

# THE DAILY NEWS

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PRINCE RUPERT, B.C., MONDAY, MAY 13, 1912.

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## MUNICIPAL CLAUSES ACT RENDERS BYLAW VOID

### QUITE WITHOUT AUTHORITY MAYOR DRAWS CASH MONTHLY

**Amendment to the Municipal Clauses Act Which Came in Force February 27th, Renders Null and Void From the Start Indemnity Bylaw Passed on April 1st---System by Which Mayor is Paid Monthly is Without Precedent in Rupert**

Under the revised statutes of 1911, Section 53, sub-section 8 of the Municipal Clauses Act provides that a council may pass bylaws for paying the mayor out of the annual revenue, a sum of money not exceeding \$2000.

Chapter 25, section 4 of the Amendment of the Municipal Clauses Act of 1912, repeals sub-section 8, and substitutes therefor a provision enabling the council to pass a bylaw for paying the mayor of a city having a population of 20,000 or more, a sum of money not exceeding \$4000.

This Amendment came into force on the 27th day of February, 1912.

There is now no authority whereby a city council of any city having a population of less than twenty thousand can pass a bylaw providing for the payment of

the mayor. There has been no authority since the 27th of February this year.

Nevertheless Prince Rupert's City Council of 1912, Mayor Newton's council have on file today at the city hall a bylaw known as the indemnity bylaw for 1912, No. 108, which provides for the payment to the mayor of the sum of \$2,000 per annum, in twelve equal instalments, payable each on the first of the month until December, when the last instalment is paid on the 31st of the month. Payment of the aldermen at the rate of \$400 per annum in the same way by instalments is also provided for by this illegal bylaw, No. 108.

This bylaw was read the first time on April 1st, 1912. The rules were suspended and it was read the second time, considered in committee of the whole, and

passed, all on April Fools' Day, 1912. It was reconsidered and finally adopted on April 9th.

Today this 1912 indemnity bylaw is null and void. It was drafted, reading, considering, passing and final adoption, right down to its signature by Mayor Newton, and the affixing of the city seal are all mere empty form. There is no bylaw. It is so much waste paper, representing so much wasted effort. It was passed on April Fools' Day, and it is an April Fool bylaw.

The joke is on the Mayor, for as a matter of fact the aldermen's indemnities will not be affected by the illegality of the measure. The responsibility of having taken illegally an appropriation from the city's treasury rests entirely with the mayor, through this hitherto unnoticed amendment of the Municipal Clauses Act.

What makes the situation so much less creditable to Mayor Newton is the fact that he seems to have been in such a desperate hurry to finger his money for acting as mayor. This passing of the indemnity bylaw so that the moneys are payable in instalments monthly is a new thing for Prince Rupert. Mayor Stork and his council passed their indemnity bylaw almost at the end of their term of office. So did Mayor Manson and his council.

It was left to Mayor Newton to sign his honored name to an illegal indemnity bylaw rushed through with unseemly haste about nine months earlier than either of the other councils had begun to think of paying themselves for their services out of the city funds. It seems like a foible of fate that Mayor Newton should have signed his name beside that foolish looking date, April First.

### THE WEATHER.

For twenty-four hours ending 5 a. m., May 13: Barometer, 30.172; maximum temperature, 70; minimum temperature, 50.

Pantorium Pioneer Cleaners. Phone 4.

### ISN'T TODAY JUST A PEACH

**Sunday's Perfection Took the Whole Population Out on the Harbor or Far Afield---Everything That Floats Chartered.**

Not a single boat could be had for love or money on the waterfront yesterday afternoon. Everything that would float was aired and out on the harbor in the ideal weather. Warmth like that of summer in its strength prevailed. Coats and waistcoats were discarded by the masculine population. The eternal feminine, fresh and cool in her gossamer garb of midsummer texture and radiance, paraded her charms in superb sunshine.

Streets were as shimmering in the haze of sheer hotness rising from their parched surface. The harbor was a sheet of shining silver, still as a mirror, a hundred reflections glimmering in its depths. Prince Rupert yesterday was like Toronto in June, yet with the refreshing tang of the great sea in her soft breezes so different from those of the lakes.

Today is even more perfect. The city is basking in sunshine. All the air is steeped in it. There is no finer weather to be found in the whole world than you are experiencing today in Prince Rupert.

### PRINCE RUPERT MARINE NOTES

The Camosun sailed on Saturday evening with the following first class passengers:

Gillespie, John      Hodgson, S. B.  
Dana, Mrs. A. P.      Parsons, L. W. S.  
Williams, M. F.      Rustand, O. C.  
Bergman, A.      Wood, C. S.  
McLeod, J.      McDiarmid, W. A.

For Vancouver the Princess Royal took south last night at 6 o'clock the following first class passengers:

Clayton, E. J.      Schoenback, Mr.  
Hays, R. C.      Allen, C. A.  
Livingston, Mr. and Mrs. Rev. Father  
Slade, E.  
Tomlinson, Robert      Crawford, R. C.  
Nelson, Mr. and Mrs. Fraser, C. J.  
Flick, A.      Jones, J.  
Gertson, T. G.      Brain, E.  
Mullen, P.

The Princess May, en route to Skagway, called at this port yesterday at about noon with mail and freight and a few passengers.

Promptly on schedule this morning the Prince Rupert sailed for Vancouver, Victoria and Seattle. Among the passengers were:

Black, H. C.      Hallen, A. E.  
Weston, Mr. and      Lynch, Mrs. J. M.  
Waghead, D.  
Dunward, D.  
McLean, J. O.  
Ripper, C.      Drake, R. A.  
Mason, Mr. and      McLean, Mrs.  
Stoeve, Mrs. N. E.  
Nichol, Mrs. R. W.  
Kuefer, J. H.      Burns, James  
Bailey, Mike  
Richardson, Mr.      Gratton, George  
Bristow, J.  
Clark, Miss Olie      Pritchard, A. S.

The next American boat from the south will be the City of Seattle on Thursday.

The Spokane will call here south-bound on Wednesday.

The regular meeting of the Trades and Labor Council will be held this evening in Carpenters' Hall.

**Twirlers, Take Note.**

Ball practice tonight on the Second avenue diamond at the usual hour.

Everyone delighted at Keelley's with the most delicious ice cream.

Mr. and Mrs. William Manson left for a visit in Vancouver and Victoria today.

### DIAMOND DRILLER'S BATTLE WITH BUSH ON GRAHAM ISLE

**Development of Queen Charlotte Islands Coal and Oil Claims is Not Child's Play---Difficulties and Perils of Conveying Plant to Scene of Operations Detailed in Description of Doings of One of B. C.'s Pioneers of the Diamond Drill**

W. L. Barton, who is in charge of the drilling operations for the Graham Island Collieries, Ltd., is one of the most remarkable men who have been entrusted with pioneering work in the new coal fields of British Columbia. He has drilled from Pennsylvania to the Yukon. Among other undertakings to his credit was the drilling for coal on the Klondike River, Yukon, carried out for the Morrison interests, and for the Mahatta Coal Company at Quatsino.

His Quatsino experience was peculiar. He was sent to work at Clear Creek. The plant was landed at the wrong place, and there was no means of getting it away by steamer for three weeks. He found a large scow on the sound, borrowed it, got a large piece of sheet iron, cut it into segments, to which he gave the necessary curve to make a propeller out of it. This he attached to his drilling plant, and with steam up in the boiler used to operate the plant he steamed away down the sound to the point where he was to work, completed his drilling contract and came on to Vancouver with his plant.

The Graham Island Collieries, Ltd., were at that time figuring on sending a drilling plant to their ground on Graham Island. They recognized the difficulties of getting a plant in there where there were no roads, no navigable waters and a dense forest growth through which to transport a plant. They heard of Mr. Barton's exploits at Quatsino, and they said: "That's the man for us." So they struck a bargain with him. He got his plant aboard the steamer for Prince Rupert, says the Mining Record, built a scow there, rigged up his drilling plant and a home made

propeller in the same manner as he did at Quatsino and steamed across Queen Charlotte Sound to Masset Inlet, beating a tug boat on the trip.

He went up Masset Inlet as far as he could get with the scow and built one of different pattern to get up the Yakoun River. At some places this river is filled with log jams. At such places he felled trees, laid them at an angle, trimmed the upper side, and hitching on to a big tree the hoisting drum of the drilling plant, hauled the outfit up over the log jam and down the other side. At some places the water was too shallow to get along, so he dredged out a channel to float his scow through such places. At others trees overhung so low that the smoke stack of the donkey engine would not pass under them, and these had to be

cut out. Then, when he got to the head of the Yakoun River he hewed through the timber a roadway for his outfit, and in logging engine style hauled his plant along by means of the hoisting drum until he got to the ground where he was to work.

It took nearly all summer to get there, and he was a played out man at the end of the trip, but he got his drilling plant to work and had a hole down 400 feet when winter came on and he had to come out for the winter months. He is returning to the field to resume drilling and will find out how many coal seams are there, their depth and quality, before he returns to his home in Vancouver.

Rev. Father Bunoz was among the passengers sailing by the Princess Royal.

another Vancouver or even greater here in Prince Rupert. Thanks to the efforts of Captain Kerr, who has held the fort during the interim between the resignation of Captain Tuttle's predecessor in office and the captain's arrival, Salvation Army affairs are ship shape and good work is in full swing.

### CEMENT PLANT TO START Million Dollars to Be Expended on Construction.

The Portland Cement Construction Company, a company subsidiary to the Associated Portland Cement Companies, Ltd., of London, England, has started the construction of cement works in British Columbia, the site being on Saanich Inlet, tributary to navigation and to the E. & N. Railway. The estimated cost of the plant is \$1,000,000. The plant will cover an area of five acres, and excavation work is proceeding on the site. The plant will be entirely of British manufacture, and will have a capacity of 2,000 barrels a day, or about the same as the output of the Vancouver Portland Cement Company's works on Tod Inlet. From 200 to 250 men will be employed. Homes will be erected for the employees near the works. This plant is intended to meet the demand for British Columbia, Alberta and Saskatchewan.

### Observatory Inlet.

The 75 tons of ore shipped by Captain John Irving from the Roundy claim on Alice Arm to the Tyee Copper Company's smelter at Ladysmith averaged \$75 per ton.—Mining Record.

The Ramble Club of the Presbyterian Church will inspect the quarantine hospital at Digby Island on Wednesday night. The launch leaves at 7:30.

### SEEKING A PRESIDENT

Alf. W. Smithers, Chairman of Board of Directors of G.T.P., is on his way West to Select a Successor to late C. M. Hays.

(Special to Daily News.)

London, May 12—Alfred W. Smithers, chairman of the Board of Directors of the Grand Trunk Railway left today, sailing from Liverpool for New York. His intention is to select a successor to Charles M. Hays, who was the victim of the Titanic disaster, as president of the company before he returns to England. Sir Donald Mann, vice-president of the Canadian Northern Railway accompanied Mr. Smithers. Sir Thomas Tait, a well known Canadian railroad man, who filled several important positions on the Canadian Pacific and Grand Trunk lines, is regarded in some quarters here as likely to become President of the Grand Trunk.

Warm, clean rooms at Savoy.

### RUSH IS ON TO CANADA

U. S. Railroads Have to Enlarge Emigrant Trains.

Duluth, Minn., May 11.—Emigration to Canada has become so heavy that the Duluth, Missabe & Northern road has placed two extra sleeping cars on trains north from Duluth to accommodate the increase in traffic. Similar action has been taken by the Missabe road say the movement is the heaviest they ever have known and a further increase is likely to necessitate the addition of yet more cars to every train.

### BISHOP SPEAKS OF MISSIONS

Letter from Church Leaders Signed by Twenty-One Bishops Read in the Anglican Church Yesterday—Mission Enterprise Vividly Described.

In the Anglican Church of St. Andrew yesterday at the morning service, the Rt. Rev. Bishop Du Vernet read an interesting letter from the church leaders on the work of the Missions of the Church of England in British Columbia. The letter was signed by twenty-one bishops, the name of the bishop of the new diocese of Columbia being the last one on the list.

An interesting fact was noted by Bishop Du Vernet, namely that his own name now appears tenth on the list, though it is comparatively a short time since he took office as Bishop of Caledonia. So arduous is the nature of the work in British Columbia that many of the pioneers of the church are removed by death or illness, and thus the movement of names along the list is rapid compared with the experience in older established bishoprics.

The letter read by Bishop Du Vernet yesterday, while urging on the members of the church the needs of the mission enterprise, showed how the church maintains its traditional aim to lead the van of progress, or failing that to march side by side with the pioneers. This, as the bishop pointed out, is being done throughout the dioceses of Northern British Columbia very strenuously. Only last Sunday Bishop Du Vernet opened the new church at Terrace, and as he points out he has ever to be alert to locate mission sections in newly arisen centres of population, purchasing sites at the ear-

liest, trusting to the future to aid the enterprise justified by the importance of the centres created.

Robert Jennings returned yesterday. He left the government agricultural party up river.

### RUPERT'S INDUSTRY Canada May Soon Withdraw from Fisheries Treaty

Ottawa, May 10—The intimation given at Collingwood by the Hon. J. D. Hazen that Canada may withdraw from the international fisheries treaty is likely to be given effect to in a comparatively short time. The regulations were drawn up three years ago by a joint commission and were such as to protect and cultivate the fisheries in the international waters. The Canadian parliament promptly ratified them. The United States senate, however, has failed to do so and has insisted on amendments objectionable to Canada.

There is a bare possibility that the treaty may pass the present Congress but it is improbable. If it does not Canada will certainly have to withdraw.

### Popular Launch Warbetheong in Commission Again.

Pleasure seekers will be glad to hear that Captain H. K. Freeman's well known gasoline launch is in commission again. A particularly popular feature of the boat is that it is fitted up with its own telephone, Black 53, and is thereby connected up with the city whenever it is at its moorings at the end of the G. T. P. wharf.

J. A. Kirkpatrick went up river today.

Remember Sons of Norway's banquet and dance, Friday, May 17th, at 8:30 p.m., at the Hotel Central. 8-11-16

### PRINCE RUPERT TWENTY MINUTES AGO

Mayor frantically turning over the pages of the Municipal Clauses Act hunting for that amendment.

Terrific boom in straw hats and parasols; tremendous slump in slickers and gum boots.

Merely Mabel says she guesses she'll put on her peekaboo saffron, what?

Chorus of astonished aldermen securely drawing their \$33.33 per: "Oh, you Mayor!"

Burning question: Is the Finance Minister going to resign and run for mayor?

Nick played hazard. Made record. Keeley dinked.