The Colonist.

FRIDAY, APRIL 26TH, 1889.

From the DAILY COLONIST, April 25.

LOCAL AND PROVINCIAL.

Summer Arrangement.

The steamer R. P. Rithet yesterday resumed her place on the Victoria and Fraser river route, the Princess Louise tying up at Spratt's wharf for necessary repairs and improvements.

A Defaulter in Victoria.

Theodore Paepke, city treasurer of Neenah, Wis., is a defaulter. Some few weeks ago Paepke left Neenah, and no word has been received of his whereabouts except by his wife, who has just received a letter from him dated at Victoria, B. C., saying he will not return home and that he is a defaulter. It is believed his shortage will reach $5,000, perhaps more.

Sea Lions in the Columbia.

The sea lions which congregate off the mouth of the Columbia River to feast on the salmon, are the greatest nuisance the fishermen have to encounter. On Monday last, when one of the fish traps at the mouth of the river was opened, eleven large sea lions were found inside, and the heads of thirty-four fine salmon, showing that the sea lions had breakfasted on $42.50 worth of fish.

Funeral.

The funeral of the late A. N. McLeod Nicholson, which took place yesterday morning at 10 o'clock from St. Andrew's Pro-cathedral, was largely attended by sorrowing and sympathetic friends. Requiem mass was celebrated at the church by Rev. Father Mandart, assisted by Rev. Father Van Nevel, and the remains were then conveyed to their last resting place in Ross Bay Cemetery. The pallbearers were Messrs. F. E. De Veulle, M. V. Brown, E. H. Fletcher, Edgar Marvin, H. Sullivan and L. Dumbleton.

Two Hours' Liberty.

At about 10:30 yesterday morning, a convict named Healey, who is serving a term of one year for entering the clothing store of Messrs. Gilmore and McCandless, with the intention of committing a felony, managed to elude the vigilance of the guard and escape from the chain gang at work around Government House. The police were immediately notified of the escape, and Provincial Constable Miller and Special Officer North soon got on the track and succeeded in re-arresting their man near Ross Bay about two hours later.

The Old Otter.

The hull of the old veteran steamer Otter was yesterday floated, and to-day will be towed from where she has been lying for the past few months, at Spratt's wharf, to James' Bay, where it is proposed to place her beside the wreck of the old Taylor. Would it not be much better, now that she can be floated, to utilize her in the forthcoming celebration of the Queen's Birthday, as was suggested a short time ago. The old wreck is worth very little, and if it were blown up off Beacon Hill, at night, the spectacle would prove another grand attraction for the 24th.

Death of Adam Innes.

Adam Innes, for several years proprietor of a wood and coal yard in this city, but latterly a resident of New Westminster, died yesterday morning at the home of his brother on Chatham street, this city. The deceased was in the 49th year of his age, and was a widower, his wife and children dying several years ago. He had for some time past been suffering from hemorrhage of the lungs, which caused his death. The body will be embalmed and sent to New Westminster, there to be placed in the family vault. The deceased was an old resident of British Columbia, and his loss will be sorely felt by very many friends.

Portland Exposition.

Portland is to have a monster exhibition in September next for one month. The buildings are just completed and will be opened on 1st May. They cover six acres of ground. It is intended that it shall be the greatest event of the kind ever held on the coast. All the North Pacific states and territories will be represented. Mr. L. Samuel, of the West Shore, who has been in the city several days, yesterday interviewed the government in an endeavor to induce them to prepare and send a British Columbia exhibit. The people who will attend the exhibition are those who may want to know about our province, and the advertisement of a well gotten up exhibit would prove of great benefit.

The Mendelssohn Concert.

A crowded house and an appreciative and critical audience greeted the Mendelssohn Quintette Club at The Victoria last evening. The club fully sustained its old-time reputation, for the programme presented was one of rare excellence, and was performed to the unbounded delight of all, every number being encored. It would be unjust to make any comparison of the artists. They were masters of the instruments they played, and the violin solo of Herr Hekking, the violoncello solo of Herr Ohliger, and the clarionette solo of Mr. Ryan were each perfect in their execution. The rapt attention during the performance of the numbers and the rapturous applause at the conclusion sufficiently attested the delight of the audience. Miss Alice Ryan had a pleasing voice and in her two numbers received an encore.

The Y.M.C.A. are to be congratulated on the success of their venture and no doubt a fair sum will be secured by them over and above the expenses of the concert.

Vancouver's Scandal.

The serious charge preferred against Dr. Langis and Arthur Sullivan, of Vancouver, is almost the sole topic of conversation at the terminal city. On Tuesday the accused had a preliminary hearing before the police magistrate, and, as it should be, the case was heard with closed doors, much to the disappointment of a large crowd who had gathered to listen to the evidence. Mr. Hoggedetailed how his suspicions had been aroused of his wife's infidelity, and how at length when his suspicions were confirmed he turned his wife out of doors. Mrs. Hogg, being placed in the witness-box, freely acknowledged her guilt. She is a woman about 20 years younger than her husband, and has been married eight years. The couple did not live very happily together, a child by a former marriage of Mr. Hogg's being a source of frequent dissension. Sullivan is a colored man, and is reputed to be wealthy. He, as well as Mrs. Hogg, were members of the church choir, and here they first became intimate. Dr. Langis claims to be able to prove his innocence, and says it is a case of blackmail. Pending the result of the trial, both the accused are out on $8,000 each.

Scenery of Puget Sound.

The scenery of Puget Sound, that great inland arm of the sea in the extreme northwest corner of the United States, is becoming more famous for its beauty yearly, as the number of tourists through that region increases. Placid waters, verdant vales, timbered mountains and snow-crowned peaks combine to make landscapes of marvelous beauty. That body of water is also of special interest to our people because of the selection of a site there for a huge navy yard for the better defence of the U. S. on the Pacific coast. One of the grandest views in that region is that of Mount Baker, as seen across the still waters of Admiralty Inlet, as the main arm of the sound is called. This is the subject of a beautifully tinted engraving, 17x22 inches in size, issued as a supplement to the April number of The West Shore Magazine. The number also contains many engravings of Port Townsend and Olympia, two growing towns on the sound, including the new hotel in process of erection in the latter place. Send 25 cents for a copy (subscription $2.50) to L. Samuel, publisher, Portland, Oregon.

The Sound Steamers.

The steamer Olympian arrived yesterday at 4:30 p.m. from the Sound, and left again at 7 p.m. The repairs to the steamer North Pacific will be completed this morning, and she will sail for Port Townsend at noon.

Elected Presidents.

At a meeting of the Island Railway Co. and the Union Coal Mining Co., of Comox, held in this city on Tuesday, Mr. Alex. Dunsmuir was elected president of the former, and Mr. James Dunsmuir president of the latter.

Artistic Workmanship.

The silver trowel which was presented Mrs. Nelson at the laying of the hospital corner stone was manufactured at the establishment of C. E. Redfern, and not by Pennock & Clayton, as incorrectly stated yesterday. The trowel is of chaste design and workmanship. The handle is of native birds-eye maple, highly polished, with silver setting. The monogram of the recipient is engraved on the front of the trowel. The following inscription is engraved:

Presented to
MRS. NELSON,
Wife of Hon. Hugh Nelson,
Lieut.-Governor of B. C.,
by the
Committee of the Provincial Royal Jubilee Hospital,
On the occasion of the laying of the Corner Stone of that Institution.
Victoria, B. C., April 22d, 1889.

The trowel, which is probably the finest piece of work of that class ever made here, will be on exhibition in Mr. Redfern's window for several days.

The Last Tribute of Respect.

At a special meeting of the Council of the British Columbia Board of Trade, held yesterday afternoon, the following resolution was unanimously passed in expression of the feelings of the Board, in regard to the great loss sustained by the province in the death of the late Hon. Robert Dunsmuir:

"The British Columbia Board of Trade records with sincere regret the loss it has, in common with the community generally, sustained in the death of the Honorable Robert Dunsmuir, which occurred on the 12th of April instant, and at whose funeral the members of the Board attended in a body, as a last tribute of respect to an old and esteemed fellow-member. The deceased gentleman was largely identified with many important industries and enterprises, and to his sturdy personal energy, forsight, and large heartedness, the trade, commerce, manufactures and general prosperity of the country, are largely indebted. And this Board regards the loss sustained by the province as incalculable.

Be it therefore resolved that the Board takes this opportunity of extending to his widow, as also to the other members of the deceased gentleman's family its deepest sympathy in their irreparable loss." (Signed)

ROBERT WARD, President.
WILLIAM MORTEREU, Sec'ty.
Victoria, April 24th, 1889.

LITTLE LOCALS.

Healy, the convict, will be arraigned on a charge of escaping from custody on Monday next.

The stock of M. E. De Candia was sold by the sheriff on Tuesday, a little over $1,000 being realized.

It is said that Mr. Nye is dangerously sick and that his proposed Pacific Coast tour has been postponed.

About fifty young people of Victoria and Esquimalt held a pleasant dance in the Temperance Hall, Esquimalt, last evening.

The city council last evening decided upon sending for Mr. Chipman, an eastern sanitary engineer, to prepare a report on city drainage.

Mr. John E. Lathrop and Miss Matilda McCracken, both of Tacoma, were united in marriage yesterday at the Baptist parsonage in this city.

A sailor belonging to the steamer Olympian walked off the dock into the water at Turner Beeton & Co.'s last evening. He saved himself without assistance, and will hereafter shun the intoxicating cup.

It is understood that an arrangement has been come to between the grocers of the city whereby their stores will be closed earlier in the evening. This is as it should be, and it is to be hoped that all the groceries will join in the movement.

Martin Lange, proprietor of the Weiss beer brewery, in South Seattle, while walking on the railroad track near that city on Tuesday evening, was struck by the locomotive of the Tacoma express and instantly killed.

The unusual music of the bagpipes, and the march of about fifty admiring young Scotsmen, attracted the attention of the few stragglers who chanced to be on the streets at about eleven o'clock last night.

On Tuesday an election was held at Vancouver to fill the vacancy caused by the resignation of Dr. Lefevre in Ward 5. Mr. Hamilton Mason was nominated, and there being no other candidate, he was declared duly elected. The new alderman at once took the oath of office.

PERSONAL.

Theo. Davie, Q.C., returned from the mainland last night.

R. W. Sankey and wife, of Boston, are at the Driard.

Charles Smith and wife, of Port Discovery, are at the Driard.

Alexander Begg, the crofters' friend, has sailed from London to Victoria.

Capt. Gilpin Brown and H. W. Beatty, of Toronto, are in the city.

J. Allen Clarke has returned to the city after making a tour of the province.

Andrew Pattullo, editor of the Woodstock, Ont., Sentinel-Review, left for home this morning by the C.P.R.

W. E. Osterhout, proprietor of the Central Hotel, Nanaimo, returned yesterday from a tour of the cities of the Sound.

Arthur Stabler and wife, of Sandy Spring, Md., are spending a few days in Victoria on their way home from Southern California.

Dr. Lewis Hall, who has been confined to his room for the last few days, is again at his place of business.

J. M. Alexander, of the H. B. Co. at Quesnelle, B. C., is in the city. He reports the past winter as a very mild one, not over six inches of snow having fallen at Quesnelle.

E. C. Baker, M.P., returned from Vancouver last night, to which point he accompanied Mrs. Baker and Miss Johnson, who will visit Ottawa and England.

Prof. Agius, bandmaster of "C" battery band, leaves this morning for Malta, having secured a three months' leave of absence to visit the sick bed of his father.

The following were passengers on board the steamer Mexico, which sailed for San Francisco yesterday afternoon: Mrs. G. Colvert, G. Dennison, J. W. Schouton and Alex. G. McCandless.

Capt. Alex. McLean expects to leave to-morrow to join his vessel, the sealing schooner Mary Ellen, which is now off the West Coast, about 125 miles from Victoria. The Mary Ellen will at once proceed on a sealing cruise north.

Frank Anderson and M. M. Buckley, of Niagara Falls, Ont., spent yesterday in the city. The former is brother-in-law of James Laidlaw, the well known salmon canner of Westminster. Both gentlemen are charmed with the beauties of Victoria.

B. Huxthal, Jr., of Mansfield, O.; Charles W. Scudder, wife and daughter, of Boston, Mass.; M. D. and Mrs. Harte, of Mansfield, O.; R. R. Goodell, J. R. Sturges, J. A. Cameron, of Houghton, Mich.; and John Bagley, of Chicago, American transcontinental tourists, are guests at the Driard.

CITY POLICE COURT.

(Before Hon. A. N. Richards, P. M.)

Frederick Buonaparte Smith, a professional mendicant and no relative of the celebrity known to fame as Napoleon Smith, was arraigned yesterday on a charge of begging, and in default of a $5 fine was sentenced to one month's imprisonment with hard labor.

The case of John Dougherty, on remand, charged with an infraction of the Public Health By Law, was dismissed, the magistrate ruling that the alleged offence was committed outside of his jurisdiction.

Ah Gee, also on remand, charged with violating the building by law, was convicted to pay a fine of $5 with $2 costs, and Pong Ying, for the same offence, was also fined $5 and $2.50 costs.

W. G. Sum, the Chinese restaurant proprietor who apes the English customs, was again brought up and once more remanded, this time until Friday morning.

MARINE.

Steamer Sardonyx is hourly expected from Queen Charlotte Island.

Steamer Maude arrived from Departure Bay at 7 o'clock last evening with coal for the C.P.N. Co.

Steamship Geo. W. Elder for Port Townsend, and steamship Walla Walla for Victoria, cleared from San Francisco yesterday.

Steamship Geo. W. Elder came off the dry dock at the Union Iron Works, San Francisco, on Saturday last. She has been laid up for three months, during which time she has received new boilers and machinery and been thoroughly overhauled, preparatory to going on the Alaska route.

Steamer Idaho arrived yesterday afternoon on her first trip on the Portland-Victoria route. She had on board 810 tons of general freight, 60 tons for this port and the greater part of the remainder to be discharged at Seattle for shipment to Alaska. The cargo was divided as follows: Victoria 60 tons; Port Townsend 70 tons; Seattle (including Alaska freight) 650 tons; Tacoma 30 tons. After discharging the Victoria freight, the Idaho will sail for Tacoma this morning. In entering the harbor the vessel got out of the usual channel and grounded, but floated off without damage in a couple of hours.

SPORTS AND PASTIMES.

BASEBALL.

Look out for the second match in the Amateur Baseball Championship series next Saturday afternoon.

Jersey City—New York 7, Boston 8.
Washington—Washington 4, Philadelphia 8.
Pittsburg—Pittsburg 8, Chicago 5.
Indianapolis—Indianapolis 10, Cleveland 3.
Baltimore—Baltimore 11, Brooklyn 8.
Philadelphia—Athletics 7, Columbus 6.
Wilkesbarre—Wilkesbarre 8, Toronto 9.
Pittsburg—Pittsburg, 5; Chicago, 4.
Indianapolis—Indianapolis, 4; Cleveland, 10.
Kansas City—Kansas City, 16; Louisville, 5.
Brooklyn—Brooklyn, 9; Columbus. 9. The game was called at the end of the ninth innings, darkness having set in.
St. Louis—St. Louis, 10; Cincinnati, 5.

HERE AND THERE.

"Carkeek," generally known as Kirk Hardy, the Eastern Canadian wrestler, is in the city. It is probable that he will arrange a match with D. H. Cameron, at an early date.

E. A. Johnson, the Toronto sprinter and all-round athlete, is in Victoria.

TEXADA'S WEALTH

Described by Mr. Neil Campbell—Two Really Rich Quartz Mines on the Island—Prospects of a Mining Boom.

The following interesting letter has been received from Mr. Neil Campbell, the well known Cariboo miner, concerning the quartz mines of Texada Island. Mr. Campbell is a miner of no little experience, and what he says of the richness of Texada's mineral wealth may therefore be thoroughly relied upon. Writing from Texada, under date of April 15th, Mr. Campbell says:

Before leaving Victoria many of my friends desired me to give my candid opinion of the Texada quartz mines, and after a careful examination of the various mines on the island, I am now prepared to do so.

Since my arrival here on April 1st, there have been two very rich strikes in quartz—one on the Nutcracker Company's claim near Prawse Lake. In my estimation there have been fully $200 worth of specimens carried away from this claim by men who could not be restrained from taking them. Some pieces of quartz, as large as a man's hand, were literally studded with gold nuggets, and others had from two to three dollars' worth of gold in sight. As many of these specimens as would fill a couple of gunny sacks were taken away. The company who own the claim had finally to fill the cavity with loose rock to prevent further depredations.

The second strike was made on the 11th of this month, on the Caledonian location, about a quarter of a mile from the ground of the Golden Slipper Co. This rich claim is owned by Messrs. Raper & Priest of Nanaimo. They proceeded to blast the rock, and when they went to clear away the debris, a Mr. Hallock, of the Nanaimo Courier, who was present, in turning over a slab of the broken rock, revealed to the astonished men several beautiful nuggets of the precious metal. The fortunate owners could scarcely believe in their good luck. They had never seen gold in this shape in quartz before. In less than ten minutes men who knew the value of the discovery had gathered on the spot, and a scene of wild excitement ensued. One man took a sledge hammer and broke a portion of the detached rock. The pieces fell apart, and there, in the centre, shone out the nuggets. In a porous cavity about six inches long, lay a magnificent nugget, shaped like a winding serpent, while others were of all shapes and sizes. All this I witnessed, but in order to satisfy myself of its true value, I took several samples of the rock and debris from the casings of the ledge, and after a thorough test with my mining pan, I was more than satisfied with the result. I got a large quantity of very fine flour gold, besides a number of nice small specimens.

But the above property, like all good things, is in dispute between a Vancouver syndicate and the present company.

Great activity prevails all over the island. Every hour of the day you hear the boom of dynamite in all directions. Ledge matter is as good as at any camp I have ever been in. The ledges range all the way from six inches to thirty feet in width, the average being four feet.

I am now developing some fine-looking ledges from 15 to 30 feet wide and carrying a heavy percentage of sulphurets, and if those ledges prove even as good as the famous Treadwell mine, there will be one of the greatest booms here that ever visited the Pacific Coast, for the captain of a steamship can get his vessel close enough to shore to throw a line to a man standing on a quartz ledge, and land mining machinery without breaking bulk.

At present those on the island are badly off for steam communication and for their mails, and it is not easy for a man to get away from here. There is food in abundance, however, plenty of fine deer and beautiful lake trout, the best I ever saw.

Texada has a lovely climate, but it is a rough place to travel in. Should any more strikes be made I will write again.

From THE DAILY COLONIST, April 26.

LOCAL AND PROVINCIAL.

Victoria Theatre Co.

At a meeting of the directors of the Victoria Theatre Company, held yesterday afternoon, Mr. Alex. Dunsmuir was elected president.

The S. P. R. Office.

The Northern Pacific Railway Company have leased an office in the old Bank of British Columbia building, which they will at once proceed to fit up in the most modern style.

Real Estate Transfers.

Messrs. Bourchier and Higgins yesterday disposed of lots 2 and 10, Regent's Park, to Mr. A. L. Belyea, for $1,000; 84 acres, also in Regent's Park, to Mr. Henry Dumbleton, the price being $850 per acre; and lots 7, 15 and 16, Beacon Hill park estate, to Mr. Sadler, of St. Paul, Minn., for $800 each.

Nanaimo's Hotel Robber.

Charles Anderson, who robbed R. Evans, of the Nanaimo Hotel, on Monday night, was seen at Oyster Bay on Wednesday. He is evidently taking things coolly, and it is expected that his capture will not be far distant. The officers are in pursuit of him, and if he gets away he will be a smart one.—Courier.

Salmon Market.

The enormous outfits for salmon fishing in Alaska which have been sent this season from San Francisco have had the effect of creating an uneasy feeling in the English market. Should the Alaskan canners be successful in a moderate degree, it is estimated that the aggregate pack of the coast will be in excess of the demand, and in which case a sharp reaction of the high figures of the last two years may be expected.

Suicide at Seattle.

Austin A. Bell, one of the most popular young men of Seattle, committed suicide on Wednesday morning by shooting himself through the head. The deed was done at his real estate office at 2720 Front street, and the cause is attributed to ill health. He left a letter to his wife bidding her farewell, and had only just shot himself when found. He was still alive, though unconscious, but the bullet had done its work only too well, and in a few minutes he expired.

The Best Yet.

The sealing schooner Mollie Adams, Capt. Solomon Jacobs, has arrived at Seattle, after a two months' sealing cruise, with some 900 seal skins, which were caught near the northern end of Vancouver Island. Capt. Jacobs is well pleased with the work of the Adams, but thinks she could have done far better if permitted to have gone into Behring's sea. He intends to return after taking on supplies, and will cruise up to Behring's sea for seals, and then complete his cargo with codfish from the seas.

From the Sealing Grounds.

The sealing schooner Annie C. Moore, Capt. Hackett, arrived in yesterday morning, having on board 311 skins. She encountered heavy winds, but met with no damage, about two weeks ago, and found the seals this year plentiful but very wild. On Monday the schooner Mary Taylor was spoken, with a catch of 283, and a short time before the Sapphire, Capt. Cox, with 642, the best catch of the year, and all the boats out at the time. The Annie C. Moore will discharge her cargo, and leave at once for the north.

"Atlanta Missouri."

The incidents of a first class shipwreck, wherein the vessel goes to the bottom and the passengers and crew are opportunely taken off by a rescuing ship, would not be complete without a birth when the disaster was at its height. Hence the public was prepared for the announcement of an addition, in the natural way, to the large passenger list of the steamer Missouri after she had taken the living Mayor of the foundering Danmark. A young Danish woman, coming to America to meet her husband, took this romantic opportunity to bring her baby along. Of course the storm howled and the vessel rocked, and equally, of course, the little one was christened "Atlanta Missouri" in honor of the boisterous ocean upon which her life voyage began and the gallant ship whose timely assistance enabled her to be born at all.—Oregonian.

Excited Land Boomers at Seattle.

A scene that almost rivaled the frantic rush of land-seekers to Oklahoma was created at the land office in Seattle on Wednesday morning, and Thursday night. The government authorities had advertised two townships of valuable timber land near Seattle to be thrown open for settlement, and on Tuesday night when the land office closed, a number of men congregated and formed a line, with the avowed purpose of staying all night, that they might be first to make filings next morning. The crowd was very disorderly, and the police finally dispersed it; but before daylight the claimants began to congregate again, and when the land office opened at 9 o'clock an excited crowd of 200 claimants and as many more witnesses had gathered. The first to file was a young woman, who had coolly brought a chair, elbowed her way through the mob, taken a seat near to the door, and there calmly awaited the opening of the land office.

PERSONAL.

J. Lenz came over last evening.

A. W. Smith of Lillooet, is at the Oriental.

James Campbell, of Cache Creek, is in the city.

J. E. Lutz, of Port Townsend, is at the Driard.

W. J. Macaulay is spending a few days at Chemainus.

G. A. Keefer, C.E., arrived on the Islander last evening.

A. C. Leask was a passenger over by the Islander last night.

Mr. Justice Walkem was a passenger by the Islander last night.

W. A. Kent and family came over from Port Townsend last evening.

W. A. Russell, steamboat inspector, returned from Vancouver last night.

F. G. Richards, jr., of real estate fame, returned from Vancouver last evening.

Jas. W. McFarland, secretary of the Vancouver Waterworks Co., arrived down last night.

Mrs. R. S. Going, of Wallace, Idaho, is spending a few days in Victoria with her relatives.

The following are passengers on board the steamer Walla Walla which sailed for Victoria from San Francisco yesterday: C. C. Stringer, S. Franborn, Mrs. Weigel, Miss Webster and C. Bach.

Lieut.-Governor Schultz of Manitoba, accompanied by Mrs. Schultz, arrived in the city last evening and will remain for a few days, the guests of the Lieut.-Governor and Mrs. Nelson at Government House.

MARINE.

Steamer Brick arrived yesterday with 1000 barrels of lime from Orcas Island, for J. Wrigglesworth.

Ship Riverdale is in the Roads in ballast from the South for Moodyville, to load lumber for Australia.

Ship Rufus E. Wood arrived in the Roads yesterday, in ballast from San Francisco for Departure Bay to load coal.

Bark Nanaimo, Capt. Newby master, arrived in Royal Roads yesterday morning, 65 days out, in ballast from Melbourne, Australia. There were hundreds of seagoing craft of all sizes in port when the Nanaimo left Australia, and many ships were forced to return without cargo.

CAPITAL NOTES.

Titles to Mining Lands in the Railway Belt.

Discussion on the Quality of Clothes Supplied the Militia.

Col. Prior Resents an Attack on the Dominion Forces—Hon. Mr. Chapleau Returns to Ottawa.

(From Our Own Correspondent.)

OTTAWA, April 25.—Mr. Mara, on motion to go into committee of supply, drew attention to the difficulty experienced in regard to the titles to mining lands in the railway belt of British Columbia. He said the mining laws of the province conflicted in a number of points with the regulations of the Dominion government. This conflict led to great difficulty and in many cases prevented foreign quartz miners going to British Columbia. He suggested that an exchange should be made by the provincial government of the lands in the Peace River district for lands in the railway belt. In this way the difficulty would be got over.

Hon. Mr. Dewdney said he had listened with profit to Mr. Mara's remarks. He admitted the difficulty complained of, and said he would communicate with the British Columbia government in the matter.

The whole of to-day's session was taken up in a discussion on the quality of the militia clothing, introduced by Mulock. Several of the military men took part. Col. Prior said the clothing supplied the force in British Columbia for the last year or two was most satisfactory. He went for Mr. Lister in a lively manner for some reflections he made on the force. Col. Prior said the militia of Canada was ready to be ordered out by proper authority at any time.

The report of Rufus Stephenson on the different northwest colonies was presented to-day. The report shows the settlers to be prosperous and happy.

Hon. Mr. Chapleau returned from Europe to-day. His health is completely restored. He was warmly greeted. Both houses sit on Saturday.

THE MINERAL CASE.

Full Text of the Judgment of the Judicial Committee of the Privy Council.

(From the Ottawa Citizen, April 25.)

Following is the full text of the judgment delivered on April 5th in the case of the appeal by the Province to the Privy Council of England, as to the ownership of the minerals in the railway belt:

Present—Lord Watson, Lord Hobhouse, Lord Macnaughten and Sir Richard Couch.

The Attorney-General of British Columbia v. the Attorney-General of Canada.—This was an appeal from a decision of the Supreme Court of Canada of December 13, 1887.

Sir Horace Davey, Q. C., Mr. Jeune, Q. C., and Mr. W. H. Clay were counsel for the appellant; the Attorney-General and Mr. Gore for the respondent.

The question in dispute was whether the precious metals in, upon, and under certain public lands in the province of British Columbia (specified in a statute, 47 Vic., c. 14, of the Legislature of that province) were vested in the Crown as represented by the Government of Canada, or in the Crown as represented by the Government of British Columbia. The Court below had decided in favor of the Canadian Government.

Lord Watson, in delivering their lordships' judgment said:—The question involved in this appeal is one of considerable interest to the parties, but it will be found to lie within a very narrow compass when the facts, as to which there is no dispute, are explained. By an order in council dated the 16th of May, 1871, Her Majesty, in pursuance of the enactments of section 146 of the British North America Act, 1867, was pleased to ordain that the province of British Columbia should, from the 29th day of July following, be admitted into and form part of the Dominion of Canada, subject to the provisions of that Act and to certain Articles of Union which had been duly sanctioned by the Parliament of Canada and by the Legislature of British Columbia. The 11th of the Articles of Union is in these terms:—"The government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and, further, to secure the completion of such railway within ten years from the date of the union. And the government of British Columbia agree to convey to the Dominion government, in trust, to be appropriated in such manner as the Dominion may deem advisable in furtherance of the construction of the said railway, a similar extent of public lands along the line of railway throughout its entire length in British Columbia, not to exceed, however, 20 miles on each side of the said line, as may be appropriated for the same purpose by the Dominion Government from the public lands in the Northwest Territories and the province of Manitoba. Provided that the quantity of land which may be held under pre-emption right, or by Crown grant, within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government shall be made good to the Dominion from contiguous public lands; and provided, further, that until the commencement within two years, as aforesaid, from the date of the Union, of the construction of the said railway, the government of British Columbia shall not sell or alienate any further portions of the public lands of British Columbia in any other way than under right of pre-emption, requiring actual residence of the pre-emptor on the land claimed by him. In consideration of the land so to be conveyed in aid of the construction of the said railway, the Dominion government agree to pay to British Columbia, from the date of the Union, the sum of $100,000 per annum, in half-yearly payments in advance." After the Union, owing to engineering and other difficulties, there was considerable delay in constructing the line of railway through British Columbia. Various difference arose between the two Governments, and these were ultimately settled in 1883 by a provisional agreement, which was subsequently ratified by the respective legislatures of Canada and the province. Part of the agreement had reference to the 11th Article of Union, which it modified to the following extent: The Government of British Columbia agreed to convey to the Government of the Dominion the public lands along the railway, wherever it might be finally located, to a width of 20 miles on either side of the line, and in addition three and a half millions of acres of land in the Peace River district in one rectangular block, east of the Rocky Mountains, and joining the Northwest Territory of Canada. On the other hand the Dominion Government undertook, with all convenient speed, to offer for sale the lands within the railway belt to settlers on liberal terms, and also to give to persons who had squatted on these lands a prior right of purchasing the lands improved at the rates charged to settlers generally. In accordance with this agreement the lands forming the railway belt were granted to the Dominion Government in terms of the 11th Article of Union by an Act of the Legislature of British Columbia (47 Vic., c. 14, section 2). In 1884 a controversy arose between the Dominion and the Provincial Government in regard to the gold which had then been found to exist in considerable quantities within the 40 mile belt. With the view of judicially ascertaining which of them was entitled to it, a special case was adjusted, commendable for its brevity, which simply states the issue to be whether the precious metals in, upon, and under the lands within the 40-mile belt are vested in the Crown as represented by the Government of Canada or as represented by the Government of British Columbia. The case was first presented to Mr. Justice Fournier, in the Exchequer Court of Canada, who, without hearing parties on the merits, gave a formal judgment in favor of the Dominion. On appeal, his judgment was, after a full hearing, affirmed by a majority of the Supreme Court of Canada, consisting of Sir William Ritchie, the chief justice, with Justices Taschereau and Gwynne, the dissentient members of the court being Justices Fournier and Henry. It was not disputed, in the arguments addressed to this court, that the question raised in the special case must be decided according to the principles of the law of England, which, "so far as not from local circumstances inapplicable," was extended to all parts of the colony of British Columbia by the English Law Ordinance, 1867. Whether the precious metals are or are not to be held as included in the grant to the Dominion Government must depend upon the meaning to be attributed to the words "public lands" in the 11th Article of Union. The Act 47 Vict., cap. 14, section 2, which was passed in fulfilment of the obligation imposed upon the province by that article and the agreement of 1883, defines the area of the lands, but it throws no additional light upon the nature and extent of the interest which was intended to pass to the Dominion. The obligation is to "convey" the lands, and the Act purports to "grant" them, neither expression being strictly appropriate, though sufficiently intelligible for all practical purposes. The title to the public lands of British Columbia has all along been, and still is, vested in the Crown, but the right to administer and to dispose of these lands to settlers, together with all Royal and territorial revenues arising therefrom, had been transferred to the province before its admission into the Federal Union. Leaving the precious metals out of view for the present, it seems clear that the only "conveyance" contemplated was a transfer to the Dominion of the provincial right to manage and settle the lands and to appropriate their revenues. It was neither intended that the lands should be taken out of the province, nor that the Dominion government should occupy the position of a freeholder within the province. The object of the Dominion government was to recoup the cost of constructing the railway by selling the land to settlers. Whenever land is so disposed of, the interest of the Dominion comes to an end. The land then ceases to be public land and reverts to the same position as if it had been settled by the Provincial government in the ordinary course of its administration. That was apparently the consideration which led to the insertion in the agreement of 1883 of the condition that the government of Canada should offer the land for sale, on liberal terms, with all convenient speed. According to the law of England, gold and silver mines, until they have been aptly severed from the title of the Crown and vested in a subject, are not regarded as "partes soli", or as incidents of the land in which they are found. Not only so, but the right of the Crown to land and the baser metals which it contains stands upon a different title from that to which its right to precious metals must be ascribed. In the mines case (1, "Plowden," 366) all the Justices and barons agreed that in the case of the baser metals no prerogative is given to the Crown, whereas "all mines of gold and silver within the realm, whether they be in the lands of the Queen or of subjects, belong to the Queen by prerogative, with liberty to dig and carry away the ores thereof, and with other such incidents thereto as are necessary to be used for the getting of the ore." In British Columbia the right to public lands, and the right to precious metals in all provincial lands, whether public or private, still rest upon titles as distinct as if the Crown had never parted with its beneficial interests; and the Crown assigned these beneficial interests to the government of the province in order that the property might be appropriated to the same State purposes to which they would have been applicable if they had remained in the possession of the Crown. Although the provincial government has now the disposal of all revenues derived from prerogative rights connected with land or minerals in British Columbia, these revenues differ in legal quality from the ordinary territorial revenues of the Crown. It therefore appears to their Lordships that a conveyance by the province of "public lands," which is, in substance, an assignment of its right to appropriate the territorial revenues arising from such lands, does not imply any transfer of its interest in revenues arising from the prerogative rights of the Crown. The grounds upon which the majority of the learned Judges of the supreme court decided in favor of the Dominion are briefly and forcibly stated in the judgment delivered by Sir William Ritchie, the chief justice. They were of opinion that the rule of construction which excepts the precious metals from a conveyance of land by the Crown to a subject has no application to the provisions of the 11th Article of Union, which they regarded as a statutory compact between two constitutional governments. The learned Chief Justice said: "This was a statutory arrangement between the Government of the Dominion and the Government of British Columbia, in settlement of a constitutional question between the two governments, or rather giving effect to and carrying out the constitutional compact under which British Columbia became part and parcel of the Dominion of Canada, and as a part of that arrangement the Government of British Columbia relinquished to the Dominion of Canada, as represented by the Governor General, all right to certain public lands belonging to the Crown or to the province of British Columbia, as represented by the Lieutenant-Governor." If the 11th Article of the Union had been an independent treaty between the two governments which obviously contemplated the cession by the province of all its interests in the land forming the railway belt, royal as well as territorial, to the Dominion government, the decision of the court below would have been inevitable. But their lordships are unable to regard its provisions in that light. The 11th Article does not appear to them to constitute a separate and independent compact. It is part of a general statutory arrangement, of which the leading enactment is that, on its admission to the Federal Union, British Columbia shall retain all the rights and interests assigned to it by the provisions of the British North America Act, 1867, which govern the distribution of provincial property and revenues between the province and the Dominion, the 11th Article being nothing more than an exception from these provisions. The article in question does not profess to deal with the jura regia, it merely embodies the terms of a commercial transaction, by which the one government undertook to make a railway and the other to give a subsidy by assigning part of its territorial revenues.

Their lordships do not think it admits of doubt, and it was not disputed at the Bar, that section 109 of the British North America Act must now be read as if British Columbia was one of the provinces therein enumerated. With that alteration, it enacts that "all lands, mines, minerals, and royalties," which belonged to British Columbia at the time of the Union, shall for the future belong to that province and not to the Dominion. In order to construe the exception from that enactment, which is created by the 11th Article of Union, it is necessary to ascertain what is comprehended in each of the words of the enumeration, and particularly in the word "royalties." The scope and meaning of that term, as it occurs in section 109, underwent careful consideration in the case of "Attorney-General of Ontario v. Mercer" (8 App. Ca., 767), which was appealed to this Board by the Dominion Government, in name of the defendant Mercer. In that case their lordships were of opinion that the mention of "mines and minerals" in the context was not enough to deprive the word "royalties" of what would otherwise have been its proper force. The Earl of Selborne, in delivering the judgment of the Board, said:—"It appears, however, to their lordships to be a fallacy to assume that because the word 'royalties' in this context would not be regarded as inofficious or insensible, if it were regarded as having reference to mines and minerals, it ought, therefore, to be limited to those subjects. They see no reason why it should not have its primary and appropriate sense as to (at all events) all the subjects with which it is here found associated, lands as well as mines and minerals—even as to mines and minerals it here necessarily signifies rights belonging to the Crown 'jure coronæ.' It is not necessary for the purpose of this appeal to consider whether the expression "royalties" as used in section 109 includes "jura regalia" other than those connected with lands, mines and minerals. The "Attorney-General of Ontario v. Mercer" is an authority to the effect that, within the meaning of the clause, the word 'royalties' comprehends, at least, all revenues arising from the prerogative rights of the Crown in connection with "lands, mines, and minerals." The exception created by the 11th Article of Union, from the rights specially assigned to the province by section 109, is of "lands" merely. The expressions "lands" in that article admittedly carries with it the baser metals, that is to say "mines" and "minerals" in the sense of section 109. Mines and minerals in that sense are incidents of land and, as such, have been invariably granted, in accordance with the uniform course of provincial legislation, to settlers who purchased land in British Columbia. But "jura regalia" are not accessories of land, and their lordships are of opinion that the rights to which the Dominion Government became entitled under the 11th Article did not, to any extent, derogate from the provincial right to "royalties" connected with mines and minerals, under section 109 of the British North America Act. Their lordships do not doubt that the 11th Article of Union might have been so expressed as to show, by necessary implication, that some or all of the royalties dealt with by section 109 were to pass to the Dominion along with the lands constituting the railway belt, but there is not a single expression in the context which is applicable to gold or gold mining rights. On the other hand, the whole terms of the Articles of Union, as well as of the subsequent agreement of 1883, appear to their Lordships to point to the conclusion that the high contracting parties were dealing with public lands, in so far as these were available for the ordinary purposes of settlement, and had either excluded gold mines from their arrangements or had them not in contemplation. It is right, however, to notice that the learned Chief Justice refers to a minute of the Council of British Columbia containing the recommendation of a committee, which was communicated to the Government of Canada, as evidencing and understanding, on the part of the Provincial government, that mines of gold and other precious metals were to be conveyed along with the belt lands. The passage upon which the learned Chief Justice relies is in these terms: "That