

SAINT JOHN, N. B., MAY 19, 1888.

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**CONCERNING THE THREE POINTS TAKEN.**

The following are among the positions taken by those who condemn the government for the seizure of the Adams:

- (1) That while the act is justified by the law it is bad policy, inasmuch as it deprives our fishermen of the opportunity of selling bait.
- (2) That the act though lawful is dangerous, seeing that it may lead to the refusal of commercial privileges to Canadian vessels in United States ports, and perhaps may lead to war.
- (3) That the seizure of the Adams may have been justifiable under the treaty of 1818, but is contrary to the terms of commercial treaties made subsequently.
- (4) That even the treaty of 1818 does not justify the seizure of a foreign vessel for procuring bait in Canadian ports for use in fishing outside the territorial waters of Canada.

In regard to the first proposition it seems to be the unanimous desire on the part of the fishermen that the treaty should be strictly enforced. It appears that the exclusive use of the bait fishery off-shore to our fishermen at least a part of the disadvantage under which they labor is due to the fact. Moreover, the demand for bait exceeds the supply and the advantage afforded by a free market places the American fishermen in a position to outbid the Canadian in the bait market. Lastly, in order to protect the fisheries within the Canadian limit, it is almost indispensable that United States fishermen should not be allowed to cross the three mile line, except for necessary food, water, or other such purposes as are included in the claims of hospitality.

The second claim must be left out of consideration. If we are demanding our lawful rights under the treaty now in force, a treaty which the United States has refused to change, there can be no danger of a war. For the government of the United States will rarely go to fight for the abrogation of a treaty, after refusing to negotiate for the peaceful abrogation of that treaty. The imposition by the United States of corresponding restrictions on Canadian trading vessels would scarcely be retaliation in kind for the Adams is not a trading vessel but a fishing vessel. There is no treaty, so far as we know, which would justify in closing of New England ports to Canadian fishermen seeking bait; but we apprehend that no strong objection would be made to that proceeding.

The third and fourth propositions are questions of law, now before the vice admiralty court of Nova Scotia. If the precedent of that court should be followed and the facts charged against the Adams are found to be as stated, the vessel will be condemned. So far as we know, the case of the Nickerson is the only one which a decision was given as to the right called in question. The New Brunswick case sometimes cited turned on the same class of facts, but the facts as set forth in the charges were not sustained by the evidence, so that the decision of ex-Chief Justice Young is the only judicial declaration on the subject. The following is Sir William Young's language:

"It being then clearly established that the J. H. Nickerson entered a British port and was anchored within three marine miles of the coast of Cape Breton for the purpose of procuring bait, and did there procure or purchase bait, the plain question arises on the treaty of 1818 and the acts of the Imperial and Dominion parliaments. Is this a sufficient ground for seizure and condemnation? The first article of the convention of 1818 must be construed, as all other instruments are, with a view to the surrounding circumstances and according to the plain meaning of the words employed. The substance and intent of the treaty are to give to the fishermen of the United States the liberty of fishing therefor in the waters of the British provinces, and to give to the fishermen of the British provinces the liberty of fishing therefor in the waters of the United States. It is perhaps too soon to bring the federation of the empire within the domain of practical politics. But the most far-reaching and hopeful of Imperial statesmen are looking forward to the establishment of a national system under which the British colonies will become British provinces. The premier is working backward when he legislates for the reversion of Ireland from its present status to the rank of a colony. The only successful home rule measure will be in the line of the federation of Great Britain and Ireland, and not in the direction of the separation of Great Britain from Ireland. The federal system we take it would better please all that large and worthy class of home rulers who cling to British connection, though it may not please the admittedly disloyal or Fenian element on one side, nor the extreme Orange party on the other.

The following is the text of the home rule resolutions as amended by Mr. Costigan, and passed by the house of commons:

"The commons of Canada desire to express their deep and abiding interest in the prosperity and happiness of their fellow-subjects in Ireland, and their adherence to the sentiments expressed in the joint address to her Majesty."

judgment. What may be justly and fairly insisted upon is, that beyond the four purposes specified in the treaty—shelter, repairs, wood and water—there is another purpose or claim not specified, while the treaty itself declares that no such other purpose or claim shall be received to justify an entry.

If Sir William's decision was bad law the present Chief Justice or the Courts of appeal may overrule it. Meanwhile the Canadian Government must take it as good law. But the captain of the Adams now says that he bought no fish at Digby. In his formal statement he did not go so far, but merely stated that he bought no bait for use in Canadian waters. If the captain was telling the truth there should be no difficulty in making his innocence appear in court. Nor would there be need of the formidable array of counsel, and the contentions respecting commercial rights and privileges.

**A MISCHIEF-MAKING JOURNALIST.**

The St. John *Globe* seems to take a malicious delight in representing that the precautions taken to preserve to our fishermen their treaty rights are calculated "to annoy and irritate" the American people. These latter, the *Globe* maintains, are "highly spirited." The Americans, according to the *Globe*, "are not to be bagged into any course of action by any other nation, much less by the colonial dependency of a European power." The *Globe* speaks of the enforcement of the treaty as "a series of petty annoyances," and charges that Canadian fishermen "disposed to worry" the United States because the latter declines to enter into a new fishery treaty.

This is almost exactly the language of Senator Frye. That political demagogue and blusterer has been trying to make it appear that Canada is guarding her fisheries for no other purpose than to be revenged on the United States. He has declared that Canada is trying to worry and annoy the American fishermen in order to badge the nation. He has spoken with almost as much contempt as has the *Globe* of the colonial dependency of a European power. Senator Frye had an object. He has been trying to prejudice the people of the United States against Canada, and to prevent anything like a settlement of the fishery question. The editor of the *Globe* seems to be working to the same end.

Both the senator and the editor know that there is no desire to annoy or worry the United States people. No Gloucester fishing vessel will be denied the shelter of a Canadian harbor, no such schooner would be refused supplies of food and water, or any other of the claims of hospitality. We refuse to share the use of our coast waters with the American fishermen, not out of spite, but because to do so would be robbing our own fishermen of their means of earning a living. For exactly the same reason we do not share the privilege of procuring bait. A person of sinister mind, disposed to create ill feeling can of course state this case as well as all others natrally and offensively. Such writing at the present time is calculated and evidently intended to make the people of the United States believe that Canadians are quarrelsome and malicious.

The *Telegraph* is a political friend of the *Globe*, and was a warm supporter of the *Globe* editor in the recent election. But the *Telegraph* is utterly disgusted with the *Globe's* attitude on this question and accuses the *Globe* of having taken sides either covertly or openly against the British empire and Canada on the question of compensation for the Fenian raids, on the headlands question, and on this bait matter. The statements of the *Globe* are characterized as unseemly and unpatriotic utterances calculated to stimulate the poisoning fishermen to further acts of lawlessness. The *Telegraph* significantly states that had the *Globe* editor dared to say before the late elections what he says now his words might have been taken notice of in a way to be remembered. Perhaps the *Telegraph* will bear this last hint in mind when the time comes for the election of the next speaker of the legislative assembly.

**SHOULD BE DEFEATED.**

It is now regarded as certain that Gladstone's home rule bill cannot become law in anything like its present shape. The more the measure is studied the more it is found to be totally out of accord with Imperial policy. This is a time for the close union of the British people and not for disintegration. The tendency rather toward federation than separation. The people of Ireland should be entrusted with the sole management of the public affairs in which the Irish people are the only parties concerned. But the fundamental provision of Gladstone's bill is not so much the concession of this privilege, as the exclusion of the citizens of Ireland from any participation in the government of the empire. This is the principle of the bill.

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majority of both houses of the Canadian parliament passed in the session of 1882.

"That in such address parliament suggested that Canada and its inhabitants had prospered exceedingly under a federal system, allowing to each province the Dominion considerable powers of self-government, and expressed a hope that, if consistent with the integrity and well-being of the empire, and if the rights and status of the minority were fully protected and secured, some means might be found of giving to the expressed desires of so many of her Majesty's Irish subjects in that regard."

"That in answer to the said address the Hon. Secretary of State for the colonies was commanded to state that 'Her Majesty will always gladly receive the advice of the parliament of Canada in all matters relating to the Dominion and the administration of its affairs; but with respect to the questions referred to in the address, Her Majesty will, in accordance with the constitution of this country, have regard to the advice of the Imperial parliament and ministers, to whom all matters relating to the affairs of the United Kingdom exclusively appertain.'"

"That this house having reference to the tenor of the said answer, does not deem it expedient again to address Her Majesty on the subject, but earnestly hopes that such a measure of the Imperial parliament as will preserve the integrity and well-being of the empire and the administration of its affairs, but with respect to the questions referred to in the address, Her Majesty will, in accordance with the constitution of this country, have regard to the advice of the Imperial parliament and ministers, to whom all matters relating to the affairs of the United Kingdom exclusively appertain."

It would have been quite unlike Senator Frye and Congressional Digley to wait until accurate information reached them respecting the Adams seizure before moving for measures of retaliation. The cooler statesmen at Washington must have learned by this time that the remarks of the clamorous New England representatives should be taken with large quantities of salt. Not many more men are to be admitted to the firm that United States fishermen have nothing of Canada or Canadians. Now they are making a very loud noise because Canadian decline to have any dealings with United States fishermen.

SENATOR HOWLAND'S scheme for the construction of a subway from New Brunswick to Prince Edward Island may or may not be practicable. But the case has been submitted to competent engineers, whose report is sufficiently encouraging to justify a survey of the bottom of the strait. The Dominion government has ordered a thorough exploration of the ground.

OUR United States neighbors continue to inform us that Canadians will be the parties most injured by the enforcement of the fishery regulations. The wonder is that brother Frye and his friends are disposed to deny Canadians the right of injuring themselves.

From reliable statistics gathered from the *Globe* press it appears that during the last eight years masts have been driven into Sir John Macdonald's political office at an average rate of one every two days. If Sir John had not stay in the box when he is put there it will not be on account of the scarcity of masts.

**Death of an Old Citizen.**

Stephen Hamm Shaw, one of our oldest inhabitants, died suddenly Wednesday evening, the 12th inst., about half-past nine o'clock, at his late residence, 121 Main street, Wm. Cunard, No. 37 Main street, in this city. The deceased was 84 years and 9 months of age and has always enjoyed good health.

About a fortnight ago he complained of a feverish cough, but his symptoms were not such as to lead to any apprehensions. He was, however, he complained of having a very severe pain in his right hand and arm, and seemed to be otherwise in his usual health, and without further complaint died at the hour named. The cause of his death is supposed to be apoplexy.

Mr. Shaw was born at Sackville, Westmorland county, but resided for the best part of his life in the city of Colchester, and latterly with his daughter, Mrs. Cunard. He was a great number of years a surveyor in the employ of the South Bay Boom Company, and was also in the employ of the late Mr. Robertson, who became secretary for the South Bay Boom Company. He was a member of the Colchester and South Bay Booms, and was also a member of the Colchester and South Bay Booms, and was also a member of the Colchester and South Bay Booms.

Mr. Shaw was extensively connected and leaves four sons, namely, A. M. Shaw of Price Street, St. John, N. B.; Wm. Shaw of the Port, E. E. Shaw in the employ of the I. C. E. and C. S. Shaw who resides at Campbell street, and Fred B. Coleman, Frederick, wife of the proprietor of the Barker Brothers, Mrs. Edgar Jones, in the employ of the Colchester and South Bay Booms, and Robert Cunard, Henry Max well and Benjamin Knight. The funeral arrangements were under the supervision of M. N. Foyers.

**SUMMER.**

(FROM OUR OWN CORRESPONDENT.)  
SUMMER, May 17.—The readers of THE SUN here are fully accord with the generally expressed opinion of the press that the appointment of R. A. Payne, Esq., to represent New Brunswick at the Colonial and Indian Exhibition in London is a good one. No doubt Mr. Payne will devote every spare moment at his command in informing the readers of THE SUN as to the details of the great event.

**LOCAL MATTERS.**

IN QUEBEC CO., N. B., the following deaths occurred last week: A. Liverpool, Geo. Briggs aged 94 years; at Milton, Thos. Knowles, aged 88 years; at Hunt Point, M. Hosen aged 85 years.

A CORPSE in the shape of a nigger was in town last week. He carries certificates testifying to having two hearts, two sets of ribs, and being liable to move one of his hearts at pleasure. He carried, for a walking stick a three inch bar of iron, which he can easily bend over his head.—*Pictorial Standard.*

NOVA SCOTIA POLITICAL GOSPEL.—The Grits of Colchester have called another convention for the 19th. Edward Fulton, the choice of the first convention, having declined to offer.

Mr. Longley has been selected as the Grit candidate for Annapolis county by a committee of the convention by a majority of one over Dr. Frimrose. The Liberal Conservatives of this county are fully alive to their duty.

THE Grits of Kings county convene at Kentville on the 24th; of Lunenburg county, at Lakeshore Bay on the 19th.

A NARROW ESCAPE FROM DROWNING.—A Springfield, K. C., correspondent of THE SUN writes—Last evening while Mr. Shampin and others were engaged in taking a horse out to the steamer Bellini, on a scow, the animal became unmanageable, and in spite of the man's efforts Mr. S. plunged into the river, falling to the bottom. The scow was immediately hoisted, and Mr. S. was rescued. At first it was thought impossible to rescue him on account of the swiftness of the current, but the prompt rescue of those on the scow, the almost drowned man was rescued. The horse was also saved.

FIRE AT BERDIA.—"MONTREAL GAZETTE," Ottawa, Ontario.—This morning at 9 o'clock fire broke out in the press room of the Montreal *Advertiser* office at Sherbrooke and rapidly spread until the entire building with all its contents was destroyed. The loss is fully \$2,700 and insurance only \$850, so that Mr. Robidoux has lost \$1,850. The origin of the fire is unknown, and he will have the wrecked machinery, and he will have the wrecked machinery, and he will have the wrecked machinery.

MARTINE PROVINCER MAN TO THE FRONT.—The results of the Easter examinations at the Ontario Agricultural College have been made known. Three maritimes provinces men were in the first class, which numbered twenty-six in all. In general proficiency, J. W. Hart of Bridgewater, N. S., took the fourth place, W. J. Gilbert of Shediac in number sixteen, and J. A. Hart of Berwick number seventeen. J. W. Hart won second class honors in agriculture, horticulture, and viticulture, and first class honors in inorganic chemistry, organic chemistry, zoology, English literature, and bookkeeping. W. J. Gilbert won first class honors in live stock and zoology, and second class honors in agriculture, horticulture, and viticulture. J. A. Hart won first class honors in live stock and bookkeeping, and second class honors in agriculture, horticulture, and viticulture.

DRIVER HANGING UP.—The lumberman arriving in town report that great difficulty is experienced in driving on small streams this spring, owing to the scarcity of water, and that every where drivers are being hung up. Gilman's drive is hung up on the Kawick and the men have to be left there. A number of small drives on the St. John's branches, the Nashua and Salmon river are hung; and a report, which lacks confirmation, states that a large number of the heavy drives of the St. John's river have been hung up, or about hanging.—*Gleaner.*

W. O. GALLAGHER, a former resident of St. John, died suddenly, says the *Moncton Times*, on Saturday night. At one time he was engaged in the meat business, but for the last four years was employed in the I. C. E. general office, Moncton. He was a native of Ballyshannon, county Donegal, Ireland, and 32 years of age.

THE HARMONY CLUB.—The Harmony Club are celebrating the accession of Her most gracious majesty Queen Victoria to the throne on the 20th of June. It is not improbable that it will be a grand affair as all the celebrations undertaken by the club have been in all.

THE SALVATION ARMY are to have a big demonstration in this city on the Queen's birthday.

FOUR DIXON, last week found guilty of stealing shoes from Sutherland's and Union street was yesterday brought in from jail and sentenced to four years in the penitentiary.

THE SALVATION ARMY now parade the streets in charge of a mounted marshal.

THE E. E. LALAND legislative council has refused to abolish itself.

A ST. JOHN FIREMAN'S WORK.—Yesterday Chief Engineer Knox received the following letter, which explains itself:

ADAMSBURY, N. S.  
To John Kerr, Chief Engineer Fire Department, St. John, N. B.:  
On behalf of the members of our fire department and citizens generally I desire to return thanks to E. H. Spiller, a member of your fire department, for the very valuable services rendered on the occasion of the recent large fire in Annapolis.

When the hose was carried to the top of my building, he held the "bath" nail drive from that position, but not until the fire had burned his clothing. You are at liberty to make what publicity of this you may deem proper.

Yours truly,  
W. H. BAKER,  
Capt. Protector No. 1 Annapolis, formerly member Union No. 2, St. John, N. B.  
Mr. Spiller is now travelling for Francis & Vaughan, and was at one time foreman of Union 2. He is now on leave of absence from Chief Engineer Kerr.

**St. Martins News.**

(FROM OUR OWN CORRESPONDENT.)  
ST. MARTINS, May 17.—The excitement incident to election times having subsided, the people of this village have settled down to their usually quiet state of society.

Since about May 1st regular trains have been running on the St. Martins and Upham Railway. The road is said to be in fair condition and the prospects of a large business being done this season are good. If the road were fitted out with new rails and put in good repair it would be one of the best paying branches for its length in the province. It is confidently expected that the Dominion government will do something for the road before the progress of parliament.

The people here are pleased to know that a fog alarm at West Quaco Head is about to be constructed. A cone fog or blinding snow storm the present light, to the unacquainted seaman, is practically useless. A good fog alarm, however, is a most desirable addition to the West Quaco beach, in a severe gale in January the masted schooners of this dangerous coast drifting in a dense fog, and the masted schooners of this dangerous coast drifting in a dense fog, and the masted schooners of this dangerous coast drifting in a dense fog.

The school children were in school on the West Quaco beach, in a severe gale in January the masted schooners of this dangerous coast drifting in a dense fog, and the masted schooners of this dangerous coast drifting in a dense fog, and the masted schooners of this dangerous coast drifting in a dense fog.

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**ANOTHER PRIZE.**

A Portland, Me., Schooner Captured at St. Ann's, C. B.

**THE CAPTAIN ADMITS THE PURCHASE OF BAIT.**

Consul Phelan Claims that Canada is Wrong and Great Britain will Overrule Her.

**GOOD WORK DONE BY COLLECTORS OF CUSTOMS.**

Delay in Getting the Cruisers Ready.

**FRYE'S RETALIATION BILL PASSES THE U. S. SENATE.**

(Special to THE SUN.)

HALIFAX, May 17.—Despatches from Baddeck announce the seizure at St. Ann's, C. B., of two masted schooners from that place and between Cape North and Sijak, just at the mouth of the Bras d'Or Lakes, of the Gloucester schooner Ellen M. Doughty, Capt. Warren Doughty.

It appears that she arrived off that coast on the 11th, secured twenty barrels of bait and put to sea, but was driven back by large quantities of ice on that coast and put into St. Ann's harbor, where she was seized by the sub-collector, Campbell, for not reporting and entering at the customs' house and purchasing bait.

Consul Doughty claims that he had a permit from the collector at Portland, Me., to trade and have a perfect right to buy bait. This second seizure, coming so soon after the seizure of the Adams, has created a big sensation in this city.

Consul General Phelan will leave immediately for the scene of the seizure. The two schooners now fitting out at this port will proceed to sea immediately.

**LATER.**

(Special to THE SUN.)

HALIFAX, N. S., May 17.—Later particulars of the seizure of the schooner Doughty at St. Ann's shows that she belonged to Portland, Me.

Capt. Doughty in his statement says that he put into North Sydney, but the collector of customs there would not recognize the permit given him by the collector at Portland and authorizing him to enter the Canadian ports to trade and make purchases of bait, etc. He then went up along the coast, entered St. Ann's harbor, which is one of the oldest settlements in Cape Breton. On the 11th and on the 13th he purchased twenty barrels of bait, as he had a perfect right to do under his permit. The next day, the 14th, he sailed, but was forced back to port again by the ice and today was seized. He telegraphed the facts to his owners at Portland.

This collector of customs are keeping a sharp lookout on the movements of American fishermen James A. Garfield and Edward Trevo, who are seeking bait in Cape Breton waters.

The collectors of customs are exhibiting great anxiety, far more so than the authorities in Halifax.

The two cruisers have been lying in this harbor several weeks. Neither of them have their stores or guns on board. Their crews have not even been shipped. A captain has only been appointed for one of them, that is Capt. Lowry of Sydney to the schooner L. Huntley. It will be probably a week before they can be got ready for sea.

Consul General Phelan was waiting in the telegraph office at midnight for the latest particulars of the seizure. He says that the seizure of the Doughty will settle the question of the value of permits granted by the American collector to American fishermen to trade in Canadian ports. These, he says, are issued by virtue of a convention between the United States and Great Britain, subsequent to the treaty of 1818, and he feels confident that the Canadians are wrong on this point and they will be overruled by the action of Great Britain.

**WASHINGTON.**

WASHINGTON, May 17.—In the senate today the shipping bill was passed together with the amendment offered by Frye, authorizing the president to issue a proclamation whenever he may deem proper, ordering to vessels of foreign countries to vessels of the United States. This is a provision authorizing retaliation for the recent action of the Dominion of Canada in excluding United States vessels from certain privileges in Canadian ports, but the provision of Frye's bill is not confined to Canada, but is made general, so as to apply to all foreign countries.

WASHINGTON, May 17.—The Department of State is informed of the seizure at Cape Breton, yesterday or today, of the American fishing schooner Ellen M. Doughty of Portland, Maine. No particulars given.

**A Secret for the Ladies.**

The great secret of beauty is pure blood. Eruptions and all blemishes that disgrace the face may be quickly cured by Burdock Blood Bitters. Anti-Heath of Portland certifies that she was cured by this remedy, after suffering for two years.

**Worth Remembering.**

There is probably no better relaxing remedy for stiff joints, contracted cr., and painful congestion, than Hagar's Yellow Oil. It cured Mrs. John Siddall of Orton, Ont., who was afflicted for years with contraction of the bronchial pipes and tightness of the chest. It is a great remedy for internal or external pain.

**A Useful Hint.**

It may be useful for the reader to know that the popular preparation known as Hagar's Yellow Oil has prepared a sovereign remedy for dentists, many certified cases being on record. Hagar's Yellow Oil also cures coughs, pains and lameness, and may be used internally or externally.

Never draw the stomach with nauseating and weakening expectorants and cathartics; Hagar's Pectoral Balsam is pleasant and reliable in its effects, and safe in all throat and lung complaints that, if neglected, end in consumption.