THE VICTORIA WEEKLY TIMES, FRIDAY, JULY 28, 1893.

The Wleekiv Times Victoria, Friday, July 21, 1893.

DR. BURWASH'S REASONING.

"The Times, instead of coming to Dr. Burwash's rescue, which, after quoting tage on the "silverites," and would supply a means of testing bimetallism, which him as an authority, it might be supposed it would do, virtually admits that the Sherman law does not supply. There his reasoning is unsound." Thus saith is no manner of doubt that the experiment would result disastrously for the the Colonist. Further, it seems we States, but it would at least settle the have backed out. It is necessary only to say that we did not look upon Dr. no sort of argument will convince the Burwash as in need of any rescue, that advocates of free silver coinage that we have not quoted him as an authority, the United States cannot, if it were and that we have not admitted that his ever so willing, maintain a ratio of 16 reasoning is unsound. The Colonist has, in fact, been at its old trick of drawing to 1 or any other arbitrary ratio, between gold and silver, and perhaps they on its imagination. However, we did might see the truth if the test were actuand do admit that if Dr. Burwash had ally applied. It is to be feared that reasoned as the Colonist said, his reasonthe law of supply and demand would be ing would have been unsound. The too strong for even the united strength "post hoc" argument was certainly deof the free silver advocates and convised for shallow-witted people, and we gress to overcome. On the other hand are therefore all the more surprised that it is quite true that the silver men can the Colonist should have discovered its point the federal government to an awkfallacy. But we took the liberty of ward precedent. They have for years stating that Dr. Burwash might not been compelling the whole country to necessarily have reached his conclusions bonus a number of favored manufacturby the use of the "post hoc" argument, ers, who have no greater claim to "proto which the Colonist replies: "The very tection" than the silver miners of Colorfact of his coming to the conclusion he ado and Nevada. The difference bedid with the facts as they are shows tween the two cases is one of degree, that he, either consciously or unconnot of principle. There would also be sciously, adopted that method, and no a difference in the results, for the gratiother." This sentence we may be alfication of the silverites' desire would lowed to commend to the public as a quickly bring serious trouble, while the model combination of fine English and country has borne up under the protecfine reasoning. As we have said, we tion burden by means of its magnificent have seen no special reason for trying to natural resources. It would be hard "rescue" Dr. Burwash, but as the questo believe that congress could seriously tion of his mode of reasoning has been entertain the demands of the silver men raised, it may be well to show the proor think of causing the United States to cess by which he did reach the two conshoulder alone the silver burden, which clusions, (1) that protection causes the other countries are shrewd enough to congestion of population in the cities. evade. towns and manufacturing centres, and

Speaking of the row that disgraced

Montreal when the Christian Endeavor

convention was in progress there, the

Canada Revue expresses the opinion that

the Brahmin, Rev. Mr. Karmarkar, and

any other member of the Christian En-

deavor convention had a right to say

what they chose without insuit to any

one when their remarks were made at a

meeting which was not public, and which

was not held in a public hall. This view

of the matter is strictly just. If the

delegate from India had made the re-

mark attributed to him that would not

the mob whom that fiery paper La

Presse contrived to stir up. Neverthe-

less, there are few Protestants who

would not consider the remark in very

bad taste and as needlessly offensive. It

appears, however, that the Rev. Kar-

markar did not actually make use of the

offending words in his speech. He was

cessary to defend it from any verbal at-

tack, however offensive. Of course the

more intelligent French people of Mont-

real have enough respect for their reli-

Dr. Walter Kempster, who was sent

(2) that it causes the exodus of population from the rural districts. The reasons for his belief he gives in this way: The congestion of population in the cities, and their consequent disproportionate increase of population, is altogether too decided to be the result of a mere accident. Nor can we account for it by the mere fact that young men are attracted by the more intense life of the cities. It is the higher remuneration for their labor which is really the moving force. And this higher remuneration is the result of a policy which has for its avowed purpose the rendering of the manufacturing industries relatively more profitable than the agricultural. In so far | have justified the rowdy proceedings of as the policy is protective, it first of all secures the home market for the home manufacturers. It next secures for these a profit nearly equal to the amount of the protective tariff beyond the profit at which they are manufactured and sold in the world's average market. However, the profit may be diminished by home competition at a later date; it begins with the full advantage of protection at the start, and, basing its calculations up- advised not to, and followed the advice; on this, sets the current moving in the but in the meantime printed slips with corresponding direction, that is, draws

the question is to be answered in the ease at different points in Canada." It affirmative, then congress should substi- is very reassuring indeed to be told that tute for the Sherman law an act which Dr. Montizambert's staff possesses some would really place silver on a par with of that desirable quality called vigilance gold, or, as the Denver convention put and that in one instance at least it has it, establish "an American system which successfully guarded against the invasion includes the free coinage of gold and of disease. Repetitious of the Winnipeg incident are not wanted. silver at the American ratio of 16 to 1." That would confer a substantial advan-

Halifax Chronicle: On \$40,000 worth of imported blankets Canadians pay \$20,000 tariff tax. They paid many times that sum in excess prices to the home makers because of the tariff excluding competition. On \$37,000 worth question most effectually. Apparently of imported soap Canadians last year paid \$10,000. On socks and hosiery the imports aggregated \$384,000 and the taxes levied amounted to \$150,000. Foreign yarn was bought by Canadian's to the value of \$184,000 and \$62,000 was paid the customs tax collectors to allow it to land on our shores. The above articles aggregate in value \$645,000, on which we paid in duty into the treasury \$242,000, or nearly 40 per cent.; besides which the people paid in tribute to the protected home manufacturers about \$4\$4,000 more-\$2 going to the combines for every dollar that went into the treasury. The people of Canada have arrived at the conclusion that the fleecing policy must end-the national policy must go,

> It seems that there is talk of St. Alban's cathedral, Toronto, the erection of which began a few years ago, being sold made. to meet a mortgage of \$55,000 on it.

> > THE SAME TORY TRAP.



and Hongkong will be the sufers. Admiral Humann, in the event of a blockade, can dispose of five war ves-sels, the Triomphante, Pluvier, Lion, Aspic, Viper and the ironclad Forfeit, be des three vessels off Bankok, but a few onths' cruising in the typhoon season will probably cool French ardor. A special cabinet meeting was sum-

moned in Downing street yesterday afternoon, at which there was a full attendance. The demand of France was scussed at length, and eventually instructions for the Marquis of Dufferin, the British ambassador to France, were formulated and approved. Immediately after the meeting, Earl Rosebery, secretary of state for foreign affairs, communicated with the admiralty in regard to the disposition of the fleet in Asiatic waters. Special orders were dispatched by the admiralty to Vice-Admiral Freemantle, commander-in-chief of the Chinese division. These facts, together with the sudden cancelling of the Marquis of Dufferin's leave of absence, are regarded as hardly in harmony with official predictions of a perfectly amicable settlement with France of the Siamese difficulty. Even if not alarmed by the course of France, the Government is believed to realize that the Siamese affair is fraught with the most serious possibilities for which immediate preparation must be made by Great Britain

A Paris correspondent of the Standard mentions the fact that M. Deville, French minister of foreign affairs, told the senate yesterday that he believed Siam would grant France satisfaction, as she realizes that France was able to exact compliance with the demands The correspondent continues:-"The ultimatum was forwarded late on

THE REAMS CASE.

The Chief Justice's Judgment-The Legal Points Reviewed. The following is the judgment of the chief justice in the Reams case:

The prisoner has been committed for surrender by Mr. Justice Drake, acting as an extradition judge, on an applica-tion by the state of California for his his surrender on a charge of abduction. A warrant addressed to the constables, etc., within the state has been produced, issued by a Californian justice of the peace, reciting that "complaint upon oath has been made before me by W A. Rucker stating that the crime of abduction, a felony, has been committed, and accusing A. R. Reams thereof; these are to command you to arrest him, etc." Reams fled to Victoria, and after examination and evidence here has been committed for surrender by Mr. Justice Drake, "being accused of the crime of abduction within the jurisdiction of the state of California, to wit., for that he on the 4th of June at Merced, Cal., took one Lucy Rucker out of the possession and against the will of her father. W. A. Rucker, she being unmarried and under 16 years, viz.: 15 years of age." There is no doubt that this is an of- is to be regretted that the point was not fence against Canadian law, but it is taken before the extradition judge. If now alleged to be no offence against it had, possibly the prisoner might never Californian law, the only "abduction" have been committed for surrender, at punishable under their code being the abduction of a girl under 18 for the full notice and ample time for the producpurpose of prostitution. That is, abduction of a girl from her father, which all a second argument after the point in our law of itself is a crime, is no crime in California unless effected with the highly immoral motive above mentioned; and if not a crime, then a fortiori not an extradition crime. And it is urged that by the third clause of the convention of 1890, Reams can be tried for no other offence than that for which he is surrendered, a minute description of which is given in the commital for surrender. I do not think that the videlict is important. As the Canadi-an law recognizes various grades of abduction it was necessary to describe the circumstances so as to ascertain the grade, and it is to be assumed that the extradition judge truly describes the offence which was prima facie established before him, and for trial on which the prisoner is to be tried. Now, unless he can be tried for that offence, it seems absurd to surrender him at all.

To surrender a man to a foreign tribunal for the purpose of a criminal trial there, is in fact to expel him from British territory without trial, and against his will, which is clearly contrary to the best established principles of our law concerning the liberty of the subject. and can only take place in strict compliance with the clear words of some statute or treaty. full benefit of the law and withdraw

There is no magic in names; and the mere term "abduction" may cover great many acts, very few of which could by any strained construction be held in any way contemplated by the extradition treaties.

Clearly abduction even of women may it is for the very serious consideration of be effected with quite innocent motives, the prosecution what will be the effect of as the abduction of a girl to save her taking the prisoner away, if it be the fact from cruelty, or from immoral example that there is no enactment in the Cali or companionship, or there may be abfornia code equivalent to our section 44. duction of men, e. g., of voters, or of In that case they will not be able even witnesses, or by brigands to hold for to frame an indictment against him on ransom, etc. All these practices may be the charge for which he stands commitand are designated "abductions"; many of ted, and by the treaty he may not be them are highly immoral; many may be tried on any other charge whatever, until statutable offences in different counhe has had full opportunity of returning to Canada. The expense of his con-veyance will be thrown away. For a But the question now raised is, what mere fraction of that expense, the prose is the "abduction" which by treaty is made an extradition crime? for that is cution could satisfy themselves of the rethe only "abduction" for which by our sult; and if unfavorable to their views. I statutes an accused person is to be surwould suggest to them to withdraw from MONOPO rendered. The only class of cases known the prosecution. by that name in the Canadian statute I may point out to the prisoner's counbook consists of offenses against females, sel, that according to recent decisions of classed together in sections 42, 43, 44 the court of appeal and the House of of the code of 1886, some declared to Lords, there is in England an appeal, be felonies, others misdemeanors merely. where the writ of habeas corpus is re-Could a foreign state, which had enfused in the first instance. There may or may not be sufficient analogy between acted the abduction of voters or witthe full court here and the court of apnesses to be a crime, come here and peal in England to give similar jurisdicsimply, by virtue of the name "abduction to the former. As to that I say claim the surrender of so-called criminals at all? Clearly not, accordnothing. ing to R. V. Windsor 11 Jur. N. S. London, July 21 .- Action was taken to-807. Then does the converse rule hold? Chief Justice Cockburn day by the representatives of the coal says: 'Where one party thinks proper to conminers that renders a prolonged strike a stitute something a particular offence practical certainty. The conference of which is not so by the general law of the Miners' Federation at Birmingham both nations, the case is not within the yesterday appointed a deputation to meet meaning of the statute." the representatives of the Mine Owners The chief justice's words are Association. The meeting was held in quite general and apply reciprocally in conthis city to-day, and was fruitless of an amicable agreement. Benjamin Pickard. verse cases, for it is hard to see how M.P., vice-president of the Miners' Na any principle can be alleged which is only to operate on one side. And Shee, tional Union, refused either to accept a reduction of wages of 25 per cent., or one J., expressly says: "A demand for surpenny, or to submit the question to arbirender must be founded on an offence satisfying in all material particulars the tration. The mine owners, he said, should laws of both countries." have given notice of their intention of The question is to some extent effectmaking a 25 per cent. reduction in wages. They had thrown down the ed by certain expressions in article 1. of the convention of Washington of the glove and war was inevitable. 12th of July 1889, e. g., in paragraphs London, July 21.-In the House of 4 and 10 and also in the concluding parommons to-day Rt. Hon. Mr. Gladstone, agraph: Whereby it is provided that cerreplying to a question asked by Mr. Robtain offences are to be extradition ert L. Everett, said that he did not crimes, if made "criminal," or punishaagree with Mr. Everett's assumption ble by the laws of both countries. But that the new monetary policy adopted I do not think those expressions are deby the Indian government would create cisive upon the points now brought bea large demand for gold, which would fore me, which is whether a man is to possibly result in a further rise in the be surrendered for trial, i. e., deported price of the metal. from the British dominions, without any prima facie proof that he can be brought back to trial for the offence which alone is mentioned in the warrant of surrender. The whole difficulty seems have been foreseen and guarded against by the imperial statute of 1870; where the list of crimes is preceded by a declaration that when extradition is demanded from a British judge for any offence in the list, each deomination is to be construed according to the meaning of its name in the British law. But by section 18 of that statute it was declared that it might be suspended under certain circumstances, and since the latest United States treaty it has accordingly been suspended as from April 4th, 1890, as between Canada and the United States (see the order-in-council set Willie Tillbrook forth in the volume of the Canadian statutes 1890, p. 46.) This provision, therefore, no longer applies; and the sus-Son of Mayor Tillbrook pension renders inapplicable all the judicial decisions and dicta previous to that of McKeesport, Pa., had a Scrofula bunch under late, and we are apparently left to argue one ear which the physican lanced and then it on general principles or rather, are became a running sore, and was followed by thrown back upon the principles denunervsipelas. Mrs. Tillbrook gave him ciated in R vs. Windsor, which seem really applicable, though the circumstan-Hood's Sarsaparilla ces of that case are the inverse of the the sore healed up, he became perfectly well and is now a lively, robust boy. Other parents When this matter was last before me whose children suffer from impure blood was adjourned until this day in order that some evidence might be produced showing the Californian law concerning the offence. Anticipating fresh evidence should profit by this example.

I have considered what would be the effect of it, and the above observations sufficiently show the decision to which I should incline if that were established which is merely alleged on behalf of the prisoner, viz., that simple abduction, such as the extradition judge has here found, is no offence against the law of California. In other words that no other offence is in California recognized as abduction except that defined in section 267 of the code of 1889. But have I any admissable evidence? The code itself was handed to me, but properly have no right to look at the California code, or to determine from that alone what is the law there. Like all foreign laws, this must be proved as a matter of fact, by the sworn evidence, oral or written, of an expert. .I cannot assume, however improbable the contrary may be that there is not, lurking in some other part of the code, a provision equivalent to our section 44. Much less can I assume that no such provision has been added to their code since June, 1889, and before June, 1893 (the date of the alleged offence). A good deal of legislation on the subject has taken place in England, and also in Canada, in that interval. I cannot therefore assume the Californian law to be as indicated. all events there would have been then tion of evidence on the point, and above had been cleared before the first judge. The case has now several times stood over before myself, and neither the prosecution nor the defence attempt to produce the only proper evidence of the Californian law. Each side alleges that the onus of proof is on his opponent. Now, prima facie, a man charged on a foreign warrant with abduction is to be surrendered. If a prisoner relies on this, that the abduction with which he is charged, although a crime by the law of the demanding country, is no crime by the law of the country of refuge, as in R. vs. Windsor or vice versa as in the present case, and therefore that the abduction established before the extradition judge is not in fact an extradition crime, in any such case I think the onus of proof is on him, at least to this extent. that he must produce some evidence in favor of the negative on which he re lies, e.g., the opinion of an expert. have no doubt but that section 267 the Californian code differs vitally from the offence described in the warrant of the extradition judge. But I cannot act on my opinion, or even pretend to form any opinion, of what was the Californian law on this subject on 4th of June, 1893 Nor am I at all disposed to doubt but that the trial judge will give the prisoner

the charge from the jury, if the law be as represented by the prisoner. In the absence of any evidence of the California law, I must consider the prismer well held for surrender, and I re fuse the writ of habeas corpus. But

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said somebody,

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Saraiva's Progre bled_Mee Valparaiso, Ju soldiers under o have arrived at Saraiva, who n commanded by now on his wa iva captured 5 had killed the

labor from the farm to the workshop. Large numbers of men who once owned farms of their own, and far larger numbers who were sons of farmers, are to day working in our manufactories, not because they prefer the work or the society and advantages of the city to the life of the farm, but because the remuneration of the farm would not enable them to live, while that of the factory

This disparity of the returns of labor is brought about in two ways: First, the profits of the manufacturer are artificially enlarged; second, those of the farmer remain as they were, governed by the world's market price; third, the farmer pays for all manufactured products the extra price imposed by protection.

gion and themselves to frown upon such These three facts taken together exert even more than their legitimate influence demonstrations, and many of them, like in the direction of the future of farmthe Canada Revue, believe in real freeers' children, as well as frequently in dom of speech; but it is only too easy for the decision of changes of his own life a paper like La Presse to stir up a mob from the country to the town. He estiof hoodlums to resent some imaginary inmates the returns of his labor not by the cash value of his entire produce, but sult to their nationality or their faith. by the little sum which, at the end of the year, he can place in the savings workman seem very large. But besides to Europe by the United States governof a mortgage upon his land; and in contrast to this the daily wages of the ment to study cholera and the means workman seems very large. But besides of dealing with it, has said some very this migration from the country to the reassuring things in his report. For incity, which may very often be the forstance: "Cholera must be eaten. eign city of a protectionist neighboring cannot be absorbed or breathed. The country, there is still another form which the exodus from the farm takes. The germs must be taken into the stomach. increasing mortgage or the increasing in-If people realize this and govern themadequacy of the farm to supply the wants selves accordingly, they can escape, in of a growing family force a sale and recase the germs should reach this counmoval to a more advantageous position. try." A proper understanding of the na-In a young country which may have beture of this disease and the manner in taken itself to the national policy before it was old enough for the long pants, this which it is acquired is essential to the public welfare, since the ignorant, and alis especially likely to result in emigration to some country where the burden does most superstitious, panic that has seized not press so heavily. Frequently, also, upon the people whenever cholera has the attracting power of the manufacturmade its appearance, often to the coming centre draws the enterprising young plete paralysis of business, would then man from the farm, not to a city in his own land, but to one in a neighboring be avoided. Dr. Kempster declares that the method of dealing with cholera in country of protected manufactures.

The removal of population from the country to the cities, and from smaller countries where the burden of protection is more severely felt to those in which it is more widely distributed, is thus a direct result of the last stage of a protec-He holds that it is possible to keep it tive national policy.

from a city when surrounding towns are From a perusal of this the Colonist will tainted, or to keep it out of any particuperhaps be able to see how far its own lar house in an infected district, by proconclusions were wrong and how far Dr. per attention to food and drink and puri-Burwash was from using the fallacious fication of the water supply and sewerargument which the Tories employed to age system. All of which would go to delude the unwary in past election camshow that cholera's terrors are largely paigns. due to ignorance of the proper way of

THE SILVER QUESTION.

An Ottawa dispatch reads: The de-It looks as though the silver dispute partment of agriculture has received a in the States might be accurately report from Dr. Montizambert of cases summed up in the question: Will conof smallpox at Grosse Isle. The steamgress consent to bonus the producers of er Montevidian arrived at quarantine on silver at the expense of the whole coun-June 20th with one modified case on try? If this question is to be answerboard. The vessel was disinfected, the ed in the negative, as it of course should effects sterilized, and all on board vacbe, the Sherman law will be repealedcinated and detained. Six more cases or at least that provision of the act. developed subsequently, but all are doing which requires the government to purwell. The vigilance of Montizambert's

fighting it.



BUT THE SWINDLED tax aver is not to be caught a min.

Foreclosure now threatens the bishop unless the money is raised in a short time. The committee appointed to raise the funds have met with very little success. Toronto had its financial "spree," and of course has to suffer from the inevitable financial headache that follows such excesses. Still the headache must be unusually bad when an Anglican Cathedral is in danger of being sold under mortgage.

It

The Stewiacke and Lansdowne railway, a small branch road in Nova Scotia, has made default on its bonds in London. It is very much to be feared that London capitalists will get timid in regard to Canadian railway bonds. One default on the part of some "wildcat" enterprise is sufficient to scare away many cautious lenders from bona fide objects.

RUSSIA INTERESTED.

Said That the Muscovites Will Help France Against Siam.

Paris, July 21 .- A statement has been published that the Russian ambassador to France has given assurance that Russia will support France on all points involved in the Siamese difficulty. It is further said that the Russian fleet in Chinese waters is under orders to proceed Europe is far superior to that followed to the Gulf of Siam for the purpose of in the United States, and that by proper supporting the French and protecting the sanitary regulations and isolation of French residents in Siam, and that it is cases the disease may be prevented from expected to arrive there soon. A disspreading if it once gains a foothold. patch from Bankok states that the Siamese court is greatly agitated. Preparations are under way for the departure of the King and court from the capital. Reports of the intention of the King to leave Bankok spread among the population and caused much excitement. The dispatch adds that it is stated that a popular agitation in favor of France has started in the province of Battambang, sels captured will be confiscated by the and that troops have been sent to put down the sedition.

Le Journal des Debats says this morning:- 'The left bank of the Mekong river is the minimum of the claims of France. Afterwards we must obtain on the right bank such a delimitation of the frontier as will prevent any conflict in the future. These are questions to be settled directly with Siam. They do not concern Great

Britain. London, July 21.-The French decision to blockade the whole coast of Siam in the event of war is badly received in Great Britain. The blockade would be entirely at England's expense. Not a chase so much silver every month. If staff prevented an outbreak of the dis- The British and Chinese merchants at single French steamer trades at Bankok.

Wednesday afternoon. The substance was imparted to the British embassy before the ultimatum was dispatched. I believe it is incorrect to say that France claims the left bank of the Mekong river from the point where it issues from the Chinese frontier. What France claims is that within a reasonable period Siam withdraw from the fortified points held on the left bank, and from the islands to which France lays claim as having inherited the rights of Cambodia and Annam. The extent to which the left bank will belong to France must be settled by boundary commission." Bankok, July 21.-The belligerent attitude of the French gunboats Compte, Inconstante and Forfeit, opposite the middle of the city, is causing great anxiety among the people. All three gunboats have steam up and are cleared for action. The men are continually beat to

quarters, and they train the guns on any Siamese gunboat that happens to pass them on its way up or down the river, day and night, although in accordance with an agreement with M. Pavis, French minister resident, the Siamese government endeavors to allay suspicion by warning in advance the French commander of the passage of every Siamese man-of-war. Siam is doing its best to convince M. Pavis that its intentions are amicable, but freedom of action in the negotiations is much restricted by the pressure exercised ostensibly by the French war vessels.

Sealing in Russian Waters.

Port Townsend, July 21 .- The schooner Wm. L., Beebe, just arrived from Petropaulovsky, Siberia, brings advices to June 30. She reports two Russian men-of-war in port awaiting the approach of the sealing season. The commander of the gunboats informed Captain Roder of the Beebe that the measures of protection adopted this year prevent pelagic sealing in Russian waters. All vesgovernment. The sealing schooners C. H. White, Willie M. McGowan, Rosie Olsen and Ariel, captured last August. have been confiscated and sold by the government. All the Russian officials stated that no mercy will be shown sealers if captured. During the Beebe's voyage through the Behring Sea not a seal was seen.

"How to Cure all Skin Diseases."

"How to Care all Skin Diseases." Simply apply "Swarns's ONTMENT." No internal medicine required. Ourse tetter, ac-zema, i'ch, all eruptions on the face, hands, n. & leaving the skin clear, white and heilby its gree thealing and curative pow-grans. Dosnesse his no other remedy. Ask your duggest for Swarne's OINTMENT. Ly m. Son. 'c., Mor real, Wholesale Agents. Usaw



HOOD'S PILLS cure Habitual Constipation by taltic action of the alimentary cana

ixote doubts will be asked now making th tevideo, or to en Interruption of ues, although been entered. iva has abando on:

Managua, Ni interview to-da; Baker said he present trouble from Washingt have been feer mission and w morrow. Tw Leon, Morris here. They ist army under 000. They have orders and are Panama, Col just been recei the Honduras because they dent Vasquez merchants of thus raised th the threatened ed. Reports activity in th again in circul prehension in News has b dition fitted Venezuela ha ajar peninsula tier. Many uprising in th

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