# Weekly British Colonist.

TWENTY-SIXTH YEAR. | VICTORIA, BRITISH COLUMBIA, FRIDAY, FEBRUARY 13, 1885. | VOLUME XXVII NO. 7


...ern Canada Mail.

...y Northern Pacific Railway.

...o, Jan. 23.—A. L. Wilson, ...ed candidate for the reeve... ...rk township, has instructed ...rs to enter a suit against the ...Star for $10,000 damages for ...lined in an article of the 7th

...eard, an old woman residing ...r street, was found dead this ...A policeman's attention was ...the house by a noise, and on ...e found a man named O'Brien ...women fighting. The parties ...ently been indulging in a ...ergic. It is suspected that ...d had also joined in the fight ...ed a blow which killed her. ...Smith & Co., spice manufac... ...e assigned.

...EAL, Jan. 22.—Hood & Co., ...tioners have assigned. ...tle men say there is nothing ...re with the Canadian Pacific ...da just finished, for complete... ...he States or Canada. The cost ...$100,000.

...TON, Jan. 23.—A petition is ...gely signed by the English ...ople asking Dean Lyster to ...half salary. Besides old age, ...is charged with committing a ...etiquette at the mayor's din ...coming a minister. ...ared that the city will lose the ...ent school grant owing to in... ...accommodation in the public

...y hotel-keepers have commenc... ...rge farmers who are advocates ...ott Act for yard accommoda...

...IPEG, Jan. 26.—Mr. James ...the Commercial was entering ...ay leading into St. Andrews ...Saturday evening, when he ...n the icy steps and fell heavily ...his right arm above the

...civic offices had a narrow es... ...n being cremated Friday even... ...City Clerk Brown left the ...ning in his office during a tem... ...sence, and shortly after his de... ...Mr. Osborne, who was in the ...ctor's office, noticed a strong ...flecting from under the door ...ads into Mr. Brown's office ...the assistance of Mr. Scott, ...en the door, when they discov... ...one of the brackets holding a ...ling on a number of papers ...w, had burst and scattered its ...able contents around. The pa... ...e burning, but the flames were ...tinguished. Had not the fire ...covered when it was the city's ...would have been destroyed. ...WA, Jan. 24.—It is understood ...e Minister of Inland Revenue ...troduce an amendment to the ...and measures act, making the ...roots by weight instead of by ...This refers specially to pota... ...rnips and carrots. ...ETILLE, Jan. 24.—Joseph Tho... ...risoners from St. Catherines on ...to the penitentiary jumped ...the Grand Trunk train at two ...this morning and escaped. ...NDREWS, Que., Jan. 25.—L. C. ...of Boss Tweed Ring notoriety, ...re this morning.

...IPEG, Jan. 23.—Mr. Norquay ...this evening and was met at ...by a number of Conservatives ...his arrival here presented with ...gistic address on behalf of the ...tive Association. ...Duffy, mail clerk between ...Emerson, was arrested last ...a charge of being implicated ...mail robberies along with Archie ...ll, lately in custody in Chicago. ...distinct charges are preferred ...Duffy. The case was remanded ...l refused. Duffy comes from To-

...FAX, Jan. 23.—Hibbert Thomp... ...been arrested at New Germany ...oting at Samuel Robar with in... ...kill. Robar was on his way home ...fit, and when half a mile from ...se, the shot was fired from the ...the road, wounding him in the ...d side. ...ITTON, Jan. 23.—The man Tho... ...with, implicated in the burglary ...lor's jewellery store, and who es... ...from the constable, was captured ...to-day in the woods near Caledo... ...e was badly frozen. He is an old ...entiary bird, having been sentenc... ...London five years ago for lar... ...A gold chain and lady's watch, ...the proceeds of the burglary, ...ound hidden in the bush. ...ONTO, Jan. 22.—The Ontario ...of the Dominion Alliance clos... ...session this evening. During the ...fternoon a letter was read from ...Mr. McKellar, of High Bluff, ...asking the Alliance to enter an ...tic protest against the proposed ...uction of the license system in ...west, as recommended by the ...west Council. A resolution was ...ingly passed expressing the ap... ...of the prohibitory law in the ...rest, and requesting the Domin... ...lliance to resist any attempt to ...ce the license system in those ...ories. ...day's News takes up Sir John ...ay as Sir John's probable suc... ...and pays his several compli...

...Canadian whisky is intensely ...The temperature is from 20 to 40

### A Brave Girl.

...m the Chicago Times: Charles ...rt a tough young sneak thief in... ...a boarding-house at No. 281 ...gan avenue yesterday afternoon. ...nt up stairs, ransacked several ..., and, staggering under a heavy ...f clothing, was making his way ...gh the lower hall to the front ...when he was intercepted by Miss ...Johnson, the plucky daughter of ...ndlady. Bessie clutched the mar... ...and in the struggle which ensu... ...dropped half of his booty, but ...ke away from her and ran across ...court. Bessie, nothing discourag... ...rted in pursuit, with three din... ...om girls following far in the rear. ...e corner of Wabash avenue she ...ook the quarry, who, it must be ...ed, was somewhat handicapped ...nother fight for the possession of ...plunder took place. Miss Bessie ...the thief to drop the remainder ...clothing, and a benevolent old ...happening to come along knocked ...rt down with his cane. He scram... ...o his feet, however, and resumed ...ght. Miss Bessie had recovered ...roperty, but she was not satisfied, ...had not secured the thief. There... ...he continued her chase. Stewart ...nto a hall in State street and up ...to the top floor, and Bessie a ...second at his heels, and was in ...ornered by the young lady and ...until Officer Keenan came and ...him to the armory. The value of ...clothing placed in jeopardy by ...rt was about $300.

## Weekly Colonist.

FRIDAY, FEBRUARY 13, 1885.

### TO SUBSCRIBERS AND INTENDING SUBSCRIBERS.

IN ORDERING THE WEEKLY COLONIST, TO INSURE DELIVERY, YOU SHOULD ENCLOSE THE AMOUNT OF SUBSCRIPTION IN POSTAGE STAMPS, MONEY ORDER, COIN OR BANK BILLS. NO PAPERS LEAVE THIS OFFICE UNLESS THE SUBSCRIPTION HAS BEEN FIRST PAID, AND NO NOTICE IS TAKEN OF ANY ORDER THAT IS NOT ACCOMPANIED BY THE MONEY.

### BIRTHS, MARRIAGES AND DEATHS.

Persons residing at a distance from Victoria, who may desire to insert a notice of Birth, Marriage or Death in *The Colonist*, must enclose with each notice Two Dollars and Fifty Cents in P. O. Stamps, money order, bills or coin, to ensure insertion.

## Local and Provincial News.

*From the Daily Colonist, Feb. 7.*

### THE WILMINGTON SAFE.

**She Arrived at Port Townsend Thursday Night,**

**After Being Thirteen Days Out.**

The steamship Wilmington, Captain Blackburn, for the safety of which such grave fears have been entertained for the past week, sailed up the Straits at eleven o'clock Thursday night and anchored at Port Townsend. Two days out from San Francisco the gear wheel of the engine broke and her machinery stopped. This was off Cape Blanco, and in exceedingly rough weather, a strong gale blowing from the southeast. The vessel drifted northward, and at one time was 320 miles from shore, and at another almost opposite Sitka, in longitude 131·22 west, and latitude 49·37 north. For seven days she drifted about and covered over 700 miles.

Every available sail had been put on, and a favorable wind springing up, the steamer was headed for Victoria, arriving in the Straits on Thursday night after being ten days under sail. Exceptionally heavy weather was met with, the sun not being visible for ten days, and considering that there was no assistance rendered the vessel, she was very fortunate in getting to port without any further mishap than the breaking of the gear wheel, no damage whatever being sustained by the cargo. The captain would have sailed her into Victoria but for the slight steerage way offered by the sail and the presence of the rocks near this port.

The best of health and good humor prevailed under the trying circumstances, and plenty of food for every one was on board, though the cargo had to be called on to assist, the steamer being provisioned for but nine days.

Capt. Blackburn came over by the Sound steamer yesterday to get estimates for the repairing of the steamer's machinery, and if a satisfactory arrangement is made the Wilmington will either be towed over or her engines temporarily repaired for the purpose. Otherwise she will be taken to Portland or San Francisco for repairs. Capt. Blackburn is to be complimented on the way in which he handled his vessel, and also to be congratulated on his good luck.

### Lillooet District.

The agricultural resources of Lillooet would appear to be unlimited. It is known to be a good grain-growing and stock-raising section. The finest kind of wine-producing grapes have been grown there for the past ten years. Tobacco plant of a superior quality flourishes luxuriently. Phil. Grinder raises sugar cane and makes as good syrup as was ever imported at Big Bar. Peaches, melons, tomatoes and all other fruits and vegetables grow in abundance and with little care. Potatoes from 6 to 9 lbs. in weight are common. Mr. Allen, M. P. P., brought to this office yesterday five mammoth onions raised at the town of Lillooet by Ben Franklin. The largest measures 17½ inches in circumference and weighs 2lbs. 3 oz.; another measures 16½ inches, and another 16 inches. They brought tears to the eyes of our staff as they examined them. It is evident that upon the completion of the railway the Northwest Territory and Manitoba—which produce very little fruit—will become an excellent market for the products of Lillooet, which will then become one of the largest fruit-growing districts in the province.

### Personal.

T. F. McElroy, who started the first newspaper in Washington Territory, at Olympia on Wednesday evening, while eating dinner, dropped dead. He was possessed of great wealth.

Rev. P. Macken, late rector of St. Francis church, Portland, is dead.

### Marine.

Steamship G. W. Elder with 23 passengers and 183 tons of freight for Victoria, arrived at an early hour yesterday morning and sailed for the Sound after discharging freight.

Handsome Calendars.—This year has produced many handsome calenders, but several sent us yesterday by Messrs. T. N. Hibben & Co. are the choicest that we have seen. One in particular is a really elegant piece of lithographic work, and is an illustration of that last sad scene in a Christian maiden's life, when, in the amphitheatre at Rome, she awaits the coming of the lions who will devour her. Some friend among the spectators drops a rose at her feet, and bending over to pick it, she glances up with gratitude to the door of the kindly act. It is a very attractive picture and worthy of a place in any parlor.

Building Progress.—One cannot but view with satisfaction the large number of superior residences that are underweigh in all parts of the city. In the eastern end on Fort, Yates and Chatham streets some handsome two-story houses with brick and stone collars are being built. Chatham street, in the old Caledonian grounds, will soon be a handsome quarter, while in the rear of this, in what is known as Spring Ridge, there is quite a little village of recent growth and it is constantly being added to. There will evidently have to be a large number of new streets opened up this year to meet the rapidly spreading city, a necessary consequence of prosperity.

Fallen.—A woman passed along Government street yesterday smoking a cigarette and at intervals taking a draught from a pitcher of beer which she carried. Occasionally she would stop a passer-by or perform a jig on the sidewalk. She has only recently been liberated from the section that a prison cell grants, and will probably soon return to durance vile.

French Benevolent Society.—The following officers were elected last evening: Mr. Leclouis, president; Mr. Thos. Shotbolt, vice-president; Mr. F. Wenger, treasurer; Mr. L. Stemler, secretary; Mr. F. B. Phillips, John Stephens and Peter Steele, directors. Dr. Milne was re-appointed medical attendant.

Good Record.—An eastern merchant says that he has been doing business with Victoria houses for the past fifteen years, and during that period has not lost a dollar through bad debts, a satisfactory showing.

## SUPREME COURT.

### Action for Seduction.

[Before His Lordship Chief Justice Begbie.]

Victoria, Feb. 6th, 1885.

Wark vs. Raymur—This was an action for seduction brought by John McAdoo Wark, of this city, father of Miss Jane Dallas Wark, a well known young lady of this city, who, it was alleged, was seduced by James L. Raymur, son of the late Capt. Raymur, also of this city. Owing to the standing of the parties to the cause, the novelty of it and the developements expected, the courtroom was densely crowded when his lordship took his seat and remained so during the entire day.

Miss Wark, who was accompanied by her mother, occupied a seat next to her counsel, the Hon. A. E. B. Davie, who was assisted in the prosecution by Mr. A. J. McColl, of New Westminster. The position in which Miss Wark was seated, a fire screen being directly behind her back, prevented the morbid curiosity of the crowd from obtaining a glance of her features.

The defendant was represented by Mr. Chas. Wilson, of Davie & Wilson, of this city.

After several challenges on both sides the following jury was at last empanneled: A. B. Gray (foreman), Hy. Crossdaile, Wm. Dalby, Percival Brown, F. S. Barnard, J. J. Austin, P. Teague and J. H. Todd.

Mr. McColl, opening the case for the prosecution, and addressing the jury asked indulgence, as the case was one of a most painful and distressing character, the first of the nature that had occurred in the province. The defendant was a resident of many years, living in this city, and had been married for a long time. Before stating the facts he would make some remarks as to the foundation of the case. The law has for a long number of years established that the daughter was in the defendant's service, no matter however trifling, and there was abundant evidence in this case to assert this fact. The plaintiff was entitled to show the loss he has sustained by deprivation of any service and to claim damages for the disgrace brought on him and his family in society. Miss Wark, in 1877, being then about the age of sixteen, met the defendant, who was at the time about eighteen. He took up his residence for a period at Burrard Inlet, and warm correspondence passed between them and, in fact, the defendant became an avowed suitor of Miss Wark. Subsequently the engagement was broken off, Miss Wark refusing to receive any further attentions from the defendant, having discovered that the delendant had contracted another engagement. But after this there was a third engagement, Miss Wark having forgiven the defendant. It would be shown that the seduction was perpetrated in June last near Sailor Bay, and that the intercourse continued. It would be shown by the defendant's own handwriting that he was guilty of seduction, no matter whether the unfortunate young lady was pregnant with child or not. The learned counsel then addressed the jury as to the standing in society of the defendant and said that he was admitted to the family of the plaintiff because he was believed to be at least their equal. The jury would have much difficulty in arriving at a proper estimate of damages, but, being entitled to bring the action, damages were due, and the jury would consider from a fair standpoint the disgrace brought about by the defendant, the disgrace to the family and the infraction on public morality. The home of the young lady was, it must be remembered, the home of a father and mother and the defendant's conduct had broken a link in the chain of society. The defendant's own writing would show that he had violated the confidence placed in him by the family. The learned counsel was astonished and had blushed that the defendant had the effrontery to resort to a plea of denial which would compel Miss Wark to admit the unfortunate position in which the defendant had placed her.

Mr. Wilson submitted that upon the pleadings as they stand under Order 40, Rule 9, he was entitled to move for a nonsuit, no action for seduction being good until after the birth of the child. In the case of Hedges vs. Tagg, Law Report, 7 Exchequer, the confinement did not take place whilst the plaintiff was in the defendant's service, and the learned counsel submitted that in the present case the confinement of the young lady might not take place whilst in the service of the plaintiff. There was no single English case in which an action was good until after the birth of the child.

His lordship said that he did not feel disposed to stop the case at the present stage.

Mr. Wilson asked that the point be noted.

John M. Wark—I am married and reside on Michigan street in this city; I have five children all living with me; the eldest is Jane Dallas, commonly known as Jennie; she was living with me in 1883; her home was with me; she fulfilled domestic duties in the house; I do not keep servants; she would assist in cooking, sewing, etc.; lately she has not been able to attend to those duties; I noticed it last fall; I took no note of the month for I did not know what was the matter with her; she did not get up as early as she formerly did; when I first observed it I think it was September; I was told about a month ago that she was in the condition that she is now in; lately she has not been well by any means, and I have been deprived of the use of her services in the house; she is now staying at the house of a friend, and has been there for six weeks or two months past; I know the defendant; he used to come to my house frequently and stay late; I was told he was engaged or paying his attentions to my daughter.

Cross-examined by Mr. Wilson—Have lived in my house since 1878; the house is mine, but in the hands of trustees; I do work about the house, such as chopping wood, etc.; I generally go to bed between 9 and 10; occasionally I go into the sitting room where my daughters sit; then I see the visitors; I have never been called on to exercise any control over the people who visit my house; I do not accompany my daughters when they go out; their mother sometimes accompanies them; I do not know how frequently; I never inquired because I did not deem it part of my parental duty; I have known my daughters to receive presents, not indiscriminately; never made any inquiry as to who made the presents; my daughters' dry goods bills are paid at the H. B. Co.'s store; never look over them; never saw any bills for jewelry; I never entertained the defendant at my house myself; I cannot say that I was told that the defendant was paying his attentions to my daughter; I will not swear that I have seen him in my house in 1884, but I have seen him with my daughter at the gate after church; before 1884 he came to my house frequently; I did not entertain him at all; my daughters did that; my wife was the chaperon, but she is now and was then very deaf; cannot say when defendant first visited my house; I have seen other young men in the company of my daughter, but not very often; when the defendant was in the house with my daughter I do not remember any other young men being present; occasionally she would tell me where she was going and at what hour she would return; no one would sit up for her when she went out at night time; the door was left so that she could get in; the windows were fastened; I sleep on the ground floor and my daughter's room is on the opposite side of the passage; the partitions between the bedrooms are lathed and plastered; I was first told of the unfortunate condition of my daughter before Christmas by a friend on Government street; I did not turn her out of doors; I cannot say how long she has been absent from home; she is staying at a friend's house still with my consent; I have been to see her on some occasions; I felt that the defendant was paying addresses to my daughter, but never spoke a word about it, and did not notice that other young men were also paying addresses to her.

To his Lordship—It was on account of her condition that she went to a friend's house; when out at night she could get in with a latch key; sometimes at 1 o'clock at night, but not often.

Dr. J. C. Davie, sworn, testified that early in November, 1884, he examined Miss Wark and found that she was *enciente*; had examined her yesterday and found that she was pregnant beyond mistake.

Jane Dallas Wark, sworn—I first met the defendant in 1877; I saw him very often afterwards; I remember June 1882 when he asked me to marry him and I consented.

Mr. Wilson objected on the grounds of inadmissability.

His Lordship said that he would admit the statement although it was unimportant.

Witness (resuming)—The defendant, Mr. Raymur, after I had consented to marry, him went to Burrard Inlet. (Counsel here produced and handed to witness a number of letters which the witness identified as addressed to her by the defendant). Three months after the engagement she heard that defendant was engaged to another girl and she (witness) suggested that their engagement be broken off; he consented readily and it seemed to suit him very well; about a year afterwards he came and asked my forgiveness; this would be about September 1883; he said about his other engagement that he had made a mistake; I saw a great deal of him last spring and last winter; I remember June of 1884; he wrote me a note; (note produced written on a scrap of paper asking Miss Wark to go boating and meet defendant at a point where they had previously landed).

Witness—I found this in our garden; it was in Mr. Raymur' handwritingand similar note I got at Mr. Shotbolt'sdruga store; and then at the back of our house; another note said: "When can I see you again? Any night but Wednesday." In consequence of these notes I went out boating, and in June, 1884, he seduced me; he intercourse continued for about three months; I did not continue in my usual state of health; I consulted Dr. Helmcken, and afterwards Dr. Davie; I remember meeting Mr. Raymur at that time, and he gave me a ring; I informed him of my condition; I denied my condition to Dr. Helmcken; he asked what medicine I had been taking, and I said a tonic; he asked me a number of questions and thought there was something wrong; I told Mr. Raymur about my condition in August and he said he was quite sure I was not so; he asked me to go to California, but I did not want to go and leave all my friends; he said a married lady had gone there and I could go down too; I was in such trouble that I did not know what to do, and I said I shall have to poison myself; he said, "what will you take?" I said, "laudanum, I suppose;" he said "no, take strychnine." I said I would not take it unless he got it for me; he said if he did get it he would be put in the penitentiary for life; I promised to get it next day; he kissed me good bye and promised to come to my funeral; I told Mr. Raymur that I had been to the doctor's and told me to deny it, but when I went to Dr. Davie he told me to say I was in trouble but not to mention his name; shortly afterwards I received a note from Mr. Raymur (note produced, Nov. 11, 1884, asking Miss Wark to meet him at the garden gate); I went down to the gate but he was not there; saw him on the following Sunday; Dr. Davie told me to write to him and demand an appointment; I wrote a letter but before posting it I found one of his letters; (letter produced asking witness to meet him on the beach at 11 o'clock on Sunday morning); he was sorry he did not keep the appointment at the gate, and he feared the nights were too wet for me to meet him on the beach; he said in another letter "so after all you have told Dr. Davie it was me;" I said, "no, he (Dr. Davie) guessed, and then I admitted it;" I asked defendant what he was going to do; he said I had better go away again, that he would scrape up all the money he could and try to get off his engagement to marry me; he would have to tell his mother, and it was agreed that there should be a week for consideration; before the week expired I wrote to him and he replied that he had not yet told his mother (letter produced, No. 7, stating that he (defendant) wished to spare his mother and would not tell her unless absolutely necessary; "Don't telephone because you cannot tell who is listening, but write to me, you can do so with safety." About the middle of September, 1884, Mr. Raymur gave me a ring (produced) and he said he gave it to me for a present; this was after he had asked me for my forgiveness; he told me to wear the ring but not to say where I got it from; in June, 1884, I was living at my father's house on Michigan street and I remained there until December 5th when I went to my cousin's and have since been there; I did my share of domestic duties at home, but about September I was too ill to continue to do so in consequence of my condition; I purchased some poison and kept it; I did not take it; I could not; I thought it was too wicked.

The court here took recess until 2:15 p. m.

On reassembling Mr. Wilson proceeded to cross-examine the witness.

Miss Wark, cross-examined — I dismissed the defendant in September, 1882, on hearing that he was engaged; that state of affairs continued for about a year; I told my mother of the engagement; defendant told me not to speak about it for a while; he made me promise not to tell; he used to come when 'pa was there and my sisters too; I used to visit his house before and after the engagement; at that time I did not purpose taking proceedings for breach of promise against him; our meetings were clandestine; I was afraid my mother would find out our meetings; defendant did not come to my father's house during our clandestine meetings; don't remember telling him not to let him know anything about it; used to meet him at our front gate and at the outer wharf; do not recollect going into any uninhabited house with the defendant; went through Mr. Burns' house whilst it was in the course of construction; that was about the middle of May; that was not the time I was seduced; that I swear positively; the first time any intercourse between me and defendant took place was at Sailor Bay in June last; this was in consequence of the promise of marriage the question was discussed and I yielded on the promise to marry; would not have done so otherwise; I don't remember any conversation with defendant as to the means to prevent pregnancy; I told him I was quite sure he had got me into trouble; we did not arrange so as to avoid it; I found out my condition in August and went to Dr. Helmcken, who asked if anybody had been fooling with me; I denied it, but I knew what he meant; I adopted the remedies prescribed for me by Dr. Helmcken and I told the defendant I was doing so, and what they were; during that time defendant used to come up and down in front of our fence; would whistle and then I would come out and take a walk with him; don't remember sticking a light in the window as a signal; I always told ma where I was going to, but instead of going to some friend's house I would frequently go to meet the defendant; on coming home I went straight to bed; I will swear positively that I never admitted the defendant through my bedroom window, and I never remember speaking to him through the window; never put a box outside the window to assist the defendant to get in; do not remember telling the defendant that after consulting Dr. Helmcken I was all right although I thought so myself; after going to Dr. Davie I told defendant that he had got me in trouble and defendant walked off and said he was in a hurry; I was first taken ill in July and in August ceased doing my household work; I used to go out but not as often as I did before; I only went to the drill shed once and that was with a lady to watch the men drill; that was the only time, and I think it was in May; I was never told to go away and go home, that the drill shed was no place for me; never met the defendant at the drill shed, nor any of the officers except one who was on the grounds hurrying to drill; when I told defendant of my condition I did not suggest marriage; I threatened only to poison myself, but I don't suppose I ever meant to do it, it was too wicked; the ring (produced) was not a parting gift, it was only a present given after we talked about poison. It was in November last when defendant refused to marry me. Up to October I thought he would marry me; the poison I bought was laudanum, at Mr. Shotbolt's; it was not very much. I said I wanted it for tooth ache, but I never used it or took any of it. I did not do much housework in September, but on the 31st October, although I did not feel well I went to the naval ball; a great friend of mine offered to take me and my mother wanted me to go. I went to my cousin's house on December 5th because I was asked, and I was afraid that my father would be angry if he knew of my condition; I do not remember telling the defendant that I would prosecute him criminally. He always used to know where I went and with whom, except when defendant used to whistle for me. I have been with other young men and even over two have kissed me; never allowed any married men to kiss me The other young men I only met accidentally, not by appointment; they used to visit the house, and my father often went to bed and left me and my sisters and mother to entertain them; don't remember the defendant coming to the house in 1884; but in 1882 and then my father was present; I do not remember sitting on a gentleman's knee and kissing him; I have a nice pair of bracelets which were given to me by Mr. Theodore Davie, also another pair which were given to me by Mr. Charles, who said that he had not bought them for me but for some other person; never visited Mr. Charles' house in Yale; do not remember him bringing me down from there; he never refused to permit to stay at his house; he never put me in an indelicate position; never used to frequently meet another young man coming out of church; had no other lover; only friends; I was not afraid that any other person besides the defendant would be charged with this; I told him that if he did not marry me within a week we would have to go to court about it; I asked him to promise not to run away or get married, and he did so; I never asked him not to poison himself for I did not think that he would; in November he said that he would marry me, but he wanted a week to consider about it; never went with defendant to Capt. Irving's home whilst it was in course of construction; never went to the Richmond Hotel; used to meet defendant after church, and then I went home and changed my clothes for warmer ones, not darker, and met him again; I have read works relative to pregnancy.

His lordship thought that the latter matter, as to what Miss Wark had read, was of no importance, and the learned counsel did not press the examination. He claimed, however, the right to peruse the letters from the defendant to Miss Wark.

Hon. Mr. Davie said he had only proposed to hand them into the jury, and did not wish to read them in open court, as the names of parties were mentioned in them nothing whatever to do with the case. They were produced in the proper form and were sworn to, and were put in simply to corroborate Miss Wark's evidence.

Mr. Wilson said that he had not the slightest idea of their contents, and he would like to see them before going further.

The letters, thirteen in number, were then handed to the learned counsel for perusal, and the court adjourned for a quarter of an hour.

On meeting again—

Hon. Mr. Davie stated that the case for the prosecution was closed.

Mr. Wilson then asked his lordship to note the point that he applied for a nonsuit, and submitted that the prosecution had failed to show that the pregnancy was caused by the defendant.

His Lordship said that he could not stop the case on that ground.

Mr. Wilson then proceeded to address the jury and said that he thought he would be able to call evidence which would show that the girl had not been the victim of seduction in the common acceptance of the word, and that the seduction, so termed, could not have taken place under the circumstances. He thought also that he would be able to show that the girl was at least immodest prior to the alleged seduction, and that would go to mitigate any damages. The first witness he would call would be

Gordon Gamble who, being sworn, testified: I know the plaintiff's daughter; am an officer in artillery; have seen Miss Wark at the drill shed very often between 7 and 8 in the evening.

Had she any nick-name owing to her frequent visits?

Hon. Mr. Davie objected.

His Lordship sustained the objection.

Witness—Have heard one of the officers tell her to go out of the drill shed as it was no proper place for her.

The foreman complained that the jury could not hear the witness, and his lordship remarked that the court room ought to be furnished with a speaking trumpet for the benefit of witnesses. It was surprising that lusty men immediately they got into the box were ashamed to speak out as they did elsewhere.

Witness (continuing)—Miss Wark replied to the officers that, as to going away from the drill shed, it was none of their business. Sometimes she was accompanied by a lady. Her visits were during the term of the school of gunnery, April, May and June last year.

Have you been intimidated by the plaintiff's friends?

Witness—Well, I have not been encouraged at all; I heard a remark to-day by Mr. James Anderson, a friend of Miss Wark's, damning my black soul, and hoping that I will be in hell with the defendant.

John Cook, sworn—I am a militiaman; know Jane Dallas Wark by sight; have seen her in company with officers of the militia; at one time I had occasion to go into one of the tents, and——

Hon. Mr. Davie objected, as the subject was entirely novel.

Mr. McColl—The time and place must be stated.

Mr. Wilson contended that he was entitled to adduce the evidence as bearing directly on matters elisited in the cross-examination of Miss Wark.

His lordship ruled the evidence out, and counsel for the defendant asked that the point might be noted.

Charles Ireland, caretaker of the drill-shed, sworn—Know Miss Wark; have seen her at the shed both morning and afternoon.

Did you ever see her go into any one of the rooms set apart for officers or men?

Counsel for plaintiff again objected on the grounds that it was new matter, and no time, place or person was stated in the question.

The witness stood down.

James Lawson Raymur, sworn—I am defendant in this action; known Jane Dallas Wark for the last 7 or 8 years; was a visitor at the house up to September 1882; have never promised to marry her; do not think that my attentions pointed in the direction of marriage; she might have thought so but not from anything that I said; when I visited the house I used sometimes to see the plaintiff, he never offered me any hospitality; he generally used to leave the room when I went in; and we would be left alone or possibly one of the sisters would be there; Miss Wark out me in September, 1882; she sent for me and said she did not want to have anything more to do with me; she, used to call at our house but was not particularly entertained; in November, 1883, we renewed our acquaintance; I met her coming from church, and as we frequently met and did not speak, I said, "can I speak to you? it is unpleasant to be always meeting this way;" she said that I could, and our acquaintance was renewed; I never made any promise of marriage to her; I first had intercourse with her in Mr. James Burns' house at 9 o'clock on a Saturday evening in April last; this was up stairs; the house was unfinished; this intercourse continued until the middle of August; to make the appointments sometimes we would telephone, or I would meet her on the street and mention the time and she would know; sometimes we went boating in the fine weather; I have been in Miss Wark's bedroom; she admitted me herself; she used to put a box outside and then I stood on it and climbed in through the window.

Hon. Mr. Davie said that he did not know whether this class of evidence should not be stopped as it only went to show that the defendant had really seduced plaintiff's daughter.

His lordship—The evidence, I imagine, is adduced to show that the father has only lost the services of a worthless daughter.

Mr. Wilson said he would not push the matter any further than necessary.

Witness (continuing)—I met her on James' Bay bridge one day. She said she thought she was in the family way and that she had made up her mind to take poison, and that I must get it; I told her that if she waited for that she would never get it; that she must be crazy to think of such a thing; I told her to go to California and that I would meet her there; I asked her in the shape of money; she wanted me to marry her and I told her to wait a week for an answer, and she said she would if I promised not to poison myself, go away or marry anybody else; I wanted her to go to California to avoid any scandal.

This concluded the witness' evidence in chief, and counsel for the plaintiff intimating that the cross examination would be lengthy, the court adjourned at 5:30 p. m., until 10 o'clock this morning.

*From the Daily Colonist, February 8.*

### Personal.

Mr. James Burns, who recently retired from the prominent mercantile firm of Burns & Co., left here on Thursday for Bonnie Scotland, on a visit to his native place in Perthshire. Mr. Burns has been absent from his early home twenty-three years. We are pleased to note that he is one of Victoria's most successful business men, and that he will return next summer and take up his permanent abode in this city.

Mr. Justice McCreight was a passenger for Victoria on the Sound yesterday.

Mr. Guillod and Capt. Reed of the ship Spartan came in from the West Coast yesterday.

Mr. L. Oppenheimer and H. J. Cambie came down from the mainland on the Princess Louise.

Mr. Henry Saunders received a telegram from Hongkong yesterday morning announcing the arrival of the steamer Sardonyx, hence.

### Marine.

The barque Majestic, which arrived in Esquimalt on Friday night from San Francisco under sail, will leave for Nanaimo today in tow of the Alexander, to load coal at the Vancouver Coal Company's dock.

Not long since the Anchor line tried the experiment of a direct line from Calcutta to New York via the Suez Canal, and it has been so successful that the fleet has been increased. The cargoes consist of linseed, indigo, hides, jute, and coffee from Ceylon.

The missing steamer San Pablo has arrived at Yokohoma.

[BY TELEGRAPH.]

San Francisco, Feb. 7.—Arrived—British steamer Wellington, from Departure Bay. Sailed—Ship City of Brooklyn, for Port Townsend; barque Templar for Seattle.

Blue Ribbon Meeting.—Temperance hall was crowded last evening. The choir opened the meeting by singing, "What shall the harvest be." The orchestra played several nice selections. The president, Mr. Rudge, and vice president, S. Gray, made powerful temperance speeches. Misses Burgess and Humber sang a duet so nicely that they received an encore. Miss Mary Holden, a little Canadian girl, sang two beautiful solos. Mr. Harding sang "Waiting," and Mr. A. Percival gave a recitation. Mr. Pain's recitation, entitled "The Two Glasses," was well received. The president announced that a social would be held next Saturday evening.

The Marine Hospital.—There are only three cases at present in the Marine Hospital, one a sailor who has been in for the past six months with dropsy and cannot recover. The second is the man J. C. Wilson, who was stabbed seven times by Geo. King on the Pacific Slope. He will soon be entirely recovered, and his assailant is now in gaol awaiting trial at the next assizes. The third is a sailor named Wilson, suffering from consumption, but is now recovered sufficiently to be discharged. He has not yet got his clothes or wages from his vessel, the Lady Bowen, which sailed from Burrard Inlet, and is entirely destitute.

Hand Grenades.—A test of these new means for the purpose of extinguishing fire was made on a small building on the new theatre site last evening at 7 o'clock. The building was fired and after getting pretty well under way several grenades were thrown into it, but they did not seem to have the desired effect, and water from the hydrants was thrown on to put the fire out. Whether the arrangements were at fault or the fire was too hot, the grenades don't seem to have proved a success.

P. O. Home.—The net proceeds of two performances, given by the amateurs of H. M. S. Satellite, amounting to $36.39, were last night paid over to the treasurer of the Home. When it is remembered how expensive these amateur performances are to those getting them up all will agree that the kind-hearted promoters are to be complimented on the success of their efforts.

### What Some People Say.

That in Southern Oregon, on the 3rd inst., a stage was upset in a creek and the driver and four passengers were drowned.

That Barman, drygoods man, who failed at Portland, owes $35,000.

That the Gazetta delli Ospitali describes a case of the removal of the spleen, on account of a chronic enlargement of that organ. The functions of the spleen, if it has any, are not clearly known, though an eminent physician recently said that its chief use seemed to be as a repository for the germs of malaria. In this case of removal the patient shows no signs of inconvenience from the operation.

That Cleveland's sister, who takes charge of the White House, is on the shady side of forty, an old maid and prim. No foolishness in that mansion.

That a Massachusetts doctor who caused a woman's death by packing her in cloths saturated with coal oil, thereby flaying her alive, has been sentenced two years' imprisonment.

That Mr. Grant, M. P. P., declines a copartnership with the editor of *The Colonist* because of the cloven-foot of the latter. The editor, on his part, objects to Mr. Grant on account of his *head*. There's nothing in it.

That Mr. Shakespeare, M. P., addressed a meeting of workingmen at Hamilton, Ont., on the Chinese question. He denounced the Chaplean Chinese commission as a farce and a fraud.

That a woman called Gusser has appeared in London and claims to be the eldest daughter of Queen Victoria. She says that soon after she was born the Princess Royal, then of course a baby, was substituted for her, in order to please the late Prince Consort.

That a German officer says: "There is nothing like presence of mind. One day in battle a soldier near me had four of his teeth knocked in by a rifle ball which would have smashed his jaw had his spinal column and kilted him had he not, with rare presence of mind, quickly swallowed the ball."

That instead of the old fashioned R. S. V. P. on social invitations "an early answer requested" is now popular with some.

That they laid out a new town in Dakota last fall, and called it Golden City. A Chicago speculator who was out there took 500 lots at $5, and in 30 days the price of city lots had gone to $25 each. Some one built and opened a saloon, and the figures jumped to $50. A second saloon went up and city lots changed hands at $75 apiece. The Chicago man was advised to sell, but he concluded to hang on for a few more sales. The new town came and it was with difficulty the Chicago man's agent could get through the drift to find the place deserted by human beings; but on a tree was a sign reading: "Be I you the whole city for $10."

That when Gen. Gordon is rescued and brought back to civilization it is understood that he will be sued for damages by the Boston Globe. The Globe published more than a year ago a detailed account of the capture of Khartoum, including a description of the wounds upon the General's corpse as counted by its own special reporter at the scene of conflict.

That our neighbors are trying to decide whether or not Jeff. Davis is a traitor. But the answer is easy. He lost, therefore he is a traitor. Had he won he would have been a patriot.

That the Montreal Witness relates the following conversation anent the Montreal demonstration to Sir John Macdonald: "Why, these processionists were nearly all Liberals' sons," said one of the group. "Yes," responded the other (a Conservative), "and they appear to have more sense than their fathers."

That a Boston physician advises everybody to ascertain what diseases have carried off his ancestors, with a view to guarding himself against inherited tendencies by adopting the requisite manner of life, place of residence and other well ventilated treatment.

That the London Telegraph has a circulation of 190,000 copies and cleared $250,000 last year.

That Greeley, the Arctic explorer, is accused of cowardice, cruelty and inhumanity. It is said that he issued orders for men to be shot so that they might be eaten.

That Prof. Messeroff, the maker of infernal machines, who has been posing as a Russian refugee, proves to be an Irishman. Lately he was assaulted by some of his own crew and is in danger of dying.

That the "gobble, gobble" song appears to be a favorite air just now with most European diplomats.

That Col. Burnaby, who was slain in the recent battle at Abu Klea, was a cousin to Mr. H. B. Small, accountant in the Department of Agriculture at Ottawa.

That Mr. Edgar S. Kelley, a talented young musician in San Francisco, has just completed an ambitious work—the melo-dramatic music to Shakespeare's "Macbeth." A performance will be given shortly.

That the curse of the eldest son of the father of the human race seems to be no longer effective. The British Parliament and the American Congress have each a member bearing the name of Caine.

That there was a great boom in divorce business in Chicago on Saturday, more than twenty decrees being granted and a large number of new petitions filed.

That the diaphragm of a new telephone, through which conversation has been held between New York and Cleveland, is made of cork. The extreme sensitiveness of this substance to the tones of the human voice is a late discovery.

That there was a perfect hurricane in the Straits yesterday, the wind blowing from the sou'west.

That the wharves presented a busy scene yesterday.

An old smoker declares that he has been using Myrtle Navy tobacco ever since the second year of its manufacture and that during that time he has never suffered from a blistered tongue or parched tonsils or any other of the unpleasant effects which most tobaccos will leave behind them. His experience, he says, is that no other tobacco which he has ever tried is quite its equal and that in value for the money no other comes anywhere near it. 2

The Accident on the Nellie May.—The captain of this vessel says that the men fell from aloft in consequence of both sitting on one side of the topmast, which had been lowered for repairs. At the time of the accident