from the chairman of the British Columbia fisheries ommission, now in progress in the province, stating that it is unanimously mended, because of the failure of the Washington State legislature to provide requisite legislation for the clo during the approaching season of 1906. that the prohibition conditionally provided by Canada, applicable to that year,

Under the circumstances and conditions obtaining, I may say that immediate steps will be taken to procure the requisite authority to cancel the prohibi tion so far as 1906 is concerned; but that portion of the order in council which applies to 1908 will not at present be in-

terfered with. This announcement is made in advance of the pasage of the order in council formally rescinding the closure for 1906. in order to afford those interested ample time to arrange for conditions different from those under the anticipated closure. Yours faithfully,

F. GOURDEAU.

GIFTS FROM THE KAISER.

Berlin, Dec. 16.—Emperor William's Japanese prisoners of war, who are passing through Germany from Russia Smith, Mr. Sloan and Senator Mac- early to-day with a large supply of donald would he felt sure lend their chocolate and cigarettes and for the assistance. The boards of trade and officers bouquets of chrysanthemums. city councils should also be interested | There were 1,728 men and 58 officers and they were greatly touched by the ought this was a very opportune Von Plessen, Baron Von Bem Knez- adjourned until Monday morning. The which it was proposed to go on with. beck, master of ceremonies of the em- case for the Esquimalt Waterworks press and representative of German Red Cross, and the Japanese minister and his staff were at the station and An invitation was read from the shook hands with officers while grooms In large measure the evidence has shook hands with officers while grooms In large measure the evidence has the hearing.

McDonald vs. Robinson was read from the same ground the property of the proper

T. LUBBE IS UNDER CROSS-EXAMINATION

Progress Being Made in the Application For Injunction Against Victoria Power Company.

(From Friday's Daily.)

Upon resuming the Goldstream water vs. Victoria Power Company, before Mr. Justice Duff yesterday afternoon, the evidence of T. Lubbe was continuprovinces of Quebec and Ontario for ed under examination of Fred Peters,

> At the conclusion of this A. E. Mc-Phillips, K. C., began the cross-examination. Mr. Lubbe said that reservoir No. 1 was cleaned out to make the water suitable for domestic purposes. When reservoir No. 1 was prepared the Esquimalt company had in view the preparing of water for the Esquimalt peninsula to supply Victoria city and to supply the National Electric Com-

Mr. McPhillips wanted to know if the Esquimalt company in its agreement with the National Electric Company had not made a sale of power.

Mr. Lubbe said this was but a way of expressing the measurement of the water supply. Mr. Lubbe said, to be frank, he never thought the contract would come to anything. The reservoir was not made large on account of being made.

In reply to Mr. McPhillips, witness B. C. Permanent Loan & Savings Com- said that the pipe line to Esquimalt peninsula was not laid because the exense was too great for the demand. If the Songhees reserve were opened to business and settlement the pipe line would have been required. In 1892 there was a greater possibility of the put in. settlement of the reserve than there is at the present time. In 1885 Robert Macdonald by which the E. & N. was to be given the Songhees reserve. Mr. Dunsmuir said that the company intended to build bunkers and provide hipping facilities. The reserve was to be divided up into lots and disposed of. The outberak of smallpox interfered

with the growth of Victoria, and it taken. The Mr. McPhillips wanted to know why \$67,000 was spent on the reservoir in 1892? He wanted to know if it were in consequence of the contract with the National Electric Company.

Mr. Lubbe said it was not. There company. The works were carried out by the directors because they were an enterprising body of men.

Mr. McPhillips wanted to know if it

could be regarded as a business proposition for the city to take water from tional upon Washington state taking the Esquimalt company at six cents a

thousand. Mr. Lubbe said that it was a perfectly business like proposition. The contract was limited to five years. It would not be favorable to the Esqui-Mayor Barnard has received a letter malt company. The city might find it-from the department of marine and self in a fix, and thus get out of it. fisheries at Ottawa touching upon the The city water supply was put at about 2,000,000 gallons a day. The cost for pumping, etc., was about \$12,000. The city of Victoria under this contract could come in and take, say, 500,-Ralph Smith, M. P.; and William Sloan.

Dear Sir:—In the absence of the Hontract could come in and take, say, five
orable Mr. Prefontaine, P beg to refer hundred thousand gallons, and thus you to his letter of the 9th February last, supply all the high levels. He contouching the suggestion for conjoint tended that the city's mains would

ed from 172 feet to 277 feet, and there Further questioned, Mr. Lubbe said that the 5.000,000 gallons provided for onditions obtaining and the reasons as the maximum in supplying the city would meet all the demands for 50,000 people, even allowing for waste.

From 1892 to 1897 the reservoir was used for the storage of water as well for experimental purposes, he said. The cross-examination continued up to the time of adjournment.

To-Day's Proceedings.

This morning upon court reassembling Mr. Lubbe further cross-examined was asked by Mr. McPhillips why the power house was not located on Fin-

Mr. Lubbe said that the power house was located higher up in order to allow of the water being provided for the Esquimalt peninsula and the city of Victoria At Millstream, about five miles below the power house there was really a prefereable site for the power house. The watershed cost \$61,000. The tramway company was entitled

to 8,000,000 gallons of water a day at present. The company could take the whole day's supply in eight hours, but if such were done nothing could be drawn for the remaining 16 hours. If the company wished to increase the at the time of adjournment. His crosssupply of water to 15,000,000 gallons twelve months' notice had to be given. Mr. McPhillips wanted to know if notice had not been given by the tramway company in 1900. Mr. Lubbe said it was not in the

terms of the agreement. From November to March inclusive the company did not count on drawing water from the reservoirs for the power company. Of course some times account of the watershed below the reservoirs being frozen it was neces sary to draw from the dam. the static head of water in supplying the power house was 664. In the contract it was provided that the water should furnished at an effective head of 570 feet. To allow for friction the 664 head would give 510 feet of head.

The court adjourned until 2 o'clock.

(From Saturday's Daily.) The Goldstream water case has been tice Irving would take any of the cases Company in its application for an injunction against the Victoria Power Company has almost been completed. Canadian Forestry Association asking of the Emperor distributed the preas that of the previous case, where it for Monday forenoon,

was sought to restrain the city from btaining a record. Yesterday afternoon S. Lubbe's ross-examination was continued by Witness gave the annual precipitaon at Goldstream for various years ending June 30th. In 1894 it was 71.96 inches; 1895, 65.4 inches; 1896, 82.48

inches; 1897, 74.17 inches; 1898, 64.98 nches; 1899, 68.99 inches; 1900, 75.41 AND BODY OF W. KEIL inches; 1901, 75.41 inches; 1902, 65.64 inches; 1903, 67.07 inches; 1904, 72.71 HAS BEEN EXHUMED

Witness said that in England en- Coroner Hart Authorized to Hold Full gineers agree to take 15 inches from the Investigation Into Boy's Death-Dr. Carter's Statement. He had found, however, that here 16 inches should be deducted for loss

(From Friday's Daily.)

was 2.02 inches; October, 1.36 inches; morrow morning before Coroner Hart November, 3.03 inches; December, 3.41 at the city hall, when the circuminches; January, 1903, 1.31 inches; Feb- stances surrounding the death of Wm. Further questions were directed by Mr. McPhillips along this line, but it tion performed by Dr. R. H. Carter for of the trouble. was pointed out that it was impossible the purpose of drawing off an effusion at any time to tell what water would be gathered, as the amount of loss typhoid pneumonia, which had develop- the child as little pain as possible before the child was dead. Goldstream watershed. Of this only knowledge of the parents, the father about 40 per cent. was gathered or 988 being present at the time.

inches. To supply the tramway com- Since their boy's death Mr. and Mrs. The court then adjourned until 10.30 eral's department.

All the circumstances were subject- | time. water works company. He testified to mains exhumed and conduct an in- far as practice goes.

the position of the notices posted by quest in the usual way.

the power company. One he saw in The funeral of William Keil took would have been only \$2.700 from that about 200 yards from the stream. This ket was unearthed, and to-morrow afthe seepage from the ditch to Cabin be present to give their evidence.

A Times reporter this morning called Cross-examined by A. E. McPhillips, upon Dr. Carter at his residence, Fort to hide in the matter, and welcomed injured any vital organ, J. Crook, caretaker at No. 1 reser- the investigation because he was sure voir, was also put in the stand, and it would clear himself of Mr. Keil's gave evidence relative to the collecting charges of carelessness and ineffi-of water there and the methods employed. taken was one not generally fraught taken was one not generally fraught with much danger. It had simply been and Mr. McPhillips opened the defence. his ill-luck that the boy whom he was In shortly outlining the course which tending should die. Under the circumwould be pursued by the defence, he stances he considered that the inquest said that the company had become was in his interests, and the outcome, aware that the city after taking legal he was confident, would be the clearing advice had arrived at the conclusion of his professional reputation from that a record was obtainable. This any cloud which might have been was something in which the B. C. created by Mr. Keil's unjustified re-Electric Company was deeply interest- marks. It had been called at his pered. If someone else stepped in and got sonal request, and it was to be hoped a record the company might be left in would satisfy the boy's parents that a very awkward position. Mr. Lubbe, his death was not the result of quesrelying upon his rights there, would tionable surgical treatment. not take steps to obtain a record. The course," he added, "it places me in a tramway company might find itself in rather awkward position. The public the awkward position of not having is so prone to condemn a medical practhe power for the supplying of the titioner without giving him a fair hearing. Why it is I don't kno vice of the city of Victoria. It was certainly don't desire deaths: in fact. electric company should seek a record. every patient coming under our care,

if such a thing is possible." The first witness called was A. Her-Continuing to speak of the case in on, engineer for the B. C. Electric question, Dr. Carter stated what has Company. He said that he had in 1897 already been mentioned. He said the visited Goldstream to report on the supply of water for the B. C. Electric operation upon the Kiel boy had been decided upon only after a consultation Company just prior to entering into with several other competent medical the contract with the Esquimalt compractitioners. They had agreed that it pany. He did not recollect the water would be much more dangerous to supply at the time in the river. This allow the effusion formed on the lungs fall he posted the notices for the Victo remain than to attempt to draw it toria Power Company, in which a re- off. Therefore on Friday morning last cord was sought. He said he placed he had undertaken this. It, however, them in such a position as to avoid the had proved too much for the patient, washing away of what was written on who had expired before its completion, and in the presence of his father. His evidence in chief was completed

In order to bear out his action in this instance, Dr. Carter quoted the following from Strumpett's Text of ger in delaying interference with a large effusion, especially if it has come on pretty rapidly. The liability to sudden and fatal dyspnoea under he informed the father that he that condition is now well recognized." was not generally considered danger-Cheney vs. Harrison the hearing of evidence was concluded, with the excep- ous, that it was often performed, and ission in California. Judgment was tions he had seen fit to take in the case which would be investigated. The therefore reserved in order to admit this danger of allowing the effusion to remain was so generally recognized that many medical men relieved it immedihe suit made a satisfactory settlement ately it appeared without a consultation or informing relatives.

Mr. Justice Duff, who was to take the Everything, he concluded, would be civil sittings, informed the various par-ties yesterday concerned that he would brought out at the inquest. It was his intention to hold back nothing, so that not likely be able to take any of the rethe public might be in a position to judge of the authenticity of the perform again he would act just as he Elworthy was instructed to wire to maining cases on the list. He further charges Mr. Keil had seen fit to lay had done. informed those interested that Mr. Jus-

Waitt & Co. should be gone on with this morning. The illness of Mrs. Dominev. however, made it necessary to postpone ness was completely exonerated. The not hurt much. The doctor had then towards replacing of dredge Mudlark."

The The second of the second o

jury was composed of Henry Levy to use a larger tube, and witness ask-(foreman), Ernest Temple, James Greer, E. J. Howe, Alex. Muir and Wil-if it would hurt much. The reply was wise to blame."

had been a patient in the hospita! for me, fan me." given. It was as follows: In September, 1902, the heaviest fall for any day terest is pending. It will be held tomorrow morning before Coroner Hart the right side of his chest, a common wouldn't have this occur for one ruary, 2.23 inches, and March, 2.50 Keil, the eight-year-old son of Mr. and McMicking and the attending physi- Kiel, I'm afraid your child is gone. I Mrs. Keil, of First street, will be thor- cian, Dr. Carter. All agreed he had an said: "Dr. Carter, you have killed my In reply to a question of Mr. McPhillips witness said that one inch of

Times will remember this death ocmove it—the sooner the better. In

Oughly probed. As most readers of the
move it—the sooner the better. In rain on an acre of land would give a curred last Friday morning at the Jutal of 1.50 miner's inches.

Things will reliable this death of the solution of the last solution of the

from evaporation or seepage could not be estimated.

| Coroner | C It was admitted that about 2,470 consultation between several well-miner's inches of water fell on the knowledge of the parents, the father could do under the circumstances. A consent of the parents before an operation, which was the only point that needle was put in, but nothing came which there had been a difference that pany 562 miner's inches were required, keil, it is said, have accused Dr. Carleaving 426 miner's inches, which Mr. keil, it is said, have accused Dr. Carleaving 426 miner's inches, which Mr. keil, it is be pushed in a little further. This was McPhillips contended ran to waste.

Mr. Lubbe, however, contended that of times, and in an interview with the stated, called on the police a number done and some fluid came out. He however, contended that of times, and in an interview with the noticed then that the child had stopt was not wasted as it might be redetectives and other officials contendered ped crying, and that his color had uired at any time.

ed that owing to his comparative povchanged. The needle was taken out ation. All could sympathize with the
and the child was gone. To Coroner poor father, who had lost his child but Lubbe was allowed to leave the wit- an investigation. He wanted one be- Hart witness said that he believed the jury must alone consider the evicause he believed that the child's death that the child died from shock. He dence before it. The jury then retir-Other evidence was then taken, the witnesses giving practically the same the part of the doctor, in other words operation. In answer to questions put testimony as in the previous case.

The witnesses were A. Peatt, T. W. although it was not so termed by law. by jurymen witness said that it would have been dangerous to have used that the latter was guilty of murder, by jurymen witness said that it would Paterson, M. P. P., Thos. Astle, J. He is alleged to have accompanied his chloroform. The child would have Henrick McGregor, J. A. Sayward and strong denunciation of Dr. Carter with died in time if the operation had not threats. These were all conveyed to been performed. There was no other The evidence of F. S. Barnard, taken the doctor, and he immediately took way for removing the fluid except by on examination for discovery was also steps to satisfy the parents by refer- the operation performed. As to the ring the matter to the attorney-gen- father being able to quiet the child, Dr. Hasell said he was in the room all the

The Goldstream water case was resumed in the Supreme court this morning before Mr. Justice Duff. The Results Market Marke Esquimalt Water Works Company, was completely exonerated. But the dence. Dr. Davie said he knew nothwhich seeks the injunction against the decision was still insufficient to the ing about the case in question, but in the Arion Club in Institute hall and Victoria Power Company completed its side of the case and part of the evible demands for a public hearing, and mentioned by Dr. Carter diagnosing dence for the defendant company was once more his request was complied as nearly as possible the case in point, with. The department was informed, Dr. Davie explained the usual profes- and most satisfying yet held. This in The first witness called this morning and instructions were given Coroner sional course, and in every way enwas Adam Ross, caretaker for the Hart authorizing him to have the redorsed what Dr. Carter had done in so
of which the worthy leader, E. Howard

the power company. One he saw in the tank, and another he found several hundred yards below Cabin pond, ahout 200 vards from the stream. This the was unearthed, and to-morrow affectively and the stream and the stream of the stream that the results was on a stump very much hidden by ternoon Coroner Hart will enter into effect. Dr. Hall stated that the rebushes, etc. Another notice was below the details of the case. Dr. Carter, the power house.

the medical men whom he consulted and empyena and the immediate cause of Seattle, soprano; Miss Miles, and empyena and the immediate cause of No. 2 March 1988.

A R C M planist: Mr. R Nash. water flowing through Goldstream past the power house except that of others have been subposped, and will past the power house except that of others have been subpoenaed, and will collection of pus in the pieural cavity. G. J. Burnett, organist. During the course of his evidence Dr.

Dr. Carter asked the witness if he would get the consent of the parents before operating if a patient had an effusion extending to the second rib or beyond. Dr. Hall replied no, but if the finest pianist ever heard in Victoria. parents were around it was customary

Of the next witness Dr. Robertson, Dr. Carter asked: If you had that peration to perform, would you conlatives of the patient it was danger-

Dr. Robertson-No; it is done quite often without an anaesthetic. Miss Gladys Grant had also

called as a witness, and agreed with the evidence of Dr. Hasell. As the jury did not care to hear enthusiasm. further expert evidence Dr. Carter

next entered the box. He said that he had seen the child about four weeks before its death. He found the boy in great pain, breathing Royal apart from all other considerations, it | very rapidly. He tried to examine him nove that a company favorable to the is in our interests to save the life of then, but circumstances did not permit a full examination. Next day he ordered the boy taken to the hospital, telling the parents the sickness was to the South Park school drawing difeither pneumonia or appendicits. In the ficulty was again adjourned this mornhospital he found the case to be pneu- ing, this time until next Tuesday. The nonia. About four days before the cause was the same as that which inchild's death he found indications of volved yesterday's fluid in the chest. On the day before namely, the absence of a stenographer. the boy died he decided it would be Mrs. Blygh is busy officiating in necessary to operate the next day. Supreme court, while Mr. Gilbert is Opctors Stainer and McMicking were on the Mainland. His Honor Judge resent, and he asked them to exam- Lampman was not inclined to take the e the boy. This was not necessary, but was done to assure the father, who produced, in long-hand, so it was unwas so much taken up with the boy. The father was told of the presence of array of pupils, pedagogues and inthe fluid and of the necessity of re- spectors was similar to moving it. The father asked if there adorned the County court room yesterwas danger, and was told there would day. Interest in the controversy conbe little if any. Mr. Kiel then asked tinues to be intense, accentuated, per-Medicine: "There is considerable dan- if there would be much pain. Wilness haps, by the fact that the informed him he could freeze the part Wednesday's meeting decided to withwith ethyolchloride. After getting Dr. hold the supplying of the South Park Hazell they returned to the boy, and principalship until next Wednesday had night. obtained some ethyalchloride, and the He went on to say that operation latter did not object. Just as he was injecting the needle the father called out: Stop! stop! and the little boy Minister of Public Works Wires That many times done without the precau- responded: Father! father! He then withdrew the needle. He could do nothing more for the child. The father had asked witness why he did not tell the department of public works has him there was danger. On this point made an appropriation for a new witness submitted several authorities. dredge at Victoria to take the place of One cited said that there was danger the Mudlark has been settled by a in delaying to remove the effusion, message received from Ottawa to-day. plained that the operation was very, board of trade some anxiety was exvery simple. In conclusion Dr. Carter pressed lest such an appropriation had said that if he had the operation to

> As a result of the inquest held on fore the doctor was called. He de- public works. The message read: "Has Saturday afternoon to inquire into the scribed how well the boy felt the morncircumstances of the death of Willie ing of the day he died, and the inci- dredge at Victoria?" Kiel, the eight-year-old son of William | dents leading up to the operation. Dr. tending physician during the boy's ill- child's side, and told witness it would man. It said:

liam Heater. Their verdict after a that there would be no danger in the great deal of expert evidence had been least. He wanted the operation post-given was "That the child came to his poned for a day, but the doctor was death from natural causes, from the effects of a shock to the system while as everything was in readiness. He undergoing a necessary operation, and asked if ether or chloroform could be the attending physician was in no used, and was informed that the boy could not stand either. By this time The inquest had been called at the the doctor had the freezer on the boy's igation of the attorney-general's side. Witness pleaded for mercy. department upon representations made by Dr. Carter. The latter had performinterfere with our business." Coned an operation on the boy, and as his professional reputation was being attacked he wished to have all the facts it against my consent." By that time made clear to the public, and "t the he had the tube ready to push it into same time put the father's mind at the child's body, but there was diffirest. Dr. Hasell, medical health offi- culty. He pressed the tube in with cer of the Jubilee hospital, was the the heel of his hand. The little boy first witness. He testified that the boy hollored and said: "Papa, papa, fan These were some weeks. The boy was suffering from pneumonia. He improved, but from the child's side and it fell on the occurrence in such cases. He was ex-amined by witness, Dr. Stainer, Dr. what have you done?" He said: "Mr. boy's side, and established the nature gates, and I said: "Dr. Carter, what did you do that for?" He said the Dr. Hasell had made preparations child would not have lived twenty-four

exercised was a matter

ARION CLUB GAVE A SPLENDID CONCERT

Institute Hall Was Filled Last Events by an Enthusiastic and Music Loving Audience.

Compared with their concerts in other years, that given last evening by marking the club's fourteenth season, will go on record as one of the best Russell, can justly feel proud. Every post mortem examination, and Dr. seat in the hall was occupied, and the

Mrs. Lemmel has a coprano voice of Hall said it was a well-known fact good quality, and her selections add-Cross-examined by A. E. McPhillips, upon Dr. Carter at his residence, Fort K. C., witness said that the tank in which the notice was posted was not stated that he had nothing whatever used. It was turned over one and the had nothing whatever and was cordially received. He attorned by Dr. Carter could not have stated by Dr. Carter could not have art that sets musicians talking, as ft creates the very best impression and that lingers. Miss Miles is regarded by musicians in the city as one of the Mr. Burnett and R. Grant, two other local musicians, were also warmly re-

> lations on the initial production of his compositions. The programme of the concert has heretofore been published. Owing to the lack of space it is impossible refer at length to the various numbers endered by the club. Suffice it to say that the twenty-five members of the organization sustained its reputation singing well every selection and in

> > AGAIN ADJOURNED.

Commission Into Drawing Marks Difficulty Postponed To-Day.

The royal commission of inquiry in animously decided to adjourn.

A NEW DREDGE.

Mudlark Will Be Replaced.

At last evening's meeting of the not been made. Accordingly Secretary William Kiel, father of the boy said Mr. Elworthy last night sent a messthat the latter was sick two days be- age to Hon. C. S. Hyman, minister of an appropriation been voted for a nev

The reply was received to-day by Kiel, Fourth street, Dr. Carter, the at- Carter placed a little tube in the Mr. Elworthy, signed by Hon. Mr. Hy-