The Colonist.

FRIDAY, AUG. 5, 1892.

PUBLISHED EVERY FRIDAY MORNING.

BY

W. H. ELLIS, A. G. SARGISON, } ELLIS & CO.

AT COLONIST BUILDING, GOVERNMENT ST.

TERMS:

THE DAILY COLONIST

PUBLISHED EVERY DAY EXCEPT MONDAY

Per Year, (Postage free to any part of Canada)..... $10 00
Parts of a year at the same rate.
Per week (if delivered)..... 25

THE WEEKLY COLONIST.

Per Year, (Postage Free to any part of the Dominion or United States)..... $ 2 00
Six Months..... 1 25
Three Months..... 75

Subscriptions in all cases are payable strictly IN ADVANCE.

ADVERTISING RATES:

REGULAR COMMERCIAL ADVERTISING as distinguished from everything of a transient character—that is to say, advertising referring to regular Mercantile and Manufacturing Business, Government and Land Notices—published at the following rates: Per line, Solid Nonpareil, the duration of publication to be specified at the time of ordering advertisements:—

More than one fortnight and not more than month—50 cents.
More than one week and not more than one fortnight—40 cents.
Not more than one week—30 cents.

No advertisement under this classification inserted for less than $2.50, and accepted only for every-day insertion.

Theatrical advertisements, 10 cents per line each insertion.

Advertisements unaccompanied by specific instructions inserted till ordered out.

Advertisments discontinued before expiration of special period will be charged as if continued for full term.

Liberal allowance on yearly and half yearly contracts.

TRANSIENT ADVERTISING—Per line solid nonpareil:—First insertion, 10 cents; each subsequent consecutive insertion, 5 cents. Advertisements not inserted 3very day, 10 cents per line each insertion. No advertisement inserted for less than $1.50.

WEEKLY ADVERTISEMENTS—Ten cents a line solid Nonpareil, each insertion No advertisement inserted for less than $2.

SPECIAL NOTICES—Nonpareil, in the first column of third page, 20 cents per line each insertion, or $1.50 per line per month. If inserted among local or other reading matter, 30 cents per line each insertion, or $2 per line per month. No special notice inserted for less than $2.

☞ Where Cuts are inserted they must be ALL METAL—not mounted on Wood.

BISMARCK'S IDEAS.

He Charges His Downfall to the Intrigues of Herr Von Boetticher.

LONDON, Aug. 1.—The United press special correspondent telegraphs from Berlin an interview had last night with Dr. Sceweninger, Prince Bismarck's physician, whose utterances in respect to the ideas and feelings of the ex-chancellor are undoubtedly inspired. The doctor stated that Prince Bismarck attributes his downfall to the intrigues of Herr von Boetticher, Imperial home secretary, and to the hostile influence of Prof. Hinzpeter, tutor in the Kaiser's family. But since his dismissal a new and important foe for the prince has arisen in the person of Dr. Miquel, Prussian minister of Finance. "The prince has already proved," says Dr. Schwenninger, "that when he was chancellor Miquel, then leader of the national liberals, employed Patzig, the secretary of the party, to work against Bismarck and undermine his influence with the Kaiser. To make this effort Miquel caused the party to increase Patzig's salary.

"The scheme was successful to a certain extent. The Kaiser thereafter consulted Miquel, who since his advent to office has been Bismarck's bitterest enemy, although he always keeps in the background. Miquel is now Caprivi's backbone. Without Miquel Caprivi would be unable to face Bismarck's criticism. At the same time, Miquel, while seeming to be Caprivi's friend, is really conspiring against him, and supports him in the fight only because he knows it will be a losing conflict. He keeps behind the scenes in order that he may step forward and pose as the only savior when the Kaiser comes to believe that the situation is too strained. Miquel firmly expects to be the successor of Caprivi. Dr. Gussfeldt, the Kaiser's intimate, directs an enormous influence against reconciliation. We must not forget either the mole-like activity of Hollstein, counsellor of the Foreign Office, nor that of Dr. Lucanus, the Kaiser's secretary. Both the latter two named were once Bismarck's sworn adherents, but they turned traitors in order to save their positions."

Dr. Schwenninger said that the recent parades and demonstrations in Bismarck's honor were not arranged by the Prince or his entourage. He maintained that the outbreak of popular feeling in the Prince's favor was spontaneous and was entirely due to resentment and the boycott to which he was subject at Vienna by order of the Kaiser. Finally, he declared that the Kaiser might be kept in ignorance of the true situation for a time, but he would be sure to hear eventually of the attitude of the South Germans, and would have to reckon therewith, however much he might dislike to do so.

CHRISTOPHER COLUMBUS.

The Pope on the Motives, Discoveries and Record of the Great Explorer.

ROME, July 31.—The Pope has addressed a letter to the archbishops and bishops of Spain, Italy and the two Americas on the subject of Christopher Columbus and his discoveries, etc. He appoints that on October 12 of this year, or on the following Sunday, after the offices of the day a solemn mass of the Holy Trinity be celebrated in the cathedrals and collegiate churches, in order to celebrate worthily to the truth of the facts so solemn an anniversary. The Pope says, when one considers with what motive above all Columbus undertook the plan of exploring the dark sea and with what object he endeavored to characterize this plan, one cannot doubt that Catholic faith supeartlatively inspired the enterprise and its execution, so that by this also humanity is not a little in debt to the church. It is eminently a distinct point in Columbus that in crossing the immense expanse of ocean, he followed an object more grand and elevated than the others. This does not say that he was not influenced by other desires, but that in reality his plan and his resolutions, profoundly carved in his heart, were to open access to the Gospel a new land and in new seas.

The Pope cites the fact that in Columbus' pleadings with Ferdinand and Isabella he explained that his glory would increase to the point of becoming immortal if they decided to carry the name and doctrine of Jesus Christ into such distant regions, and when, not long after his prayers were granted, he called to witness that he wished to obtain from God that these sovereigns, sustained by His help and His mercy, should persevere in causing the Gospel to penetrate upon new shores and in new lands. The Pope also quoted from Columbus' letter to Raphael Fanchez, after his return, that Jesus Christ would rejoice in the triumph upon earth and in Heaven for the coming salvation of innumerable people who previously had been going to their ruin. If Columbus had also asked Ferdinand and Isabella to permit only Catholic Christians to go to the new world, there to accelerate trade with natives, he supports this motive by the fact that, by his enterprise and efforts, he has not sought for anything else than the glory and development of the Christian religion. The Pope says the enterprise so carried out is admirably illustrated by the events of time.

In effect, Columbus discovered America about the period when a great tempest was going to unchain itself against the church. Inasmuch as it is permitted us by the course of events to appreciate the ways of Divine Providence, it seems that this man was destined by a special plan of God to compensate Catholicism for the injury it was going to suffer in Europe. To call the Indian race to Christianity, this was without doubt the mission and work of the church. She continued to fulfil this work with an uninterrupted course of charity, and still continues. In conclusion, the Pope says the magnitude of the event and the efficacy and variety of the benefits which have resulted from it tend assuredly to celebrate the memory of him who was the author of it, by a grateful remembrance and by all sorts of testimonials of honor, but in the first place we must recognize and venerate the particularly Divine project to which the discoverer of the new world was subservient and which he knowingly obeyed.

IN ITS DECLINE.

Smallpox Reports Continue to be Very Satisfactory—Those Not Yet Vaccinated Should Protect Themselves at Once

Rumors of new cases of smallpox were thick and plentiful yesterday, four or five additions to the list of patients since Saturday night being the common street report. Of course the rumor, when run to earth, was found to be incorrect, as such rumors generally are. Only two cases had developed during the 48 hours—one very mild one at the suspect station, and the other on Herald street, not a stone's throw from the residence of the colored man Gant. Of course all brought in contact with the patients were promptly isolated.

As the great prevention, VACCINATION, has not yet been taken advantage of by the entire population, and as the public health demands that it should, there is a strong probability that the services of the police will be made use of during the present week by the health officers, a house to house canvass being made, and all inmates being obliged to show certificates of vaccination or submit to the operation. If they refuse, they may properly be considered as suspects, and dealt with accordingly, under the provincial regulations.

Dr. Baldwin, the Puget Sound health officer, paid Victoria a visit last night, and informed Consul Myers and others who interviewed him that the prevailing opinion in the board was for preserving the quarantine until the expiration of a full fortnight from the discharge of the last patient cured. The Consul and his companions used their best arguments in proof that such action would be not only extremely foolish, but almost unprecedented, and it is not likely that the course suggested will be the course pursued. It is believed to be the outcome, not of zeal for the public health, but of Port Townsend pique over the action of Seattle and Tacoma.

THE COMOX INDIANS.

TO THE EDITOR:—I beg space in your valued paper to reply to statements made in the Nanaimo Free Press, July 15th, by Mr. Lomas, Indian agent. "He states that there was no truth in the report that smallpox had broken out among the Indians here; that *I sent* the report by letter to Victoria, and that his trip up here was for nothing."

I will not charge Mr. Lomas with the deliberate attempt to place me in a false position, but his statements were calculated to do so; and, as an honorable man, I cannot let such statements pass unnoticed. I deny having written to Victoria that there was positively a case of smallpox here among the Indians. What I did write was: "That it was reported here that there was a case of smallpox among the Indians, and that I understood the case had been isolated." Several citizens living near where the suspected was asked me if it was true that the case was smallpox. I, of course, could not say, as I had not seen the case. On being informed that the suspect came up here from New Westminster, after the death of his wife (who I believe died of smallpox), he having escaped from quarantine, and been isolated, I do not know by whom I was prompted to communicate the report to Hon. A. W. Vowell, Indian commissioner at Victoria; at which time I asked him what the policy of the Government was, about vaccinating the Indians, and should the case here turn out to be smallpox, what were his instructions, if any. My action was one of precaution and looking to the safety of the district. The regulations respecting smallpox had not been sent up here, (if issued) up to that date—I I had seen no order requiring Indians to stay on their respective reserves, and I had been told that the Indians here had not been recently vaccinated. Under the circumstances I wrote Hon. A. W. Vowell, as previously stated—hoping that attention would be drawn to these matters in a proper manner, through proper and legitimate channels, before it was too late.

Mr. Lomas came up and vaccinated, I hear, some thirty odd Indians, and ascertained that there was no case of smallpox. Was his trip for nothing? I do not know that it is his business to vaccinate Indians; but, if not, why did he do it? In my opinion it was unqualifiedly necessary that it should be done, and that Indians should not be allowed to leave their respective reserves until it has been done, successfully, in all cases requiring it. I have been asked by parties here if I wrote Judge Vowell that there was a case of smallpox among the Indians, and if I said that I had isolated the case. I have been told that such were the reports. I do not know whether these reports emanated from Mr. Lomas or were originated and set forth by parties here; but I take occasion to state that such reports are false, and that the parties originating them have lied most contemptibly, and I challenge proof to the contrary. Judge Vowell will kindly explain his position with regard to this matter. I am not inclined to do any man an injustice, nor am I inclined to submit to injustice at the hands of others. All I ask is a fair, square deal.

W. T. STROTHER, M.D.

Comox, B.C., July 28, 1892.

The Rush Reports.

WASHINGTON, July 30.—Captain Coulson, of the U.S.S. revenue cutter Rush, under date of Unalaska, June 25th, reports to the Treasury department that, during a recent cruise from the Island of St. Paul to Unalaska he warned 24 British and American schooners against taking seal and otter in Behring Sea. Captain Coulson reports the crew and officers to be in excellent health.

NEWS OF THE PROVINCE.

Important Placer Purchase—A Rich Strike at Lardeau—Mines and Mining

Samples Sent to England—The Bobby Burns—Sale of Government Lots.

VANCOUVER.

VANCOUVER, Aug. 1—Rev. Naomi Tamura, Tokio, Japan, preached at the Congregational church last evening and drew a large congregation. He has been pastor of a church for 15 years, and has travelled pretty well over the globe. He is about to publish a book through Harper's and Scribner's, dealing with the internal life of Japan.

A row occurred on Dupont street last evening, in which Chinamen made a liberal use of firearms, and shot at each other. Unfortunately no damage was done to any of them.

VANCOUVER, Aug. 2.—An open sailors' at home takes place on Thursday.

Six hundred and eight books loaned is the July record for the free library.

Charlie Wy-At is to stand his trial for shooting another Chinaman, Ah Fat. He was arrested for obeying the commands of the highbinders in trying to shoot Ah Fat, who had offended them. Policeman Eligh dug out a bullet from the wall and found it to be a 32-caliber. Ah Fat said that Ah Fook, proprietor of a big lottery in Chinatown, had witnessed the shooting. Police Magistrate Jordon asked to have Ah Fook brought into court, and a companion of Ah Fat was asked to tell him to come into court, but the man turned pale and said he dared not.

Four Chinese gamblers were fined $30 each in the Police Court this morning.

The City of Puebla arrived this morning, starting for San Francisco this evening with two car loads of freight.

Alfred Pleace and J. McDonald have both succumbed to smallpox at Deadman's Island. The latter was formerly a bartender at the Arlington Hotel.

Work was started to-day on the new B. C. Land and Investment Co.'s building at the corner of Hastings and Homer streets.

Rabbie Beer to-day celebrated the feast of Ab at the Synagogue.

It is said the Whatcom tram will not be put on for 14 days yet.

C. L. Scott, of North Vancouver, and Mrs. Sheffield were married this morning, Rev. Mr. Pedley officiating.

At the council last evening the Northern Pacific bonus by-law was introduced. This time it provides for the city taking $300,000 in bonds. The stock bonds are to cover the term of forty years, paying four per cent. interest, and acceptable at par, but no money to be paid over until the road is completed and accepted.

WESTMINSTER.

NEW WESTMINSTER, Aug. 2.—One of Herd's livery rigs were seized at Blaine, this morning, by the U. S. customs, for neglecting to report after crossing the line. The driver had taken McPhee, the Vancouver forger, to Ferndale, and the seizure was made on his return through Blaine. The rig was a valuable one.

The guards placed along the boundary at Blaine, to prevent an invasion from the Canadian side, during the reign of quarantine, into the State of Washington, have been withdrawn, owing to the expense of maintaining them and for other reasons. In their place has been left a notice, stuck up on a board in front of the iron post on the British side of the line, forbidding anyone to enter the United States at that point. The notice is being posted on British territory, outside the jurisdiction of Uncle Sam's government, but no attention is paid to it, and Canadians having business in Blaine pass and repass without the slightest regard to the warning.

The time for paying taxes, in order to benefit by the discount for prompt payment, has been extended to September 10.

Small forest fires are beginning to break out in various parts of the district, but none of them, so far, have become formidable.

It has been decided by the school board to allow no children to attend the schools after the vacation, unless they can show certificates of vaccination. This rule will be carried out strictly.

There was a disappointing decrease in the salmon catch, last night. A few boats got in the neighborhood of a hundred fish, but the majority brought in from ten to sixty.

Yesterday a big shoal of salmon made its way into the Fraser, and the fishermen were kept busy hauling in fish. Near the mouth of the river the boats in the employ of the Wadham's Cannery, twenty in number, netted 6,000 fish, which is an average of 300 to the boat. Opposite Ladner's Landing the catch was not nearly so good, but the boats at work between Annaci's Island and Sapperton brought in an average of about 200 each.

NANAIMO.

NANAIMO, Aug. 1.—The steamer Joan arrived here at 2 p.m., making the trip from Victoria in 4 hours and 45 minutes.

A meeting was held at Departure Bay, yesterday, to organize a party to go to Alberni and stake off a number of claims. There were not many at the meeting, consequently, there was little interest taken in the matter.

A party of young bachelors, who had been camping out during the week, returned last night. Although they took plenty of ammunition, they failed to meet any game. Determined they would not be at a loss for some kind of a story, the following is the one they told: "Near where we camped is a beautiful lake abounding with trout and wild ducks. One day, as we sat there, we saw a trout catch a duck by the neck. The duck flew in the air and endeavored to mount, when suddenly he dropped into the water, dead—the fish had choked him to death.

H. F. Keefer arrived over from Vancouver has left for his quarry at Nanoose Bay to see what machinery will be required before operations are commenced.

The following are the official returns of the Nanaimo Custom House for the month of July:

Duties	$1041 93
Sick Mariners Dues	226 39
Miscellaneous	76 10
Total	$4314 41

The figures for the foreign shipments of coal for the past month were:

New V. C. Co.	26,947
Wellington	14,250
East Wellington	818
Total	43 085

The value of the shipment to the United States during the month was $155,981.50.

A number of citizens are camping on Newcastle Island, and in many instances whole families. Residents of Vancouver are doing likewise.

There is a report going to the effect that No. 3 and No. 5 shafts of the New Vancouver Coal Company will shortly close down, but nothing is said to be known at the office. The coal trade appears to be getting worse instead of better.

Messrs. J. McGregor, Currie, Ernest and Walter Van Houten and Stoel who returned on Saturday evening from their hunting trip to the Nanaimo lake, report first rate sport. While Dr. Currie was alone in camp he heard some one yelling out "help, help," after walking some distance he discovered a man in a weak condition and about half crazy lying on the ground with a gun beside him. The individual informed him that he had been wandering about for the last three days without food. Dr. Currie and the boys carried him back to camp, fed and clothed him, and the next morning he informed them that his name was Tommy Johnson, a Northfield man. He had been staying at Nanaimo River with a friend, and the previous Saturday they both started out deer hunting, he had got lost, and had been wandering around ever since.

CHEMAINUS.

CHEMAINUS, Aug. 1—Rev. Mr. Archer, of Salt Spring Island, exchanged pulpits with Rev. Mr. Sutherland, Sunday.

Mr. Allan Porter met with a rather severe accident, on Friday last. While cutting wood, the axe glanced, striking his leg below the knee, inflicting an ugly gash which will confine him to the house for a few weeks at least.

On Thursday, Mr. Howe succeeded in destroying a deer which had done considerable damage to his young orchard.

An eagle, measuring seven feet from tip to tip of wing, was shot by W. Smith, Wednesday.

The Daisy towed in another large boom of logs on Saturday.

The Guinevere will complete loading tomorrow, and will then be towed out as far as Cape Flattery, by the tug Lorne, on her way to Valparaiso. She will be forced to employ a number of new hands, as a few of her crew deserted, carrying with them a good supply of provisions, particularly a quantity of coffee.

The regular quarterly election of officers took place in the I.O.G.T. Lodge, on Friday evening. A public installation will be held next Friday evening, conducted by Rev. A. E. Green, G.C.T., of Wellington, after which the reverend gentleman will deliver an address on temperance. The members of the lodge are also preparing a short programme.

NAKUSP.

(From the Kootenay Star.)

The sale of the Government lots in New Denver attracted a large crowd of speculators to the Slocan, most of whom went by the way of the trail from here. The prices realized were very high, one corner lot bought by Mr. R. E. Lemon reaching the substantial sum of $675. The total receipts for the 100 lots sold amounted to $28,000, or an average of $280 each. We are hearing every day of new claims being discovered, and the rich samples of ore coming in are enough to tempt us all out prospecting.

Mr. McCulloch, assayer, of Victoria, has been staying at the Leland House for some days past. He has a great opinion of the mineral wealth of the country, and says that, both for quantity and quality, it beats anything he has ever seen.

Mr. Mara, M.P., passed down last night on his way to Nelson, where he intends making a short stay. He has a high opinion of Nakusp and the adjacent country. Speaking of the prospective wagon road, Mr. Mara informed me that it was about a certainty, and that the C.P.R. were exerting their influence in favor of the road. so that there is no question of it being commenced forthwith. Sandy Stewart, the C.P.R. surveying engineer, has been very busy round here for several days past, and his report to the company will, in all probability, push on the work in connection with the Nakusp.

REVELSTOKE.

(From the Kootenay Sun.)

J. W. Poole, one of the prospectors who struck it rich in the Lardeau a short time ago, is in town for supplies. He corroborates the statement published last week, and adds that the ledge itself is quite 100 feet in width. He brings with him some magnificent samples of galena from the newly-found vein, but has not yet had it assayed. He also brings a beautiful specimen of peacock copper ore. They do not intend to sell their mine, but will work it themselves.

GOLDEN.

(From the Era.)

Mr. Woods returned on Sunday from a trip to the McMurdo district, and reports everything excellent there.

Messrs. Walton and Stephen, from Toronto, and gentlemen who are deeply interested in Eastern Canadian nickel mines, are still here, and deeply interested in our silver, lead, gold and copper ores.

Harry L. Cummins, P.L.S., came in from the Thunder Hill mine on Sunday last. Since leaving Golden this gentleman has been surveying the tram route for the company to the steamboat landing of the Upper Columbia Co. at Mud Lake.

The Thunder Hill Mining Co. have shipped a sample parcel of ore to Battersea, Eng. The object of this company in shipping is to obtain a thorough mill test of this mineral.

Mr. Houston and F. Wilson intend erecting, immediately, a machine shop and sash and door factory.

The authorities intend opening up the Bush river trail from Donald; last summer many good prospects were found in that locality.

On Saturday some ten tons of copper ore, in the form of carbonates, were shipped to England as a sample, from the Brown & Brewer mines, Windermere. The average percentage of copper in the lot will run up to and possibly over 50 per cent.

The Bobby Burns mine is arriving at that stage when its contents will be thoroughly and vigorously tested. Mr. Askwith, the proprietor, has returned, and says with delight that "she ran smoothly last week." By this it is understood that the machinery for crushing the quartz is in running order, all that is required now is the completion of the wagon road from the claim to the mill site. When this is finished next week, thirty tons of rock a day can be brought for treatment, supposing this averages $10 per ton, there will be a continuous daily production of bullion amounting to $300. Mr. Askwith assured the writer that if everything turns out to his satisfaction the capacity will be at an early date considerably increased. We do not see why the Cariboo basin of the McMurdo District should not shortly attract considerable attention from mining men, and add much to the already grand future of East Kootenay.

LIBELLOUS AND ILLEGAL.

The Chief Justice Gives His Opinion of Certain Methods of Collecting Debts,

And Continues the Injunction Restraining Mr. Giles From Publishing Names.

SUPREME COURT.

Before Sir M. B. Begbie, C. J.

July 30, 1891.

——— vs. GILES.

The defendant had printed a large yellow placard containing the names of about 38 well-known Victorians, with alleged debts of small amounts set opposite their names as due per "Druggist's bill," "Tailor's," "Grocer's bill," etc., and announcing a sale of such alleged debts by auction at an early day. A copy of this placard was sent round to the persons named therein, with a circular announcing that if the demands were paid by the plaintiffs on or before the 27th July, their names would be "lifted" from the list, otherwise the placard would most assuredly be published on that day.

The plaintiff's name was inserted in respect of an alleged druggist's bill for $8.50. The plaintiff issued a writ, endorsed for an injunction to restrain the publication, and filed an affidavit stating in substance that he knew nothing of any such debt, or of any previous demand, and that as far as he could recollect none such was due by him, and that he believed nothing was due, and that he was always ready to pay any just demand.

Mr. Walls, for the plaintiff, had obtained an interim order restraining the publication till this day, and now moved to continue the order till the hearing.

Mr. Belyea for the defendant.

The Chief Justice—Whether the publication of the impugned list would be a libel or not, taken by itself, may be doubted, though it would probably be so held. It was argued, that it is not libellous to state that another man owes you money; that it is perfectly lawful to sell and assign any debt, and that there is no law to prevent the announcing of an intention to sell. The combination, however, of these three circumstances might lead to a breach of the peace. But there is in this yellow list, and the circumstances attending its threatened publication, matter amounting to a good deal more than this. It would, I think, be naturally taken to imply the very clear innuendo that the sums mentioned were justly due and were not disputed, but that the alleged debtors were not in the opinion of the alleged (unnamed) creditors worth powder and shot (*i.e.*), that ordinary litigation would probably be merely throwing good money after bad. But surely it is libellous to publish of a man anything clearly insinuating that he is dishonest and insolvent. If a libel be justly defined as anything written which tends to bring a man into dislike, or discredit, or contempt, the publication of this list seems libellous. It would, perhaps, not be quite accurate to charge a jury that they might find any publication to be libellous, which they would greatly dislike to have published concerning themselves; but I can conceive that some men would be less annoyed at an accusation of a crime than at being gibbeted in this placard.

"I was told that even such insinuations would not be libellous, if they were true; and that the plaintiff did not venture absolutely to deny his indebtedness. But he does deny his belief of his indebtedness and does allege circumstances to show that that belief is reasonable. The defendant does not, on the other hand, even allege his belief in the truth of the libel. I refuse to assume the truth, rather than the falsehood, of a scandalous placard. Besides, the argument is entirely unfounded. The libellous nature of a statement has nothing whatever to do with its truth or falsehood. In a criminal proceeding the truth of the libel was, till recently, no defence at all; nor is it any defence now, unless the defendant allege and prove that the publication was of public advantage. In civil proceedings, where a man asks damages for sullying his fair fame, if it can be shown that the libel is true, his fair fame turns out to be all a pretence, and he can get no damages for an injury done to that which he was not entitled to. On the other hand, if the libel be shown to be false that may greatly swell the damages. But in no case does the truth or falsehood of the fact alleged enter into the question, whether the statement is a libel or not.

"I was then told that I was incompetent, since Fox's Act, to form any opinion whether the matter complained of was libellous or not—that that is the peculiar function of a jury, and that in the rare cases in which a libel has been restrained by injunction, it had always been already found to be such by verdict. To which it is enough to answer that Fox's Act only applies to criminal matters; and Fox's Act itself by section 3, expressly enacts that the trial judge is to give his opinion and directions to the jury as in any other criminal case. That not very long ago an action for damages for libel was tried in this very Court by a judge alone, without any jury at all, and that the only case in which a libel was restrained in this Court was that of Muldoon v. Johnson, in 1881, which was never appealed against, and in which the libel had not been even presented to any jury. In fact, as a general rule, any application for an injunction must necessarily be prior to any decision by a jury; for it is one of the principles in granting injunctions, that the application must be made at the earliest opportunity. This Court will not make an order for shutting the stable door after the steed is stolen.

Now, taking this list in connection with the defendant's circular, which refers to it, I have no doubt on the subject. That circular discovers the *mala mens*, viz, the intention to extort money from the plaintiff, entirely irrespective of any just liability to pay, and merely to avoid annoyance by the defendant. There is no affidavit that any of these sums are justly due by the persons proposed to be annoyed, nor that any demand has been made for any of the sums. There is no disclosure of the names of any creditor, nor dates, nor any certainty that the defendant is employed by the alleged creditor, or authorized to give persons a discharge in their name, nor form any opinion whether these or any other sums are due from them or not.

"It is at the best a demand of somebody, under the mask of the defendant, for the payment of a sum certain, under threat of what many would dread more than personal violence. This is not the method prescribed by law for collecting debts. Courts are maintained at the public expense, in which the justice of a claim and its amount are first to be established. Not even then, in any civilized country, is the creditor entitled to go and satisfy himself by his own methods. Satisfaction is taken through an appointed officer and by methods sanctioned by the Legislature. I believe in some societies, in another plane of civilization, a creditor, either in person or by his attorney, takes up a position before his debtor's house, on the doorstep, and starves him into submission. That would, perhaps, not be permitted here—it is at any rate not likely to acquire much vogue among the legal practitioners. However, a creditor cannot be listened to if he complains of the delay and uncertainty and risk of further loss attending the methods laid down for the Legislature of his adopted country, in endeavoring to recover what may ultimately turn out to be a bad debt. A bad debt is like the smallpox: except in the most rare and peculiar circumstances no man need have either the one or the other unless he chooses. It has long ago been pointed out that there are dishonest creditors as well as dishonest debtors; there are as many tradesmen who give credit without properly considering whether a customer will be able to pay, as customers who buy on credit without intending to pay.

"Hitherto I have merely regarded the matter from the defendant's point of view. But when we turn to the plaintiff's affidavit what case does he present? He is a well-to-do government official. The claim against him is on behalf of some unnamed "druggist's account" for $8.50. It is the merest mockery to say that there is the least apprehension of his not being able to make good any judgment for debt and costs that a County Court could possibly give against him. Then, why should not his unnamed creditor sue in his own name? Why is he to shoot this poisoned arrow from an ambush? The plaintiff says that he only remembers dealing with one druggist, whom he names—a highly respectable man; that he has paid him many accounts, and, as he believes, all that have been sent in; that he has no recollection of the present account, and there are no dates or details to refresh his memory; but he says he will not swear this account is not due, though he has no recollection of it.

"It appears to me that this is eminently a case in which a court of justice should exert the power placed in its hands since the Judicature Act. It is quite true, as urged for the defendant, that the former Court of Chancery could not have granted an injunction in such a case. I think it even highly probable that the Legislature, when it directed an injunction to be awarded "whenever justice or convenience required," (permissive words here are imperative, within Julius v. Bishop of Oxford, 5 app. 214,) never contemplated such proceedings as the present; but deeming it "just" and convenient (Stat. 1879, c 12, s. 3, sub-sec. 8,) I must allow the order for an injunction, to continue till the hearing or further order of the Court."

A SHOT-GUN QUARANTINE

Established by the Indians of Port San Juan Against People From Victoria.

They Are Buying Their Supplies on the American Side, Contrary to Law.

There are other people in the world besides those in Vancouver who are so afraid of smallpox that the bare mention of the name of the disease is enough to make them turn tail and run to the mountains. They are the Indians who make their home near Port San Juan, and who, within the past week or ten days, have declared a shot-gun and pistol quarantine against "sundry and others" who come from Victoria. Not even an Indian himself can land there unless he is prepared to swear by the great horn spoon of his ancestors that he was not within the space of 14 days previous a resident or a lodger in Victoria.

Like the Vancouverites, too, the San Juan Indians have a reason for their quarantine. Not that Seattle asked them—they were not asked at all, but there is a tradition handed down from one generation to another, which tradition says in words plainer than day:

"For the smallpox will get you
If
you
don't
watch
out!"

About 200 years ago, so goes the tradition, there was a Spanish bark wrecked near Port San Juan. The Indians murdered the crew, saving only the captain's beautiful wife, whose eyes were bright and whose winning smile captured the hearts of the dusky fish-eating Siwashes. One day about two weeks after the bark was wrecked, the lovely lady took sick. The braves and their klootchmen took care of her as best they could, and when she was dying they held a big potlach and danced around her while they sang sweet Indian hymns. Then she died. The Indians buried her, afterwards dividing her clothes among the big men of the tribes. Before another month had passed, nearly every one of the big tribe was down sick with a disease that made them all crazy, and they ran into the water and drowned themselves. Of the 2,500 braves only about 800 remained.

Two or three years later the Spanish bark that had been wrecked came back again at night, so saith the traditional story. The sailors, whose throats had been cut, danced around huge fires lighted on the beach and laughed a fiendish laugh. They brought little bottles with them and asked the Indians to have a drink. A good many accepted the invitation and drank long drinks from the bottles, which were labelled "smallpox." Once more sickness broke out and many deaths resulted and now-a-days Indians at Port San Juan have a dread of smallpox. So they have quarantined against Victoria and are now buying their grub and supplies on the American side of the line at Clallam Bay. This is in violation of the law, but the Indians say they are just like the Vancouverites every time—they would rather break the law any day than catch the smallpox.

CAPRIVI CENSURED.

The Emperor Not Satisfied With His Recent Handling of Important Matters.

BERLIN, Aug. 1.—In court circles it is reported that Chancellor von Caprivi had a bad time with Emperor William on the latter's return from his whaling trip. The Emperor censured the Chancellor for injudicious handling of the Bismarck matter, and blamed him for the manner in which he treated the international exhibition matter. The early advent of Von Eulenborg, president of the Prussian ministers, is now held probable. Most Berlin papers attribute the threatened failure of the proposed international exhibition to the chancellor's limp and hesitating action. The Cologne Gazette, the Deutches Wochenblatt and the Post advise dismissal of the chancellor.

A Bad Cold

If not speedily relieved, may lead to serious issues. Where there is difficulty of breathing, expectoration, or soreness of the throat and bronchial tubes, with a constantly irritating cough, the very best remedy is Ayer's Cherry Pectoral. It removes the phlegm, soothes irritation, stops coughing, and induces repose. As an emergency medicine, Ayer's Cherry Pectoral should be in every household.

"There is nothing better for coughs than Ayer's Cherry Pectoral. I use no other preparation."—Annie S. Butler, 169 Pond st., Providence, R. I.

"I suffered severely from bronchitis; but was

CURED BY

Ayer's Cherry Pectoral. It saved my life."—Geo. B. Hunter, Goose River, N. S.

"About a year ago I took the worst cold that ever a man had, followed by a terrible cough. The best medical aid was of no avail. At last I began to spit blood, when it was supposed to be all over with me. Every remedy failed, till a neighbor recommended Ayer's Cherry Pectoral. I took half a teaspoonful of this medicine, three times a day, regularly, and very soon began to improve. My cough left me, my sleep was undisturbed, my appetite returned, my emaciated limbs gained flesh and strength, and to-day, thanks to the Pectoral, I am a well man."—H. A. Bean, 28 Winter st., Lawrence, Mass.

Ayer's Cherry Pectoral

PREPARED BY

Dr. J. C. AYER & CO., Lowell, Mass.

Sold by all Druggists. Price, $1; 6 bottles, $5.

Flaming Headlines

are not always

Vile Distortions

calculated to

Deceive and Disgust

and especially when

ROWBOTHAM

"THE GROCER,"

advertises is this the case. He believes he

TELLS THE TRUTH

when he says he is the best man in

VICTORIA

to do business with.

TRY-HIM-AND-SEE.

"No goods sold at cost." "No premiums given away." "The choicest lines of goods kept and sold at closest living prices."

Tele. 108. } Corner Yates and Broad Sts. { P.O. Box 476.

NOTICE.

Notice is hereby given that thirty days after date we intend to apply to the Chief Commissioner of Lands and Works for a special licence to cut and carry away timber from the following described tracts of land in Alberni District:

Two River Arm, Sproat's Lake, Alberni District, commencing at a post on the shore at the southeast corner of the Arm marked B. C. P Co; thence west along the shore 80 chains, south 20 chains, east 80 chains, north 20 chains to the point of commencement, containing about 160 acres, more or less.

South Shore of the Sterling Arm, Sproat's Lake, Alberni District, commencing at a post on the shore of the Arm, marked B. C. P. Co. thence east along the shore of the E. & N. Ry. Co's boundary post, about 40 chains, more or less; thence along the boundary line south 20 chains, west 40 chains, north 30 chains, to the point of commencing containing about 80 acres, more or less, for the British Columbia Paper Manufacturing Company, Limited.

H. CARMICHAEL,
Secretary.

Victoria, B.C., July 1, 1892. jy2-d&w

OFFICE OF

The Black Jack Quartz Mining Co.

(LIMITED.)

NOTICE.

Barkerville, B. C., 15th July, 1892.

THERE is delinquent upon the following described stock, on account of assessment levied on the 28th May, the several amounts set opposite the names of the respective shareholders, as follows:

C. Hageman, certificate No.'s 173 to 177, (inclusive), 100 shares, each	$5 00
C. Hageman, certificate No. 181, 1,000 shares	10 00
C. Paulsen, certificate No. 86 50 shares.	1 00
C. Paulsen, certificate No. 188 500 shares.	5 00
S. K. Twigge, certificate No. 280, 500 shares	5 00
S. K. Twigge, certificate No. 281, 500 shares	5 00

And in a cordance with law so many shares of each parcel of said stock, as may be necessary will be sold at Barkerville on Saturday, 6th August, at 2 o'clock p m, to pay said delinquent assessments thereon, together with costs of advertising and expenses of the sale.

WM. H. PHELPS,
Secretary.

jy29w

THE GREAT ENGLISH PRESCRIPTION.

A successful Medicine used over 30 years in thousands of cases. Cures all diseases caused by abuse, indiscretion or overexertion. Six packages GUARANTEED TO CURE when all others fail. Ask your Druggist for the Great English Prescription, take no substitute. One package $1. Six $5, by mail. Write for Pamphlet. Address EUREKA CHEMICAL CO., DETROIT, MICH.

For sale and mailed by LANGLEY & CO. Victoria, B. C. jly17-d&w-eod

INGERSOLL ROCK DRILL CO.,

OF CANADA, LTD.

MONTREAL.

ROCK DRILLS

Air Compressors.

General Mining and Quarrying Machinery. A full stock of Drills and Duplicate parts always on hand.

WM. GORDON, Agent for B. C.,

OFFICE: GALPIN BLOCK,

P. O. Box 737. 49½ Government St., Victoria. oct3-su-w-f-d&w-1y

SALESMEN—LOCAL AND TRAVELLING—wanted to sell nursery stock for the old-established Fonthill Nurseries, comprising 700 acres; first-class hardy stock; new specialties; previous experience not essential; good pay; steady work; outfit free. Apply to British Columbia branch offices of STONE & WELLINGTON; J. Allen Clark, manager, 16 Broad St., Victoria, B. C. mc17-d&w