The Colonist.

FRIDAY, OCTOBER 24, 1890.

A LYING LETTER.

When a manly man determines to publish in a newspaper statements injuriously affecting the character and standing, business or political, of individuals, he signs his name to the communication. When a letter containing statements of such a nature is offered to an editor who has any regard for principle, he declines to publish it over a fictitious signature. When a writer discusses general subjects it is immaterial whether he signs his own name to his letter or not; but when what he says relates to the character and the doings of his neighbors he should take upon himself the full responsibility of what he writes, and the public should be able from the signature to know what degree of credibility to attach to his statements.

A letter over the signature of "Mainlander" appeared in Sunday's News-Advertiser which is intended to convey the impression that the members of the Government are land speculators, and in which a number of false statements as to matters of fact are made. The writer states that the public are to expect the most obstinate opposition to land reform from the Cabinet, "composed of the largest land-owners in the province, one member of which is credited with property to the extent of one hundred square miles, while some of his colleagues have not fallen far short of him in the game of grab, which has been going on for years."

This statement is deliberately and maliciously false. The writer, of course, lies with a purpose, and that purpose is to affect the election shortly to be held in the Westminster district. The members of the Government are not the largest landholders in the province. There is only one of them who can be said to be a large landholder, and he uses either for crop-raising or pasture every acre he holds. Mr. Vernon is, perhaps, the largest farmer in the province, and in proving the agricultural and pastoral capabilities of British Columbia, he can claim credit for doing the whole province a very essential service. He holds some twelve thousand acres of land, about one-fifth of what Mainlander, in a mean and cowardly way, credits him with. As we have already said, Mr. Vernon uses all the land he owns. He is, therefore, not a land speculator. The land of which his ranch is composed was not all purchased from the Government. Some of it has been bought from private parties. The Commissioner of Lands and Works has been some twenty years in acquiring the land he owns. He bought it piece by piece as he needed it and could afford to purchase. No one who is not a contemptible pettifogging politician, who has an object to gain by lying and misrepresentation, will say that any discredit attaches to Mr. Vernon or to any one else for acquiring land, whether twelve thousand or twelve hundred acres, for the purpose of pasturing cattle and raising crops. These are the kind of men that the country wants, and if the province had many more such farmers as the Hon. Mr. Vernon, it would be much better off than it is.

As for the other members of the Government, all the land that they own collectively does not exceed one thousand acres. They have had no hand in "the game of grab that has been going on for years," and they are as free as either Mainlander or the editor of the News-Advertiser—if they are not one and the same person—to carry out the policy of land reform which they have already so auspiciously begun.

Mainlander asserts that 24,000 acres in the district of Kootenay were sold to an M. P. P. at one dollar an acre as grazing land, although "this tract has been known for years to be valuable as coal land, the price of which is fixed by statute at $10 per acre." There is a miserable mixture of falsehood and ignorance in these statements. The quantity of land sold to Col. Baker was 8,000 acres, one-third of the quantity which Mainlander says he bought, and some of that, we understand, was purchased from private owners. Does Mainlander know that the price of coal lands as fixed by statute is precisely the same as that of other lands—all coal mines being subject to a royalty? It is as likely as not that Mainlander was not ignorant of this fact, for it is quite evident, from the first word of his letter to the last, that if the truth did not suit him he was ready to supply its place by lies. This is most probably the reason why he did not sign his name to his letter. He wanted to place before the public statements damaging to the Government. The truth would not serve his turn, and therefore he did not scruple to write and to publish what was not true. Will he publish his name, or will he allow his fellow-conspirator, the editor of the News-Advertiser, to bear the responsibility of his false statements and his malicious misrepresentations?

THE DELEGATES.

We are not surprised that the farmer's delegates from Great Britain were well pleased with what they heard and saw and felt in British Columbia. They saw in this country some of as good agricultural land as there is in the world. The soil in those parts of the province in which agricultural operations can be carried on is far better than the average in most countries, and with anything like good treatment it can be kept very productive. They saw, too, that there are large areas in the province suitable for stock-raising, and they could not but have observed that the capabilities of the province for the cultivation of fruit are practically illimitable. It is much to be regretted that it is not yet known how much agricultural and pastoral land there is in British Columbia, or what are the probabilities of reclaiming the lands that are now unproductive for want of water. If the area available for agriculture and pasture were anything like definitely known, the British farmers could give a report of this province that we are satisfied would bring to it all the immigrants it needs. They could tell their countrymen that British Columbia, besides having a fertile soil, has a delightful climate. The winters of Eastern Canada prevent Englishmen choosing it readily as a field for emigration. They do not like the notion of living in a country in which the mercury in the thermometer often goes down to twenty and even thirty degrees below zero. Hardly any advantage can be considered a sufficient compensation for this, in their opinion, great drawback. But British Columbia does not labor under this disanvantage. The winters here are as mild and as much more pleasant than they are in any part of Great Britain. In many parts of the country the cattle are not housed in the winter time, and except on the very high lands among the mountains the cold is never intense. Spring comes very early, and the flowers continue blooming until late in December. Such being the climate, the Englishman is more at home in British Columbia than in any other part of Canada. The country, too, is as healthy as any other region of the world. Children, particularly, thrive in it, and when they get anything like a fair chance, grow up strong and healthy. This the delegates must have seen and noted, for they are intelligent and observant men.

CANADIAN PATRIOTISM.

Principal Grant delivered an address, last week, before the National Club of Toronto, on "Canada, our National position and aims." The address, it goes without saying, was eloquent and patriotic. Canada has very few more enthusiastic and hopeful sons than Principal Grant. He loves Canada fervently. He believes in her and he has an abiding faith in her future. Whether those who heard him, or who read his address, agree with all the views he expressed or not, they cannot but admit that if Canadians generally took his advice Canada would be a happier and, perhaps, a more prosperous country than it is. Whatever men's opinions may be about Canada's destiny, it must be plain to every one that it is to the true interest of all the inhabitants of all the provinces to live in peace and harmony. Nothing is to be gained by perpetuating racial antipathies, magnifying religious differences and aggravating sectional jealousies. The man who cultivates and promotes fraternal feeling and good neighborhood between the different sections of the Dominion and the different races and denominations of which its population is composed, is a public benefactor. In this good work Principal Grant is engaged. He brings to it fine talents and great energy. Every right-thinking and patriotic Canadian, as long as he is doing his best to unite Canadians and to cultivate in them a love and pride of country, should bid him God speed and should be very indulgent to what they may consider his fads or his hobbies.

It cannot be denied that Canadians generally have not faith enough in their own country and they are not so proud of it as they ought to be. It is just possible that Canadians, as a people, do not know how well they love their country or how highly they esteem it. Their patriotism has never been put to any very severe test. National life in Canada for many years has been exceedingly uneventful. The Canadian has lived a kind of hum-drum existence. He has done his work and enjoyed his not very exciting pleasures in a quiet, even way. Politics may have been exciting to a few, but they have not been very elevating, and have not been calculated to rouse his slumbering patriotism—if he had any to rouse. Canadians have been in the position, said to be happy, of the people who have no history. Who knows how they would feel and what they would do if their country was in any real danger? We have a notion that, in a crisis of that kind, many Canadians would be a surprise to themselves. They would feel then that they loved their country and were ready to make the greatest sacrifice for her safety, or to secure her independence. They would then realize that in all those quiet and uneventful years an ardent love of their country was growing in them, only waiting for a proper occasion to show itself and to prove its strength. We, for our part, are strongly inclined to the belief that Canadian patriotism is not dead but sleeping, and that those who judge by appearances and who lament the coldness and want of enthusiasm that appear to be so general, are grieving themselves needlessly, and are doing their fellow-countrymen an injustice. But, although this may be the case, it is well for gifted Canadians, like Principal Grant, now and again, to appeal to the patriotism of the people, and to show them that it is their duty for the general good to bear and to forbear, and to do nothing that is calculated to cause discord or to sow the seeds of disunion in the Confederation.

FINANCIAL AND COMMERCIAL.

In the local financial circles the course of money pursues its old steady way, funds being ample and unchanged in value. Remittances to wholesale houses are, according to all accounts, well up. In England, Canadian securities—government and municipal—are unaltered, with the exception of those of the province of Quebec, which for four per cents have advanced a point. Canadian Pacific stock which fell to 77 rose as high as 80½. The annual meeting of the Grand Trunk Railway is to be held in London on the 31st inst. Bank of British Columbia are quoted at 38, and Bank of British North America 76 ex div. The grocery trade has been lively. Teas and coffees are steady; rice and sugar are firm, both with an advancing tendency. Strong baker's flour has risen 25c., and Island eggs are not to be had. Iron and steel continue dull; nails have advanced 25 per cent on account of the recent fire at Pillow, Hersey & Co.'s factory in Montreal; copper is lifeless, but lead inclines towards an advance. The dry goods trade has been exceptionally good, particularly for winter wear. Rubber goods are in request. Meats and game are in demand at our quotations. In fish halibut are barely plentiful enough to meet the requirements, but sockeye salmon are abundant.

VICTORIA MARKET REPORT.

FLOUR—Portland roller	$ 5.50
Salem "	5.25
Snowflake "	5.50
Hungarian "	6.50 @ 7.50
Wheat, per ton	35.00 @ 40.00
Oats, new, per ton	30.00
Barley, per ton	30.00
Middlings, per ton	35.00 @ 40.00
Bran, per ton	27.50@30.00
Ground Feed, per ton	37.50@40.00
Oil Cake, per ton	7.00
Corn, whole "	40.00 @ 42.50
" cracked "	45.00
Cornmeal, per 100 lbs. Canadian	2.50
Oatmeal " " Rainich	3.75
Beans, large white, per 100 lbs.	4.00
" small " "	4.50
Hay, per ton	17
Potatoes, new, per ton	15.00 @ 18.00
Onions "	3.50 @ 3.75
Hay, baled, per ton	18.00 @ 20.00
Straw, per bale	1.25
Pears, per doz.	66
Apples, Newtown pippins, per bx.	1.50
Apples per lb.	3, 4 and 5
Plums, per lb.	05
Celery, per doz.	50
Corn, green, per doz.	25
Cauliflower, each	10 @ 15
Eggs, Island, per dozen	65@70
" Imported "	22
Butter, roll, Island, per lb.	32½ @ 37½
tub or firkin, creamery	27½@35
Cheese, Canadian, per lb., retail	20@ 22
" California "	20
Hams, American "	20
Bacon, American, per lb.	16 @ 18
" Rolled "	14@ 16
Shoulders, per lb.	12@ 13½
Lard "	11½@13
Meats—Beef "	12@13
Sides "	8@10
Mutton, per lb.	12@14
Lamb, forequarter	1.00@1.50
" hindquarter	1.00@1.75
Pork, fresh "	10
Veal, dressed, per lb.	10
Venison, "	8@10
Tallow "	3@4
Duck, per pair	75@1.00
Mallard ducks, per brace	1.00@1.50
Teal, per brace	50
Widgeon, "	75
Quail, per doz	2.40
Chickens, each	75@1.00
Grouse, per brace	1.00
Venison "	8@10
Beef cattle	3@4
Sheep, "	3@4
Hogs, "	8@8½
Calves, "	7@8
Hides, "	6@8½
Skins, sheep, each	25@50
" Calf "	8
Fish—Salmon, Spring, per lb.	15
Cohoe, "	10
Halibut, "	10
Cod 3 lbs for	25
Miscellaneous (small) 3 lbs for	25
Sturgeon, "	10
Kippered salmon, "	15
Flounders, 3 lbs for	25
Smelts, "	12½
Fresh herrings, per 3 pounds	25
Lettuce, per doz.	25

"THE STOWAWAY."

A Packed House Witnessed an Excellent Performance Last Evening.

"The Stowaway" proved a drawing card at the Victoria, last night. In spite of the humid condition of the atmosphere there was not a vacant seat in the house, and the gallery was also packed, the majority of the crowd being curious to see a "real live burglar." And they saw two of them, in all the glory of dark lanterns, black masks, lights turned down and the rest of it. The safe opening act was really a clever bit of work. The safe door was blown out as clean as a whistle.

The play hinges upon the heir to a fortune who has been deserted by his parents, and goes through all the trials, dangers and temptations that usually fall to the lot of the hero in the part. The part was taken by Walter Edwards, known in the play as Tom Inglise, alias "Long Sampson." Mr. Edwards fills all the requirements, being handsome, of good figure and, withal, a very fine actor. Althea Dale, the heroine, was played by Miss Maud Edna Hall, a young lady gifted with more than the usual amount of beauty, and as good in her role as the hero in his. The heavy villain was portrayed by Mark Lynch, as Charles Hetherington, the hero's cousin, who, as next of kin, tries to get Tom put out of the way, murders his wife, and commits all kinds of crimes with a smile on his handsome face. And finally, when cornered, he reminds his relations that they will be disgraced by "having a relative hanged," and is led away declaring that he will "die game." Dickey Dale, the stowaway, played by Harry Booker, and "Chucky," the newsboy, played by Miss Libby Kirk, supplied the humor of the play, and from their first appearance on the stage had the house with them. Dickey's scene with the "Addock," which was too cheap to be good, was ludicrous in the extreme, and his call on Mr. Carton' was as mirth-provoking. Chucky, always in love, always turning up at the right moment to save Tom, was a shapely girl, who smoked cigarettes and swaggered around, a newsboy to the life. The other characters were well sustained, J. Paige Smith, as a dude and mild adventurer, being specially worthy of mention. When finally the curtain went down on every one happy—the hero restored to his father and fortune, the villain discomfitted, &c., it left a thoroughly satisfied and enthusiastic audience to go home in the rain.

To-night "The Stowaway" will again hold the boards.

CONFLICTING OPINION.

The Electric Light Committee and Fire Wardens Have a Little Disagreement.

Is Rock Bay Bridge Safe?—By Laws Advanced a Stage—The Proposed Crematory.

There was not one vacant place in the Aldermanic semi-circle last evening, and, Mayor Grant taking his seat at 8 o'clock, business commenced sharp at that hour.

COMMUNICATIONS.

were disposed of as follows:

H. F. Flett—asking for street lines and grades on Bay street. Granted.

F. G. Morrison—to the same effect. Also granted.

W. Bond—applying for permission to make certain alterations to his office at the corner of Johnson and Broad street. Referred to fire wardens and building inspector.

S. Tranter—requesting that he be supplied with city water. Referred to committee.

A. B. Gray—complaining of a dangerous strip of sidewalk on Belleville street. Referred to committee, with power to act.

On Hing Bros—asking for street lines. Granted.

T. S. Futcher—urging that the condition of Parkington street be improved at once. Referred to committee with power to act.

FIRE DEPARTMENT MATTERS.

J. J. Elliott, inspector of the B. C. Board of Fire Underwriters—enclosing a resolution of the Board in which the city was urged to purchase at once a chemical fire engine and a horse hose reel.

Chief Engineer Deasy, as follows:—

VICTORIA, B.C., October 21st, 1890.

His Worship The Mayor and Fire Wardens.

GENTLEMEN—I have the honor to report ten fires and alarms since September, 21st, with a loss estimated at $2,600.

On account of the placing of the fire alarm wire on poles along with other wires the danger to life and property has been proved very great by electric light wires crossing the bare wires of the fire alarm system. Last night the wires crossed in three places and every alarm box was charged with electricity furnished by the electric lighting plants of the city. One of the firemen received two severe shocks. In order to avoid serious accidents insulated wire on brackets should be strung up at once. I would respectfully recommend the purchase of five miles of insulated wire and two hundred iron brackets.

The absolute necessity of procuring means to convey hose to fires is my excuse for again respectfully asking for a hose waggon. If our fire halls we have thousands of feet of hose without the means to convey the hose to fires. If we are expected to do good work we should have good apparatus, and the cost of a hose waggon with a team of horses would be small compared with the loss liable to occur at any time should the one hose reel at present in use meet with an accident while on the way to a fire.

I sent two hand hose reels to New Westminster a few days ago. The reels were old stock belonging to the volunteer department of years ago. New Westminster will pay $100 for the reels.

Electrician Whitney left the city last week. Elneman Watson refuses to act as electrician for the fire department.

Everything connected with the department is in good order.—I have the honor to be, sirs, your obedient servant.

THOMAS DEASY, Chief Engr. V.F.D.

Ald. Wilson said that the absence of insulated wires had resulted in one of the firemen, Watson, being nearly killed on Tuesday night. The wet weather had caused a cross between the alarm wires and the wires of the city electric light, and the engineer of the latter on being asked to turn off the current for a few moments in order, that the difficulty might be overcome, had told the messenger bringing the request to "go to h—ll." He hoped that the engineer would be notified that civility was wanted from him in future, and, also, that in cases of emergency, he should turn off the light. In regard to the insulated wire, he thought that the party supplying the alarm system should have notified the council that this was required. Had the alarm wires been put in properly he did not think the accident of Tuesday night would have occurred. Seattle, Tacoma and Portland had been forced to use the insulated wires, and he thought Victoria would have to do so as well.

Ald. McKillican said that the firemen should not have gone to the engineer; he was working under orders, and the proper course for Chief Deasy to have taken would have been to telephone to Mr. McMicking, and that gentleman would have given Engineer Foster his instructions. As head of the Electric Light committee, he was doing his best to give the city satisfaction, despite the fact that every few days something would appear in the papers proclaiming against the manner in which the illumination of the city was carried on. He had noticed a little item of this character in the last issue of THE COLONIST, which he considered neither necessary nor proper. Many of the failures in light complained of were due to interference like that of Tuesday evening. The department had no authority to direct the electric light engineer. He hoped, if Chief Deasy had such a request to make in future, he would go to the head, Mr. McMicking. The department could not be satisfactorily worked if there was more than one "boss."

Ald. Wilson said that Mr. McMicking was telephoned for, but no reply could be obtained. A man's life was at stake, and the current should have been turned off if the whole city was thrown in darkness. At least the engineer could have spoken without incivility. Suppose all the alarm boxes in the city were burning while Mr. McMicking was being hunted up?

Ald. McKillican remarked that Foster reached Mr. McMicking by telephone and received instructions from him before he shut off the light. It was strange that the firemen could not get him.

Ald. Robertson thought that Mr. Foster did perfectly right. He could not obey two or three bosses. Chief Deasy had no business to interfere with the engineer of the electric light; he should have gone to the proper head. Deasy wanted to run the city; he wanted to run the council; he wanted to run everybody. That's why he (Ald. Robertson) took the stand he did. Foster did perfectly right. He had seen an item in THE COLONIST giving the committee a rap about the darkness. What was the cause? Why the fire department's interference? Deasy should get a reprimand for interfering with those he had no business with.

Ald. McKillican said that Foster was now running his engine over speed, and if anything should go wrong in consequence there wouldn't be a piece left of him the size of a ten-cent piece. He agreed with Ald. McKillican and Robertson that Foster did right in his reply to Chief Deasy.

Ald. Harrison advised the reference of these matters to a joint committee of the electric light and fire wardens. There was something wrong with the electric light; there was no light in James Bay. He advised the consideration of these matters at a special meeting Friday—"The Stowaway" would draw the aldermen on Thursday.

Ald. Goodacre did not think James Bay needed any light; the streets and sidewalks were in such good condition that they could be walked over blindfold.

Ald. Vigelius endorsed the remarks made by Ald. Wilson and favored the action proposed by Ald. Harrison.

Ald. Wilson was disgusted that any member of the council should endorse the action of any civic employe in telling anyone to "go to h—l." He did not know how it was going to end if such action was borne with.

Ald. Robertson—He was perfectly right. I'd have done the same if I'd been him.

On motion of Ald. Holland and Smith, the two communications were referred to the fire wardens and electric light committee, for investigation and report.

Mayor Grant condemned the language used by Engineer Foster, but did not think the five miles of insulated wire was necessary. Insulated guard wires where crosses were likely to occur would be all that was necessary.

ROCK BAY BRIDGE.

A communication was received from Williams & West, builders of the Rock Bay bridge, in which they stated that the draw in the bridge was not constructed to carry street cars weighing 10 tons. He was afraid that if the draw was not strengthened soon it would give way. On motion the matter was referred to the street committee and city surveyor for report.

Ald. Harrison did not intend to interfere any more; the Tramway company and city surveyor had already had their attention directed to the matter.

Ald. Robertson thought that having completed the bridge, the responsibility of Williams & West was at an end.

Ald. Wilson considered that the thanks of the council was due the gentlemen mentioned if the bridge needed strengthening.

Ald. Smith had insisted before that the bridge was not strong enough. A few piles would have to be put in or the structure would go to the bottom.

COMMUNICATIONS CONTINUED.

D. R. Harris, for the Douglas Estate—Stating that $1,000 would be accepted for a 10-foot right of way through section 82, Fairfield farm, for sewerage work. Accepted.

A. Goebel, Department of Public Works—requesting further information in regard to the proposed sanitary wharf at Holland Point. Received and filed.

A. McKeown and others of the Masonic fraternity—Asking that an acre of land in the enlarged cemetery be set aside for their special use, upon the same terms and conditions as mentioned in similar agreements with other fraternal organizations or religious bodies. After considerable discussion the request was granted.

BY-LAWS.

The Public Market by-law was read a second time and laid over for further consideration until Friday evening, when, at a special meeting, it will be taken up, as well as the by-law to extend the city limits and to erect a garbage cemetery.

REPORTS.

Street committee—stating that the Tramway Co. had agreed to gravel Superior street, and recommending several minor improvements. Adopted.

Fire committee—advising that Mr. E. C. Baker be allowed a rebate on water rates, and stating that a similar recommendation could not be made in the case of Mr. Pauline. Adopted.

Hall committee—advising the purchase of the electric light plant used at the recent art exhibition, for the sum of $20. Adopted.

Ald. Robertson directed the attention of the board to the fact that Hall, Ross & Co. had some time ago offered to lay an asphalt sidewalk in front of their new mill premises on Store street if the city would contribute a fair share of the expense. The walk was in a wretched condition now, but having heard nothing from the city, the firm were unable to go ahead with the sidewalk.

Ald. Holland said that the city surveyor had just written the firm in question that the price of a plank sidewalk would be allowed.

Ald. Harrison moved the first reading of the by-law to extend the corporation limits. Carried.

On motion of Ald. Vigelius, it was decided to at once advertise the Deluge fire house for sale by tender, and the Board adjourned at 10 o'clock.

REGINA VS DIXON.

Judgment of the Chief Justice in the Recent Case Against Captain Dixon, of the Steamer North Pacific.

Following is the full judgment delivered by Sir M. B. Begbie, C. J., on the 17th inst., in the case of Regina vs. Dixon:—

The writ of habeas corpus is well known to all English speaking persons with the least knowledge of the world. They may not know its precise effect or force; all the more are they likely to feel the almost superstitious respect to which it is well and justly entitled. The document actually served purported to emanate from the court concerning an application for a writ of habeas corpus, and contained the plain words, "bring bodies to-morrow." In dealing with Chinamen arriving at ports on this coast, this writ has during the last few years been a matter of daily practice and comment of a somewhat excited character. I cannot, therefore implicitly believe the captain when he seeks, in fact, to stultify himself by saying that he did not know the meaning of the document with which he was served on Friday, the 10th inst. He must have known this—that he was thereby ordered by this court to bring the bodies of these men before me on Saturday, the 11th inst., with the object of obtaining a decision whether they had or not a right to land here. He must have been fully aware of this before he quitted his moorings the next morning (a well-known solicitor having aroused him from his bed at midnight to serve him personally), and yet he took no steps for obeying any part of the order; on the contrary, he immediately took steps which he must have known would defeat every part of it. The writ of Habeas Corpus is our one remedy against despotism, ensuring that no man may be restrained from his personal liberty to go where he pleases, except according to law—that is, according to a legal order from some judicial officer. When, from political or social disorders the executive requires to be armed with extraordinary powers the Habeas Corpus Act is suspended, but that requires a special Act of Parliament. That has been done, accordingly, occasionally in the present century in the United Kingdom; and in some of the United States, I believe, by reason of the war of 1861. If, however, the highest officers of state, may not, at their own arbitrary will, not without the sanction of an Act of Parliament, deprive any man of the constitutional protection of a judge, how intolerable is it that private persons should do so? Here, what Captain Dixon has done, in fact, is to suspend the act for this turn. The question proposed to be investigated on the affidavits, so far as I have seen them, is very simple. Eighteen Chinamen had landed here a short time ago, paid their $50 per head entrance fee, and got their certificates. They then took it into their heads to cross the Sound with their Canadian certificates in their pockets. There they were prevented from landing by the U. S. officers, and put on board the steamer "North Pacific" to be brought back to Victoria, where they arrived on Friday evening, the 10th inst. The collector here demanding a fresh entrance fee, Capt. Dixon refused to allow them to leave the ship till they paid or secured it. Mr. Taylor thereupon obtained a rule nisi for a Habeas Corpus calling upon Capt. Dixon to produce the men before me at 11 a. m. the next day, and to show cause why the men should not be discharged. The whole question, of course, would then be whether the men were or were not entitled to land without an additional payment of $50.00 each. The Captain was duly served with the order, and a copy handed to him that night by Mr. Taylor, himself, but instead of producing the men so as to have the Canadian Customs Act tested, he sailed away the next morning with the Chinamen on board. A U. S. Marshal who was also on board, re-took them as soon as they were well out at sea, and it is believed that they have been sent to San Francisco in order to be returned by the next steamer to China. Now, the Court will not enter into merely academical discussions; it will not enquire into the requirements of the Chinese Immigration Act unless it is in a position to enforce its orders, which can only be done when the alleged prisoners are within the power—that is, the territorial jurisdiction—of the Court. But the men are now no longer within this jurisdiction; the Captain has deliberately not only parted with the control of them, otherwise than by bringing them before a judge to be dealt with here, but he has put it out of his power to regain the control. It is, however, possible—indeed, from what I have heard of the U.S. statutes, I should have conjectured (and after the alleged action of the U.S. Secretary of State I can have no doubt)—that these eighteen men, by the simple act of attempting an unauthorized landing in the United States, have, by the laws of that Republic, rendered themselves liable to be sent straight back to China. Captain Dixon cannot reclaim them. If they were brought on Habeas Corpus before a judge of the United States the only question would be whether they were at the time of that application lawfully in the custody of the marshal, under their law; and it is almost certain that they were and are. The question, therefore, which was to be enquired into in this court can never be investigated at all. The disobedience of Captain Dixon has entirely prevented the act from operating. He has, in fact, pro hac vice, suspended the Habeas Corpus Act—a greater public mischief, or one more calculated to inaugurate a tyranny over at least one class of men cannot be conceived. The case of Reg vs. Woodward (5 Times Law Reports) shows the indignant condemnation with which the Court of Queens Bench treats every highly placed official and Queen's Counsel of the highest character and standing when they oppress the meanest of Her Majesty's subjects by withdrawing them from the protection of these most salutary laws, or attempt to justify such conduct; and the court is always especially jealous of even the slightest appearance (as in that case) that the alleged oppression is in any way connected with, or supported by, any branch of the executive. Here, I am happy to perceive nothing of that sort. On the contrary, the Canadian collector of customs might have gained, but he could not have lost by the discussion in this court, and he may have lost, but he could not have gained by the deportation of the Chinamen, which has actually taken place. I cannot help feeling that this case is more glaring than that of Capt. Woodward, and especially the result to the complainants, for here the complainants are wholly deprived of remedy, and in Capt. Woodward's case complainant was set at liberty and got compensation, though not by the order of the court. I cannot, therefore, inflict a lighter sentence than was imposed in that case, namely, a fine of fifty pounds, and order that Capt. Dixon pay all the costs of these proceedings.

The counsel for Capt. Dixon asking for time to pay the amount, it was directed that no execution should issue for a fortnight.

Mr. Taylor, for the applicants for the writ; the Attorney-General (Hon. Theo. Davie), for Capt. Dixon.

SPORTS AND PASTIMES.

BASEBALL.

SAN FRANCISCO, Oct. 21.—Negotiations looking towards the consolidation of the California Baseball League and the Northwestern league are said to be nearing completion. It is stated that the only difference of opinion between the magnates of the league has been the entrance fee. The magnates of the Northwestern league insist upon an admission tariff of 50 cents; and claim that a lower tariff would not justify them in forming an alliance.

The alliance, if completed, will include San Francisco, Oakland, Sacramento, Stockton, San Jose, Los Angeles, Fresno, San Diego, Portland, Tacoma, Seattle, and Spokane Falls, making a league of twelve clubs. It is believed the profits in this city, Oakland and Los Angeles would more than make up the losses in other cities, while in the Northwest, in the point of attendance, Portland ranks with San Francisco, and the three cities of Washington would compare favorably with Los Angeles.

HERE AND THERE.

JACK MCAULIFFE WON'T SIGN.

NEW YORK, Oct. 21.—Jack McAuliffe refused to sign articles of agreement for the proposed match between himself and Bill Myer. He said to-night that he would not fight in this country for the next six months, but hinted that it was his intention to get a match with Jem Carney.

NELSON LOWERS HIS RECORD.

CAMBRIDGE CITY, Ind., Oct. 21.—The stallion Nelson to-day lowered his record, making a mile in 2:10¾.

The day was bright and the track fast. Nelson will be speeded to-morrow in an attempt to break to-day's record.

BIRTH.

DUCK—In this city, on the 20th inst., the wife of William Duck, of a son.

BURNSIDE—In this city, on the 19th inst., the wife of Capt. Burnside, "G" Battery, of a son.

MARRIED.

SCOTT-MAYNARD—In San Jose, California, on the 21st inst., Henry J. Scott, of Victoria, B.C., to Gertrude Eva, only daughter of Lieut.-Col. Maynard, late of H. M. 84th Regiment.

DEATH.

GORRIE—In this city on the 16th inst., Thomas Gorrie, aged 69 years, a native of Edinburgh, Scotland.

CARLETON—At the residence of his son, No. 32 Douglas street, on the 11th instant, of heart disease, George N. Carleton, a native of Massachusetts, aged 75 years.

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GUION	do	Every Saturday
	do	Every Tuesday
	do	Every Wednesday

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NOTICE is hereby given that thirty (30) days after date I intend to apply to the Honorable the Chief Commissioner of Lands and Works for the right to take from the falls on Mill-stream Creek, section 48, and adjoining sections of the said district, twenty-four (24) inches of water and the right to convey the same to a point on the water below Parsons Bridge, Esquimalt district, the water to be used for manufacturing purposes.

JOHN SWITZER.

Victoria, Oct. 22th, 1890. oc.30

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