# ARGUMENT CONCLUDED

## Both Sides in the Trial of Regina vs. Nichol Present Their Case to the Jury.

## Chief Justice McColl Will Deliver His Charge at Eleven This Morning.

A verdict should be arrived at some time to-day in the case of Regina v. Nichol. Yesterday the counsel on both sides concluded their arguments and the Chief Justice stated that he would very briefly charge the jury at 11 this morning.

Mr. Davis for the defence concluded his argument in the morning, repeating what he had said on the previous day.

Mr. Wilson for the prosecution could quite conceive that the duty cast upon the jury was an unpleasant one, but they must dissolve from their minds any personal feelings towards the parties to the action. The judge on the bench, the jury in the box and the counsel at the bar had frequently an unpleasant duty to perform. It was an unpleasant duty for a judge to sentence a man with whom he had been on terms of friendly intercourse; it was an unpleasant duty for a counsel to defend a man whom he believed to be guilty and it was an unpleasant duty for a jury to deal with the guilt or innocence of men charged with a specific offence not an atrocious crime. Lawyers were accustomed to dissociate their minds of everything except the discharge of their duty, as for instance a man defending a prisoner charged with treason, while a most loyal subject would defend the prisoner with all his wit and cunning. So should a jury exclude from their minds every preconceived idea, resting themselves on their plain and simple duty and decide the question of the guilt or innocence of the accused strictly according to law and evidence.

Proceedings for libel were unique in character. In such proceedings the jury were judges of both the law and the facts, and it therefore became necessary that he should address them on the law and the facts. He agreed with Mr. Davis' exposition of the law in the main but Mr. Davis omitted what he conceived to be the most important point of all, viz., "What is libel"? Mr. Davis had not told the jury what libel was and it was therefore necessary for him to define it. The definition in the code was an admirable one either treating it as a criminal offence or a civil matter. Sec. 285 says "a defamatory libel is matter published, without legal justification or excuse, likely to injure the reputation of any person by exposing him to hatred, contempt or ridicule, or designed to insult the person as to whom it is published." It had been said by counsel for the defence that the Canadian code differed from the English law on the subject. He with great respect differed, as the code was but declaratory of the law as it stood and this view was supported by that eminent authority, Justice Taschereau, who, in his works on the criminal code at page 300 points out that all of the sections relating to libel with the exception of one (291) as to the reporting of proceedings at public meetings, are taken from the Imperial Draft Code of 1879, which the commissioners reported to be a re-enactment of existing law. He desired particularly to point this out as, intending to quote to them from English authorities, he did not wish them to think the English law was different from ours. He cited from Folkard's Starkie on Libel at page 808 to show what was required to be proven by the prosecution on an indictment for libel. (1) The fact of publication by the defendant. (2) That the matter charged is a libel. (3) The introductory averments and the innuendos. (4) The application of the libel to the prosecutor, and (5) The malice of the defendant. All these had been admitted but (2) that the matter is a libel and (5) malice.

The libellous nature of the article was apparent on its face. He would deal with the question of malice later.

The defences were: First, under Sec. 292 of code, fair discussion of a subject of public interest, for the public benefit; second, under Sec. 293, fair comment of the public conduct of persons taking part in public affairs; and, third, justification; so that the issues were: 1st, libel or no libel. If a libel, 2nd, fair discussion or fair comment and 3rd, justification. As to what is fair comment and fair discussion he referred to the case of Campbell v. Spottiswoode, 3 Best & Smith's Reports, at pages 775 and 777, the judgment of Chief Justice Cockburn and Crompton and Blackburn judges, and to the later case of Merivale v. Carson, reported in 3 Times Law Reports at page 432, and 20 Queen's Bench Division.

The criminal code, said Mr. Wilson, provided that a man was not guilty of libel who published anything that he on reasonable grounds believed to be true, if in publishing such a statement he did so for the public good. This was privilege. It also provided that newspapers could make fair comment on the public actions of public men, but no judge or jury had ever defined what "fair comment" really was. It had never been defined for the same reason that fraud had never been defined because once defined the clever rascals an opportunity to get outside the definition and yet act dishonestly. Equally clever newspapermen could, if "fair comment" were defined, keep within the definition and yet publish defamatory matter. If a man could publish a thing and then come forward and be released simply because he said that what he wrote he believed to be true, a great injustice would be done. A writer could not impute that men obtained money under false pretences because he believed that it was true, without having any evidence to support it. His clients were prepared to accept fair, honest, bold and even exaggerated criticism, but the article in question went far beyond that, and the defendant in his plea of justification asserted that the libel was true from start to finish. By so doing he had assumed the burden of proof and must prove every statement made in the article, both in substance and in fact. As to justification the plea is one and entire and raises one issue that the libel, innuendo, criticism, comment and all is true and this must be proved up to the hilt or judgment go for the crown.—Reg. v. Newman, 3 C. & K. 253; 1 E. & B., 571.

Turning to the article, Mr. Wilson read it through, commenting on the different passages. Even the words "Honorable" and "Equally Honorable" used in the sense that they were, were with a proper innuendo libellous, and counsel quoted authorities in support of his contention, but he said they had no quarrel over the words, it was something else that they complained of.

A great deal had been said by his learned friend about the advertisements in the London papers and the servant girls and chimney sweeps of London. It was not that class of people who subscribed to the shares of companies such as referred to but the investing public of Great Britain. The servant girls and chimney sweeps of London did not earn wages such as would enable them to invest in mining shares.

What the plaintiffs did was perfectly right and was calculated to advance the prosperity of the province. It was insinuated that they had used their positions for personal gain and that had it not been for their positions they would not have been appointed to the directorate. They had gone into the companies as private citizens partly for personal gain, and the positions they held in private life were such as would ensure their being placed on the directorate of public companies irrespective of their official position, just as it had enabled their confrere, Mr. Boscowitz, with whom they had been associated with in other enterprises, to do so. There was hardly a company in London that did not pay directors' fees and the plaintiffs had been perfectly within their rights in accepting them.

As he had said, there was much in the article that could be called bold criticism, but when the writer stated that the plaintiffs had been prepared to place the plans and purposes of the government at the disposal of the companies, he was going beyond bold or even exaggerated criticism. Yet the statement had been made, and the defendant, in his plea of justification, said it was true, but had not produced one tittle of evidence to show that it was true. In face of the absence of evidence, his learned friend had argued that it was true, which Mr. Wilson characterized as most unfair comment. Not satisfied with what they had already published to the world, the defence now tried to still further villify the characters of two men in high standing in the community. In the plea of justification it was alleged that the plaintiffs had either sold their country for personal gain, or, having failed to do that, obtained money under false pretences. He asked the jury how they would like to be told that they had either sold their country or were thieves. There was no one who knew better than the defendant that the plaintiffs were guilty of neither charge.

At this stage there was an hour's adjournment for lunch.

On the court resuming Mr. Wilson continued his criticism of the article, stating that, although it had been charged that the plaintiffs had accepted bribes, there was no evidence whatever to show that this was the case, and had it been so the defence would not have kept it back. They had only accepted a salary, which no man need be ashamed of accepting. There was also a direct charge that the "Heinzes and Dunsmuirs" had contributed to the pockets of the plaintiffs—a charge which the plea alleged to be true, but of which there was absolutely no evidence. Having read the article through, Mr. Wilson asked the jury, in the words of the code, whether it exposed the plaintiffs to contempt, hatred or ridicule, or whether it was designed to insult them.

It was true that there was a portion of the article which had not been included in the indictment, but it was the portion which had been added as an antidote—an antidote which was worse than poison. There had been a manly course open to the defendant before the trial opened. He could have come forward and stated that, having been here but a short time, he did not know the circumstances, or that he thought policies were done here the same as they were on the other side of the boundary, or perhaps as they were done by the men with whom he was associated. The tail end of the article had been written to make a jury believe that the writer believed the statements to be true.

Referring to the prospectuses, Mr. Wilson said there was nothing in them reflecting on Messrs. Turner and Pooley, but they did show that the shares held by them were deferred shares, on which they would not receive a cent in dividends until the public who subscribed had received 20 per cent. There was nothing to show that they did not pay for the shares, in fact the secretary of one of the companies had said that all the shares were paid for. There was also nothing to show that the companies were of a questionable character; in fact, the whole article was based on the wildest assertions. Reference had been made to the retirement of Major-General Biddulph from one of the companies. In one of the papers put in by the defence the General's letter of resignation was published. In resigning, the General said he did so with regret, he having found that his occupation and position as an official of the House of Lords would not permit of his remaining on the board of directors, as he would wish to do. "Was that a letter," said Mr. Wilson, "of a man who was ashamed of his position?" The General had not only expressed his regret at leaving the board, but stated that his name had probably been of some service to the company, and he wished every success and believed that they had a good chance.

He had not put Messrs. Turner and Pooley in the witness box, as the defendant had admitted everything that the plaintiffs could prove, and besides the defendant had, by his plea of justification, practically placed the plaintiffs on their trial on serious charges.

The subsequent articles conclusively proved the malice that had been alleged by the prosecution. He referred to the "obituary notice" of Messrs. Turner and Pooley published in the Province, and asked the jury what they thought might have been the effect of such an article on the relatives or friends of the two gentlemen, who, not knowing where they were, should have picked the papers up. Equally cruel and disgusting articles had appeared in the same paper.

In conclusion the learned counsel said that he did not wish to circumscribe the liberty of the press. It was desirable in the public interest and national welfare that fair and independent criticism of public men should not only be permitted but encouraged. But liberty must not degenerate into license, as if licentiousness were tolerated even liberty itself would be in danger. He asked them by their verdict to say that decent men should not be driven from political life by the dread of exposing themselves to such hideous libels, not to make the life of public men an intolerable burden, but to say that, while urging purity in politics, the press itself should be equally pure.

Mr. Wilson concluded his address shortly after 3 o'clock, and the court was then adjourned until 11 this morning, when the Chief Justice will charge the jury.

## WERE OFF THEIR BEATS.

### U. S. Lieutenant and Two Soldiers Lose Themselves in Canadian Territory.

Washington, Feb. 8.—Captain Glenn, who is now in this city on special duty in connection with the exploration of the Klondike, has received a telegram announcing that Lieut. Castner, U.S. army, and two enlisted men who disappeared in the wilderness of the Klondike last August have arrived safely at Weare, a station at the mouth of the Tanana river.

# THREE SHIPS MISSING

## Terrible Hurricane on the Atlantic Believed to Have Cost Many Lives.

## Two Big Freighters With Crew of Sixty Believed to Have Disappeared.

By Associated Press.

New York, Feb. 8.—The reports of a terrible hurricane encountered in mid-ocean on the last westward voyage by the big liners St. Louis, Lucania and La Champagne, have made owners and agents of delayed vessels somewhat uneasy regarding their ships.

Seafaring men have given up all hope of ever seeing the British freighter Almida, which sailed from Shields, Eng., for this port an December 19 last, in command of Capt. A. McGregor, with a crew of 25 men. No incoming ship has reported speaking the Almida since she left the other side. The missing steamer, which was formerly called the Cedar Branch, is a steel vessel of 1,524 tons, and carried a general cargo. The Almida passed Runnel Head, Scotland, on December 21.

The Tweedie Trading Company's steamer Catania, from Glasgow December 21, which met a gale that carried away the smokestack and partly wrecked the upper works, sought repairs at St. Michael's, Azores, on January 6 last, three days after tidings regarding the disabling of the vessel had been brought to London by the Mesaba, of the Atlantic Transport Line. The Catania started from the Azores for this port January 26, and up to the present time has not been heard from. The agents of the Catania say the boat ought to have been here several days ago, but has probably been delayed by the hurricane. The owners of part of the cargo on the Catania to-day had it re-insured. The overdue Tweedie liner is an iron schooner rigged steamer of 2,633 tons. She is in charge of Capt. Furlong and has a crew of 35.

There is much mystery as to the identity of the British steamer bound west which was spoken on January 19 in Lat. 43.6, Long. 57.37, by the Pennsylvania, of the Hamburg line. The British vessel, which is said to have displayed the signal letters N. D. G. F., asked to be reported to agents in New York, and said all on board were well. No vessel with such code letters has entered an Atlantic port since.

## VANCOUVER AND VICINITY.

### Deadman's Island Wanted for Industrial Purposes—Fine Oysters Located at Sechelt.

From Our Own Correspondent.

Vancouver, Feb. 8.—It is whispered that a capitalist is in Ottawa at the present time trying to engineer a deal with the government which will enable him to establish a large industry on Deadman's island. The gentleman is said to be a strong Liberal in politics. The rumor seems worth inquiry. The utilization of a portion of Stanley park for purposes of trade and traffic would meet with strongest opposition from the entire community. The report emanates from those intimately acquainted with the capitalist referred to.

On the eve of the Rev. Mr. Stackhouse's departure to fill a Rossland pulpit he was presented with an address and well-filled purse.

Mr. W. Blackmore, accountant in Messrs. Weeks & Robson's was married last evening to Miss Bertha Ferris at St. Paul's church. Rev. Mr. Underhill officiated. Mr. and Mrs. Blackmore were passengers on yesterday's Charmer.

Seven residents of Vancouver have been summoned for letting their water taps run all night. Seven hundred and seventy-seven let their water taps run and were not summoned.

The late J. J. Blake received an imposing civic funeral to-day. The pall bearers were Ald. McGuigan, Ald. McPhaiden, City Engineer Tracey, City Solicitor Hammersley, Capt. C. Cates and Mr. J. Manion.

The "Prodigal Son" is to be rendered by a large choir of local singers on Good Friday.

New and extensive oyster beds have been discovered near Sechelt. The bivalves are large and of excellent quality. They are doubtless the progeny of the Eastern oyster planted by Prof. Prince two years ago.

The first meeting of the University Association was held last night, Rev. E. D. McLaren acting as chairman. It was decided to form a reading circle for the study of political economy. A circle will also be formed for the study of history.

Robert Murphy has been sentenced to 18 months' hard labor for cutting the wrist of Jim Walmsley in a fight.

## IMPERIAL PARLIAMENT.

### British Policy to Conciliate Competitors in China—Sexton Refuses Irish Leadership.

London, Feb. 8.—The debate on the address in reply to the Queen's speech was continued in the House of Commons to-day.

Sir Ellis Ashmead Bartlett, Conservative, moved an amendment asking the government to take early and effective measures to assist China to maintain her territorial independence and enforce the policy set forth in a resolution passed by the House of Commons on March 1, 1898. It was argued that it was the only possible policy for Great Britain. The speaker further asserted that the policy of spheres of influence meant the partition of China, and it was doubtful, in his opinion, if Great Britain would have the support of the United States in a policy of partition, whereas he believed Great Britain was assured of the support of the United States if it went in for an effective policy of maintaining Chinese integrity.

After the parliamentary secretary of the foreign office, William St. John Broderick, had reviewed the situation in China, and had explained that the government's policy was rather to come to terms with competitors than to excite the antagonism of others developing the country, Sir Ashmead Bartlett's amendment was withdrawn.

Mr. Samuel Smith, Liberal member for Flintshire, moved an amendment to the address relative to the "lawlessness in the church," which he said was exciting the greatest anxiety in the country. Mr. Smith was still speaking when the house adjourned.

Mr. Thomas Sexton declines to undertake the leadership of the Irish party in the House of Commons, and it is probable that Mr. Dillon's successor will be Sir Thomas Henry Esmonde, anti-Parnellite member for West Kerry and senior whip of the party.

## SLAIN COAL MINERS.

### State Department Refuses Claim by Hungarian Government for Compensation.

Washington, Feb. 8.—The state department, after mature consideration, has declined to recognize the claim of the Austro-Hungarian government for indemnity on account of the Hungarian strikers killed by Sheriff Martin's posse at Hazelton, Pa., on September 10, 1897.

## MILES' BEEF STORY.

### Commission of Three Members Will Investigate the Quality of the Supplies.

Washington, Feb. 8.—The inquiry into the charges against the character of the army meats preferred by General Miles will follow closely upon the presentation of the report of the commission to investigate the conduct of the war. Three members will constitute the court. The late Eagan court-martial will be represented in the membership but up to this moment no designations have been made.

The probable scope of the inquiry will be into the condition of the army meats as delivered by the contractors, of course involving the determination of the question as to whether or not the meats were chemically treated.

## THE VICTORIA ELECTION.

### A Rebuke to the Government and Especially to the Attorney-General.

From the Rossland Miner.

The return of Messrs. Turner, Hall and McPhillips, the Opposition candidates, to the Provincial Legislature, and the defeat of Meassrs. Gregory, Paterson and Stewart, the Government candidates, in the Victoria constituency yesterday was in the nature of a rebuke to the Government. This indorsation of the Opposition by the electors would indicate that they, at least in that particular constituency, were dissatisfied with the methods and policy of the Government, and that its tenure of power yill be a short one.

The Government has one member in the cabinet, Hon. Joseph Martin, who weakens instead of strengthens its hands. He is revolutionary, reactionary and iconoclastic in his methods. He is a tearer down instead of a builder up. He is good in attack, but is a source of weakness in a garrison that has to be defended against the persistent assaults of an opposition, because of his rashness and intemperance. Some of the intemperate acts of the present Government, such as the summary removal of faithful and competent officials simply for the purpose of giving henchmen positions, may be laid principally at his door. Hence if the Government is soon defeated it will be largely the fault of Mr. Martin.

Besides this it is said that the Government is divided against itself. This is shown by the fact that Mr. Cotton, in his private capacity as editor, fights some of the measures that he, in his official role of minister, is supposed to approve. It is palpable, too, that Editor Cotton never has a good word to say for Mr. Martin, the attorney-general. It is said that Mr. Martin inspires the Province to attack Minister Cotton.

It is possible that if the Semlin-Cotton aggregation had started in without Mr. Martin in the cabinet it would have been able to place the Government on a sound and enduring basis, but his action indicate that he is a sort of a political firebrand. The electors of British Columbia, as a rule, are conservative, and evidently do not like the pyrotechnic ways of the recent importation from Manitoba. He has not lived long enough in the Province to make himself well acquainted with the manners, customs and ideas of the people. It is possible that he imagines that he understands them. He is mistaken. With a few more results like the one achieved in Victoria yesterday, the Semlin-Cotton-Martin government will simply have become an unsavory memory, with Joe Martin as the most odoriferous corpse of the lot.

The result of yesterday's poll shows that Lieutenant-Governor McInnes was not speaking by the card when he stated that he retired the Turner government because Mr. Turner did not possess the confidence of the people. The political situation is a very pretty one, and some surprises are evidently in store for those who like to study the game of politics.

From the Revelstoke Herald.

The result of the bye-election in Victoria is most gratifying to the friends of constitutional government and decent politics in this Province. The electors of the capital have pronounced in favor of the opposition by an increased majority, with ex-Premier Turner at the head of the poll. It is quite evident that the appeal made by Attorney-General Martin and his followers to the electors to vote for the government candidates on the ground of their influence with the Government was of no avail. Even Col Gregory, who was to have been given a cabinet seat if he got in, was over 100 votes below the last Opposition candidate, and that in spite of the gallant colonel's personal popularity, which is very considerable. The Martin government put up the very best fight they knew how and they have ben beaten.

This victory augurs well for the prospects of the Opposition in the Nelson riding. There Mr. Farwell is out in opposition to Mr. Hume, and his address to the electors in the Nelson Miner is a well-reasoned and powerful indictment of Mr. Hume as a member for the riding. But in all of it the Tribune, the Government organ, answers that there is but one issue in the election, which is to get a Government supporter returned who will be able to exert some influence with the party in power. Mr. Farwell's address points out very forcibly that Mr. Hume, as a Government supporter, has not so far been much of a success in the direction indicated, and the Herald takes leave to doubt whether this contemptible appeal to supposed lack of political principle among the electors will carry more weight in Nelson than it did in Victoria.

## ODDITIES ABOUT ANIMALS.

If you want to ask a sheep where he got his wool and why, take a dog into a mountain pasture band and if the sheep are afraid of the dog they will invariably run uphill rather than down. You have your answer, says the Chicago News. The ancestors of the domestic sheep, like wild sheep of the present day, lived among high mountains and needed their woolly covering to protect them against the constant cold of high atmospheres. They chose the high and inhospitable region to live in because they found the fierce flesh-eating animals of the plains too strong for them. A proof of these facts is that the wool grows on a sheep the year round.

Every boy who owns rabbits knows that if a stranger goes into the shed where they are kept they give a resounding thud with their feet upon the floor. This is a warning signal. Wild beasts strike the ground the same way just before they enter their burrows. An interesting point is that rabbits give this warning stamp with their hind feet, while sheep, deer and antelopes use the fore feet. This is because the action of striking was in former times a method of defence or attack and in rabbits the hind legs are more powerful; in the other animals mentioned, the fore legs.

The term "filthy lucre" originated in Scotland, and referred in the first place to the well-worn £1 notes of that country.

# SHIVERS IN THE EAST.

## Coldest in Many Years the Report From New York to Minnesota.

## Chicago Temperature Lowest on Record—Loss of Cattle in Missouri.

By Associated Press.

New York, Feb. 9.—New Yorkers experienced the coldest weather in years to-day. At Brooklyn bridge this morning the thermometer registered 7 below. This, however, is the coldest spot in the city. It averaged from 2 to 4 below zero throughout the city this morning. About the suburbs of New York the cold was very much more severe than in the city, and stories of destitution and hardship are told in abundance. Fully a score of people were taken to various hospitals badly frost-bitten.

Buffalo, N. Y., Feb. 9.—The thermometers in this city registered 12 below zero to-day. The weather office predicts much lower temperature for to-night and to-morrow.

Joseph Vogel, 52 years old, was found frozen to death on the sidewalk near his home early this morning. The police say he had been drinking.

Schenectady, N. Y., Feb. 8.—The worst snow and wind storm of the season is raging in the lower Mohawk valley to-night. Twelve inches of light snow fell last night, and a fierce gale that began to blow early this evening is blowing it in great drifts. Trains on the Central, Hudson, West Shore, and Delaware & Hudson are all late, and the trolley line experienced great difficulty in keeping going in the suburbs.

Jacksonville, Fla., Feb. 9.—The severest wave of the season covered Florida last night and to-day. In the northern part of the orange belt the range of the mercury was from 26 to 34 degrees. Only the young spring growth on the orange trees was injured. Truckers suffered some loss on beans, lettuce, tomatoes and strawberries.

Chicago, Feb. 8.—Not since 1872 has Chicago experienced such intense cold as that which prevailed to-day. The lowest notch touched since the establishment of the weather bureau in this city was 23 below. At 11 to-night it was 19 below, and when the weather office closed the officials predicted that by the morning the mercury would reach 25 below and the record will be broken.

## GAZETTE NOTICES.

### Appointments and Other Matters of Public Interest Published Yesterday.

His Honor the Lieutenant-Governor, according to a notice in the current issue of the Gazette, has been pleased to appoint Edward Mallandaine, of Creston, West Kootenay, to be a coroner for British Columbia; John S. M. Morrison, Vancouver, to be a notary public for British Columbia; Campbell W. Sawers, of Vancouver, to be a notary public for British Columbia.

It cost Mr. Neill $59 to secure his re-election to the legislature from Alberni.

C. M. Tanner, tea merchant, of Vancouver, has assigned to Alfred D. Hossack; and G. W. McAuliffe, tailor, of Rossland, has assigned to W. J. Whiteside.

Notice is given of the incorporation of two new Victoria companies—the Northern Lakes River Navigation Company, with a capital of $50,000; and the Atlin Placers, Limited, the capitalization of which is also $50,000. The Atlin Lake Lumber Company, Limited, has been incorporated, with head offices at Vancouver and a capitalization of $50,000. The Acme Gold Mining Company is registered as an extra-provincial company, with head office at Spokane and a capitalization of $600,000. The head office for the province is in Greenwood, with J. C. Haas, miner, as attorney.

W. S. Craig and Thomas M. Craig, carrying on business as blacksmiths at Nanaimo, have dissolved partnership. W. S. Craig will continue the business.

The official title of the sheriff having jurisdiction within the Slocan, Nelson and Rossland ridings of West Kootenay and the south riding of the East Kootenay district will hereafter be "Sheriff of South Kootenay."

William Y. Williams, mine superintendent, of Rossland (not empowered to issue or transfer stocks), has been appointed attorney for the Big Three Gold Mining Company, in place of W. T. McDonald, of Rossland; the head office of the Galena Mines, Limited, is now situated at Silverton, and Ewen F. Floyd has been appointed attorney for the company, instead of Percy W. Evans, of Vancouver; the Lodestar Gold Mining & Development Company, Limited Liability, on March 15 will remove its head office from Rossland to Kaslo.

At a special meeting of the Ethel Group Gold Mining Company, Limited Liability, to be held at Rossland on March 15, the question of disposing of the assets and franchises of the company will be considered.

## FIRE ALARM BOXES.

To ring in an alarm break the glass covering the key, open the door and pull down the hook on the inner door once and let it go; remain at the box to direct the firemen.

All the fire halls are connected with telephone 538.

3—Birdcage Walk and Superior street, James Bay.
4—Carr and Simcoe streets, James Bay.
5—Michigan and Menzies streets, James Bay.
6—Menzies and Niagara streets, James Bay.
7—Montreal and Kingston streets, James Bay.
8—Montreal and Simcoe streets, James Bay.
9—Dallas road and Simcoe street, James Bay.
14—Vancouver and Burdette avenue.
15—Douglas and Humboldt streets.
16—Humboldt and Rupert streets.
23—Fort and Government streets.
24—Yates and Wharf streets.
25—Johnson and Government streets.
26—Douglas st. between Fort and View.
27—No. 1 Fire Hall, Pandora street.
31—View and Blanchard streets.
32—Fort and Quadra streets.
34—Yates and Cook streets.
35—Yates and Fernwood streets.
36—Junction Oak Bay and Cadboro roads.
37—Cadbore and Richmond roads.
41—Quadra and Pandora streets.
42—Chatham and Blanchard streets.
43—Caledonia and Cook streets.
45—Spring Ridge.
51—Douglas and Discovery streets.
52—Government and Princess streets.
53—Kings road and Second street.
54—Fountain, Douglas street and Hillside avenue.
56—Oaklands Fire Hall.
61—Cormorant and Store streets.
62—Discovery and Store streets.
63—John and Bridge streets.
64—Catherine street, Victoria West.
65—Springfield ave. and Esquimalt road.
71—Douglas street and Burnside road.

## PYRAMID HARBOR THE PORT.

### The Suggested Agreement in Settlement of Canada's Claims on Lynn Canal.

Ottawa, Feb. 9.—There is nothing improbable in the report from Washington that the United States will concede to Canada a port on the Lynn Canal, but it is not likely the concession has any direct bearing on the settlement of the Atlantic fishery question. When the commission met the members were far apart on the Alaskan boundary question, the United States claiming that the 30-mile belt should follow the sinuosities of the coast and be measured back from the headwaters of the indentations, while Canada contended that the line should follow the Coast range of mountains and the intersection of the indentations on Lynn Canal near the mouth. A suggested compromise between the divergent points, which would pave the way to a settlement, was the concession of a port on Lynn Canal and of a strip of territory through Alaska, to guarantee Canada free access to the Yukon.

Pyramid harbor will be conceded if the arrangement goes through, and territorial concessions following the line of the Dalton trail, or near it, will be made.

Seattle business men who object because they think it will injure United States trade, should remember that while the White Pass railway from Skagway traverses only 35 miles of their territory, it must be extended over 300 miles into Canadian territory before being available for their trade in the Yukon. If they set their faces against any concession to Canada, they must not expect Canada to concede facilities for United States commerce. The cession of an Alaskan harbor to Canada will be regarded as part compensation for the surrender of their right to catch seals, the money payment being merely compensation to those engaged in the industry.

The White Pass railway, when extended to the navigable waters in Yukon will doubtless be the most direct route, but Canada must have direct access under her own control in the event of emergency.

Private letters received here indicate that the Canadian commissioners will not return for some time, which means no session of parliament before April.

# DOMINION DESPATCHES

## Crazy Man in Hamilton Slays His Mother With an Axe—Abbott Mansion Sold.

## Four Hundred Visiting Curlers—Insurance Deposits Reserved for Canadian Claimants.

Special To The Colonist.

THE MASSACHUSETTS BENEFIT.

Toronto, Feb. 9.—The master-in-ordinary has decided that the American receivers of the Massachusetts Benefit Life Association are not entitled to any part of the Canadian government deposit of $112,000 and the $20,000 investment in Canada.

ONTARIO FINANCES.

Toronto, Feb. 8.—The public accounts and estimates were placed on the table of the legislature this afternoon. The public accounts show a very favorable state of affairs, though the expenditure during the year was somewhat in excess of the receipts and of the estimates. The receipts amounted to $3,647,353.

KILLED HIS MOTHER.

Hamilton, Feb. 9.—Benjamin F. Parrett, a weak-minded carter, who lived with his mother, an aged woman, got the worse of liquor yesterday and quarrelled with his mother and beat her with an axe until she was unconscious. She will not recover. The son is 35 years old and has been in an insane asylum. He was arrested.

SMALLPOX.

Montreal, Feb. 9.—Dr. E. Pelletier, secretary of the provincial board of health, has made a report regarding the present status of smallpox in this province. There have been 11 cases in all since the outbreak in Soulanges county.

THE ABBOTT MANSION.

Montreal, Feb. 9.—The residence of the late Sir John Abbott has been bought by a strong syndicate for $40,000 for a new club. It has been the winter residence of Lord Aberdeen since Sir John's death, and has no regular tenant.

THE GALICIAN MURDERS.

Winnipeg, Feb. 9.—At the preliminary examination, Pistenczak, the third Galician murderer suspect, was discharged, as the evidence against him was insufficient. His wife corroborated his evidence. He says the others bore false witness against him.

ROLAND HAS A FIRE.

Winnipeg, Feb. 9.—A serious fire visited the town of Roland, Man., at 7 this evening. The cause was a gasoline explosion in a store. The merchants burned out are Joe Birch & Sons, O. W. Johns, Lawrie & Co., Higgins, Webster, Mrs. Brooks, and many others.

THE BONSPIEL.

Winnipeg, Feb. 9.—Flavelle of Lindsay won two good games in the Winnipeg bonspiel to-day, defeating Brown of Minnedosa 16 to 2, and Patton of Winnipeg 11 to 9. Both games were in the Royal Caledonia event. The visiting curlers, 400 in number, were entertained at the opera house to-night.

## THE BEEF WAS GOOD.

### So Say the War Investigation Commissioners, Who Praise General Management.

Washington, Feb. 9.—The report of the war investigating commissioners is in the hands of the President, and the commission is dissolved. All of the members met by appointment at the White House this afternoon. General Dodge, the chairman, presented the report to the President, who congratulated the commission on the completion of their task.

The report is a voluminous document of 150 printed pages. It makes an important feature of the beef issue and dismisses as a general proposition the charges that have been made against the beef furnished the army. It finds that most of the beef was such as could be properly furnished as an emergency ration, pointing out that evidence showed that it was never intended to be anything else. As to the administration and conduct of the war, the conclusions of the committee are that everything possible was done by the department in the limited time at its command in making preparations and that the conduct of the war not only worked out in the end successfully but in such a way as to be worthy of great commendation.

suicide. The incident is likely to cause difficulty between the Bolivian and Chilian governments.

# MANILA QUIET AGAIN

## Iloilo the Scene of Next Conflict—Landing of Miller's Troops Looked For.

## Spanish Prisoners Being Rapidly Embarked for Home—The American Casualties.

By Associated Press.

Washington, Feb. 9.—All that General Otis had to report to the war department to-day related to the casualties that occurred thus far among American troops as the result of the actions since Saturday night. Matters in Luzon are now in a state of temporary quiet apparently, and one of the officials who knows as well as any one what is going on said this afternoon that he did not expect to hear of important developments in the Philippines for the next four or five days. Secretary Alger repeated his statement made yesterday to the effect that he had sent no instructions to Gen. Otis and in answer to an inquiry as to the projected movements towards a landing at Iloilo, added that if Gen. Miller had been ordered to make a landing the order must have been given by Gen. Otis, for it had not gone from the war department. The impression prevails, however, that this movement is already under way if not already executed.

Admiral Dewey was heard from this morning to the effect that he had found it necessary to clear out all armed insurgents at a little village which commanded the land approaches to his naval station at Cavite. The action was thoroughly approved at the navy department. His despatch read: "After continued interference and intimidation of our workmen, I ordered the armed insurgents to leave San Roque by 9 this morning. They left during the night, a few remaining, who burned the village this morning. It is now occupied by our troops. All quiet."

Washington, Feb. 9.—Probably within 48 hours General Miller will have begun the attempt to occupy Iloilo on the island of Panay. No special orders on this score have been sent to him since the battle of Saturday and Sunday, nor has he been heard from directly respecting that matter but it was his known intention to make this important movement as soon as he felt that conditions warranted it and statements contained in the press reports from Manila convince the officials here that General Otis has at last authorized the landing.

AMERICAN LOSSES.

Washington, Feb. 9.—A cablegram from General Otis says: "The total casualties resulting from all engagements since the evening of February 4th aggregate 268, as follows: Killed, three officers and 56 enlisted men; wounded, eight officers, 199 enlisted men; missing, two enlisted men."

ROOM FOR NEW PRISONERS.

Washington, Feb. 9.—The repatriation of Spanish troops in the Philippines is now prosecuted with energy. General Otis has notified the department that he had in Manila recently 5,600 prisoners to return to Spain. Of these 2,000 have already been shipped and of the remaining 3,600 he proposes to ship 120 officers and 1,800 men on two of the Spanish transportation company's steamers now at Manila. It is expected that these vessels will start about the 11th.

CUBANS TRACTABLE.

London, Feb. 9.—The Havana correspondent of the Times says that General Maximo Gomez has agreed to refer to the Cuban assembly at Marianao the American offer of $3,000,000 to pay off the Cuban army on condition of disbandment.

PORTO RICAN COMPLAINT.

San Juan de Porto Rico, Feb. 9.—Governor-General Rios has appointed Francois Acuana, independent Liberal, now attorney of the supreme court, to be secretary of state. Dr. Coll, Liberal, has been appointed secretary of finance, and Frederico Degetan, Liberal, secretary of the interior. The Liberals are dissatisfied with General Henry's change of policy. Munez Rivers announces his intention of going to Washington soon in order to "secure relief from oppressive militarism" which he says "will estrange the Porto Ricans from the United States."

## SCHLEY MADE A BREAK.

### Might Have Permitted Cervera's Escape by Disobeying Orders of Department.

New York, Feb. 9.—A despatch to the Herald from Washington says: Officials of the navy department maintain the greatest secrecy as to Secretary Long's reply to the senate's resolution, calling upon him for an explanation of the nomination for advancement of Rear-Admiral Sampson over Rear-Admiral Schly. However, some details have been obtained.

The most important point which the secretary makes against Admiral Schly deals with the latter's action in signalling the fleet to proceed to Key West after he had received, on May 27, a despatch from the navy department indicating that the Spanish division was still at Santiago and that "the department looks to you to ascertain the facts, and that the enemy, if there, does not leave without a decisive action."

The secretary quotes Admiral Schly's answer: "Much to be regretted, can't obey orders of the department; have striven earnestly; forced to proceed for coal to Key West by way of Yucatan passage." The secretary shows there was no necessity for the squadron proceeding to Key West for coal, as each vessel with Admiral Schly, with the exception of the Eagle, which had been sent to Jamaica, had sufficient coal in the bunkers to last at least sixty days. The Iowa had on board on May 27 157 tons and the Texas at 12 o'clock May 29 529 tons.

The coaling of the squadron from the collier, after Admiral Schley cabled it was impossible to do so, is referred to, and an opportunity given the enemy to escape is carefully described. The secretary believes the department justified in promoting Admiral Schley, but below Sampson, because of his conduct at the battle with Cervera's fleet, but declares his positive opinion that the commander-in-chief is entitled to the reward given him by the President.

## A TERRIBLE SITUATION.

### Mining Manager Shoots His Wife and Suicides to Escape Capture by Indians.

Valparaiso, Feb. 9.—A despatch received to-day from Bolivia says that a thousand Indians recently surrounded the Corico mining works which are the property of Chilians. The manager and his wife and another official tried to make their escape but failed. Then on refusal of the Indians to accept $3,000 to spare their lives the manager shot his wife and the official and then committed suicide. The incident is likely to cause difficulty between the Bolivian and Chilian governments.