

week? A .-- Yes. I do not read the at all. dr. Martin-You did not read the

tigular copy at that particular time? -No; it is not my business to read the y; I have not got any time for it. imes I glance over it, and some es I do not.

Ir. Martin-Q.-Could you say that any word in that particular issue written by any particular person? In that issue?

-Yes? A .- Well, I cannot say; L ld not positively swear that it was, ept that I saw the writing that pured to be Mr. Nichol's.

ourt-Q.-Remembering what you that Mr. Nichol wrote, and outsid wrote, can you say that any particupassage in "Men and Things," there. was in the handwriting of Mr. hol? A .- To any particular part? -Yes? A.-No.

Ir. Martin-Q.-Can'you take it up say, for instance: "This was writby Jones and this by Brown and bylsomebody else 20 A .- No. I simglanced at the heading.

ourt-You cannot say a single word that copy of "Men and Things" was itten by Mr. Nichol? A .- I said part the copy I understood was written by Nichol

Ir. Martin-I do not think he underod your worship.

ourt-Q.-Pointing to this paragrpah, cannot say whether it was, or not? cannot say any particular part of en and Things" was written by Mr. chol? A.-No.

Ir. Martin-Q.-Or by anybody else? No. ourt-Have you read this article that

the subject of this inquiry? A .- I read after it was in print. -You read it after it was in print?

-When did you read it? A .- It

ght be the next day, or the next day. -When did you first read this arti-A .-- A day or two after: that it. urday or Sunday; it might have been r, but I read it after it was issued. did not know that the article was in because I did not know that they re examined until Monday; or, that was any case on, so I guess it

st have been Monday before I read Witness stands aside. ohn Abraham Shade, called and

orn, testified: ourt-Q.-What is your full name? -John Abraham Shade.

Q .-- You live where? A .-- No. 26 adra street. Mr. Cassidy-Q.-You are employed in

Province building? A .- Yes. -Which company? A .- Which com

Q .-- Yes? A .-- Well, I don't know ch company I am employed by. Mr. Martin-Q .- You, are paid by the eman, you can say that? A.-Yes. ourt--What is your occupation? A .inter.

Mr. Cassidy-Q .- You run a Linotpyeachine in there now? A.-Not now. Q .- You do not run a Linetype ma ine now. When did you give up runing it? When did you last run it in at office? A .- I worked, I think, an ur last week, or week before; that is last time. Q .- You do generally run it? A .- No

Q .- Some attention has been called to 1th in these proceedings? A .-- I read

meetings of the board of directors, don't master spirit of the two companies. Q .- Did you set that up on the Linodone what you think right, your worship, Court-Q .- Arthur Davey, student-atpe machine? A .- No. sir. they? A.-Oh, yes. however." at when at law? A.-Yes. which the prosecution has the right to His Honor-You need make no com-Q .- You have read the article publish-Q.-M. Hewitt Bostock is a director show. Q .-- And you reside on Burnside road? of both companies, is he not? A .- Yes, all Q.-What proportion of the stock of in the Province of the 11th of Dements on that, Mr. Martin. -Yes. mber now produced, and you did not I think he is; yes, he is. Mr. Martin-All I say on the matter is the Province, Limited Liabilty, did Mr. Mr. Cassidy-Q .- You are a student that your ruling shows me that it is idle that up on the Linotype machine. Q.-Am I correct in saying that the Bostock hold at the time of the publicain my office, Mr. Davey? A .--- Yes. general policy of the Province newspao you know who did? A .-- No, sir. for a solicitor to come here as counsel tion of this? A .- Am I obliged to an- 1st. and chickens practically the year Q .-- I produce to you a copy of the Q .- Do you know Mr. Nichol's handfor a man and expect to have the rules per with regard to the course of its arti-Province newspaper of the issue of Decles and editorials is controlled by the directors? A.—The general policy of the that I have no right to give information riting? A.-No. sir. of evidence construed as they are gencember 11th. (Handed to witness.) Witness stands aside directors? A .- The general policy of the erally construed in courts of justice. of that kind. I have received special in-Where did you first see that paper? "A .newspaper is controlled by the directors, structions from the directors-not with Mr. Martin then politely wished his George Sheldon Williams, called and I purchased this from Mr. Arthur worn testified: honor a very good afternoon and left the you ask? Wheeler in the Province building in this regard to this, but general instructions. Court-Q.-What is your full name. Q.-The general policy and course of court. city on December the 16th. I have been instructed as secretary of Ir. Williams? A.-George Sheldon Wil-The verbatim report of the evidence the newspaper with regard to its edit. the company to do certain things; now, in a feverish condition, and common The document was put in by Mr. Castorials is controlled by the board of difollows! ency of the United Kingdom or any for-eign country: (X.) To enter into any arrangements with any governments or authorities, supreme, municipal, local or otherwise, that may seem conducive to the company's objects or any of them, and to obtain from any such government or authority any rights, privi-leges, and concessions which the company may think it desirable to obtain, and to cairy out, exercise, and comply with any such arrangements, rights, privileges; and concessions: sidy, marked exhibit A. iti is disloyalty to my company to go In the police court of the City of Vic-Q .- Your occupation? A.-A proofsense would tell them that this was rectors? A,-Yes, I suppose it is, accordabide from these instructions, and I am | wrong. Witness stands aside. toria, before Farquhar Macrae, Esq., police magistrate, Saturday, January ing to what the general policy it. eader. asked to give what I have no right to Arthur Wheeler, called and sworn Q .-- And you live where? A .-- I am Q .- Mr. Nichol has been editor of the testified: give. Province for some time back, has he t present sleeping at night at the Prov-8th, 1898, 11 a.m. Regina v. Nichol. "How do you like the new girl?" in-Court-Q .- Your name, Mr. Wheeler Court-You are before the court, and not? A .- Only a month or two. nce building. Mr. Cassidy—Q.—You are employed in The case was called pursuant to adquired the housewife's neighbor. the court says you must answer; the A.-Arthur Wheeler. journment. The defendant was called Q .- Since about when? A .- Since the "Oh, very much." Q .-- Your are of the Province Publish court is to blame if you do wrong Your he Province building? A .-- Yes, sir. upon to exercise his privilege of answerbeginning of October. "Is she a good cook?" ing Company, Limited Liability? A .lawyer is here. You are exempted now Q .-- By which company? A .-- The Prov-"No. I can't say she does anything Q.-He was such editor on or about ing the charge if he desired. By consent from any discyalty to your company. nce Publishing Company, Liability. of parties, the court appointed Justin Yes. the period of the publication of the issue very well. But I must give her credit (y.) To establish and support, or aid in Q .- And residing where? A.- I reside A.-Three-fourths, I should say. Q .- You say you are a proof-reader? Gilbert as official stenographer to report of December 11th dust? A .- Yes. having too much sense to try." Q .- Three-fourths, you should say? he establishment and support of associa-tions, institutions, funds trusts and con-cintences calculated to benefit any of the at No. 4 James street, the remainder of the testimony; and he Washington Star. odt of un -Yes. sir. Q .- By whom was Mr. Nichol appoint-Mr. Cassidy-Q .-- You are a clerk em Court-I do not think you need get Q .- You know this article of December ed to that position? A .- By the direcwas duly sworn. ployed in the province building? A .--at it any closer than that. employees or ex employees of the company, or any of the dependents or connections of Hon. J. H. Turner, being called as a 1th (showing paper to witness), which L'cence Authorizing an Extra-Provincia Orsor m. 'n sl....A 'on i tes on a second a gel By what leomothy on A By the Q .- I now ask you the same question or any of the dependents or connections of may such persons, and to grant to any such persons, dependents, or conections, pen-sions and allowances, and to make pay-ments towards insurance thereof respec-tively, and generally to subscribe or guar-nate money to or for charitable or benevo-lent objects, or to or for any exhibition, or to or for any public, general or useful ob-ject: witness on behalf of defendant, and am. produce to you? Q.-Including Mr. Bostock? A.-I with regard to the Province Publishing Company to Garry on Business. Q .- You know the article in the Provsworn testified: cannot remember whether Mr. Bostock Tiabliter of under set of the difference of the set of Company, Limited Liabiltyian ag 287 Court-Q.-Your name? A.-John wasi you mean was Mr. Bostock present nce of December 11th produced, begin-ILAS Mr. Martin objected as irrelevant; at the time he was appointed? "COMPANIES ACT. 1897." ing: "There is light at last." Did you Herbert Turner. 125. Mr. Coltart is the managing director, Q .- And you live where, Mr. Turner? ead the proof of that article? A .- Yes; Q .- Well, yes, if you know? A .- I so occupying that building, is there not? Canada: and he is there himself. should not like to say that he was. I he proof; yes, sir. A .-- Pleasant street, Victoria. Q .-- Your occupation? A .-- A mer- A .-- Yes. The court ruled that the witness must Province of British Columbia. b) or nor any public, general or userul object:
(z.) To obtain any Provisional Order or Act of Parliament for enabling the company to carry out any of its objects into effect, or for effecting any modification of the company's constitution, or for any other purpose which may seem expedient, and to oppose any moceedings or annifesation Q .- You read the proof of this article? think he was, but I should not like to Q .- What is it called? A .- The Provanswer the question. No. 39-'97. Who with? A .- I could not recollect, Whereupon Mr. Martin withdrew ince, Limited Liability. This is to certify that "The Erl Syn-dicate, Limited," is authorized and licensed to cary on business within the province of Brtish Columbia, and to carry out or effect all or any of the objects hereinafter set forth to which the legislative authority of the legislature of British Columbia ex-tends. Mr. Cassidy; I have no regular copy-Mr. Martin-Q.-Now, Mr. Turner, Q .- How many directors were there a Q .- The Province newspaper is pubfrom the case. that time, and are there now, of the would you kindly look at the copy of the older. Province produced, marked exhibit A, in i lished from that building? A .- Yes. The court here adjourned until to-day Q .- Whose writing was the copy in? l'rovince, Limited Liability? A .- Three, Q .- Which company makes up the pa at 2 p.m. -I could not tell you, sir. Q .- That will be yourself. Mr. Bostock this matter (handed to witness)? A .and to oppose any proceedings or applica-tions which may seem calculated directly or indirectly to prejudice the company's in per; that is to say, in regard to the writand who? A .- And Mr. Scaife. Q.-Isn't that your practice to read ing and the rest of it? Which com-THE TIN HORN RUN. Q.-The alleged libel is based on or is Q .- Was Mr. Scaife here at the time through with the person who writes the terest: (21.) To do all or any of the above things in any part of the world, and as principals, agents contractors, trustees, or otherwise, and by or through trustees, agents, or otherwise, and either alone or in conjuncpany gets out the paper, in the sense The head office of the company is situate t No. 11 Throgmorton Avenue, in the city t London, England. The amount of the capital of the comof the appointment of Mr. Nichol? A .ticle, who writes the copy? A .- Oh, in reference to an interview with you Although no actual data can be given of making up the paper? A.-Would Oh, yes. to, sir. Some of the people who write which was published in the Colonist of it is said that the recent mill test of rock you be a little more explicit? Q .- Do you know whether Mr. Bostock and by or through trustees, or otherwise, and by or through trustees, agents, or otherwise, and either alone or in conjunc-tion with others: (22.) To transfer to or otherwise cause to be vested in any company or person or persons all or any of the lands and proper-ty of the company, to be held in trust for the company, or on such trusts, for work-ing, developing, or disposing of the same as may be considered expedient: (3.) To puy the costs, charges, and ex-penses preliminary and incidental to the formation, establishment, and registration of the company, and to remunerate by commission, brokerage, or, otherwise any person or "company" for services rendered, or to be rendered) in relation to the forma-tion and establishment, or decompany or the conduct of its business, or placing, or assisting to place, or guaranteeing the placing, of any shares in, or debentures or other securities of the company: (24.) To do all such things as are inciden-tal or conductive to the attainment of the above objects, or any of the as independent objects specified in each of the paragraphs in this clause shall, un-les otherwise therein provided, be regarded as independent objects, and shall be in no-wise limited or restricted by reference to or inference from the terms of any other paragraph or the name of the company: (26.) And it is hereby declared that the word "Company" in this clause when not applied to this company shall be deemed to include any partnership or other body of persons, political, mercantile, or other-wise, whether incorporated or not incorpor-ated, and whether domiclied in the United Kingdom or deswhere, and whether exist-ing or hereafter to be formed. the copy are a couple of thousand miles December 5th. is it not? put through the Tin Horn's new mill at ny is £60,000, divided into 60,000 shares of each. Q .- What are the positions of the two Mr. Cassidy objected on the ground The amount of the capital of the con-pany is \$60,000, divided into 60,000 shares of \$1 each. The head office of the company in this province is situate in the Bank of Montreal building, corner of Government and Bastion streets, Victoria, and Robert E. Lee Brown, mining engineer, of the same address, is the attorney for the company. The objects for which the company has been established are: (a) To purchase, take on lease, or other-wise acquire freehold and other farms, properties, mines, and mineral claims, li-censes, or authorities, of and over mines, lands, mineral properties, mining, water, and other rights, and either absolutely, optionally or conditionally, and either sole-ly or jointly with others: (b) To prospect for, open, work explore, develop and maintain diamond, gold, sil-ver, copper, coal, iron, and other mines, mineral and other rights, properties, and works, and to carry on and conduct the business of raising crushing, washing, smeting, reducing and amalgamating ores, metais and minerals, and to render the same merchantable and fit for use: (c) To cultivate lands and properties, whether belonging to the company or not, and to develop the resources thereof by draining, clearing, fencing, planting, pas-turing, farming, building, or improving the same: (d) To carry on the business of farmers, was in Victoria at the time of the apway. Fairview, for the first six days, gave 11 mpanies in relation to this paper, in pontment of Mr. Nichol? A .-- Yes, that the character or basis of the libel Q.-I know that: but I mean in the very satisfactory results, even better your view? A .- Just in the relationship is a matter for the magistrate's considthink he was; I om not certain. case of an editor? A .- No; never. I perhaps than might have been expected of customer and printer. eration, and not a matter of evidence; Q .- And for how long after that did never heard of it being done on any paby the management, as the lore milled Q .- That is to say, the publishing comhe remain in Victoria? A -- Only a few evidence bearing on the scope of the was certainly some of the poorest that pany print the paper for the newspaper libel, or upon exculpation, would not be davs. Q .- You did not read copy with Mr. could have been selected, as it was nearompany? A.-Yes. Q.-Is it correct to say that Mr. Nichol admissible. ly all surface rock, with some waste Nichol? A.-No: I do not even know Q .-- You sold a copy of this issue, Question allowed as being preliminwas given a free hand by the directors that he writes copy. matter in it. believe, to my clerk, Mr. Davey, about with regard to the editorials which he e O .- Kou. do not know who the editor ary. Twenty-five tons a day was put through should publish? A .- No; I think you December the 13th last. A .- Yes. A.-I cannot express an opinion on of the papier is? A.-No, sir. the mill, the result being a clean up on the plates of about \$1,000, and allowing Q .- At the Province building referre will find my answer to that question althat, as to whether it is entirely based Q.=Do you know who is supposed toto? A.-Yes. ready recorded in the evidence. I would on that interview. 1909 - and 18df the ehitor of that paper? A .- No, Cross-examined by Mr. Martin. 5 per cent. concentrates, which may be Q.-I did not say entirely.uo A .- D see piefer to have that read. valued at \$100 to the ton, it will be seen sir. I qualify that, Mr. Cassidy, by say-Q.-Did you sell that for the Province Q.-In a previous case? A.-Yes. in referring to the paper which has been ng that I know by Mr. Martin's admis Publishing Company on behalf of the Q.-Very well. Is this right: "Mr. Nichol, the editor, has had a free hand that the rock milled averaged about \$10 handed to me, and which I presume is a on to-day; that is the first time I ever proprietors of the paper? What I mean to the ton, a more satisfastory return all correct paper, that it refers to an intereard it. Through Mr. Martin's admisthings considered .- Midway Advance. is this: is it part of your duty as a clerk in the conduct of the paper, so far as I view; I had scarcely noticed it before; ion to-day I know that Mr. Nichol is for the Province Publishing Company to know?" A .- Yes. t refers to an interview with me, but the editor. That is the first I knew of THE DEL CONTE COMPANY. Q .- Has Mr. Bostock attended any whether it is based on that interview sell those papers? A .-- No, sir. meeting of the directors since the ap-Q.-In selling it was it not a personal entirely, I could not say. pointment of Mr. Nichol, up to the date "La Boheme," by Duccini, is one of Q.-How long have you been around commodation to a clerk or clerks for Q .- You could not say if it were enhere? A .- As a proof-reader, since the of the publication of the libel? the star operas of the Del Conte the newspaper company and whose busitirely based on that? A.-No; or wheth-6th, I think, Monday, the 6th of De-After the appointment of Mr. Nichol, Italian Opera Company, and they ness it was to sell that paper? A .-Italian Opera Company, and they expect to make their biggest hit in it. Mile. Montanari, the soprano, who will sing the role of Mini in "La Boheme," is scarcely 20 years old. The sopranos of the company dre: Linda Montanari, Nina Mazzi, Cleo-patra Vincini. Mezzo Sopranos-Adelina (LFantor, Beatrix Franco, Olimpia Calcagni. 18 100 b L A er it is based on that. Perhaps it says comber. did vou sav? in here, I do not know-perhaps it says | Yes. Q .-- You have only been there since Q .- Yes; between the appointment of Re-examined by Mr. Cassidy. further on it is based on that; I don't Mr. Nichol and the date of the publica-Morday, the Cth of December? A, As Q .- You sometimes do sell these paproof reader. A tank word of tasw Q. Since also if the of December shat? A tail think that is the date sit ... Q tion of the alleged libel, did Mr. Bostock Q.-You cannot say it is based on that? pers? A.-Yes. A.-I cannot say what they based their harges on. Q.-I did not ask you about charges: ¹¹ Q.-Although you are a clerk for the problishing company? A.-Yes. ¹² Q.-Now, who makes up the bundles attend any meeting of the directors? A. A.-I cannot say what they based their and whether domiciled in the United Kingdom or classwhere, and whether existing or bereafter to be formed.
a Given under my hand and seal of office at Victoria, Province of British Columbia, this Soth day of Depember, one thousand eight hundred and ninety seven.
b Registrer of Loint Stock Controls -Yes, I think he did. charges on. Q.-About what times? A.-I think I want to know what the alleged libel wasten? AL-Yes. I don't know? Q.-It snyshere, "on Sunday-that is December 5th this was" followed with guided of the Province neswpaper for the pur-pose of Being sent to the mail? Objected to as not re-examination. Question allowed. Q. What were you before? Acrest colin my previous evidence I stated that ctor for the Province Publishing Comto the best of my knowledge there had Dany. been two meetings of directors since the Q .- Do you know who was proof-readappointment of Mr. Nichol. er before you went there? A .- No, sir. A I did not mutator in the baissing? oblige comber of the since can pany Witness stands aside. "Men and Things." Now the pany. M. M. ctin Sec. Shat in The S of both cospanics werk it. he And aller Mr. Cassidy-That is the case, your M- A Constant iy " "Mes and Things." what Q .- Do you know a was woofwhat members of the dire' A worship. hand wing a you say it was in? A with? A. 6 207 1% -. . before rea went iftere? Au • knew that hand- I said before, in what i a stood to 2 \times A.—The monotors of 8 -monany that have the date 1 Mr. Martin asked that the charge be 1428 R[32 280 - 3 sourcestast sticker with the Me Me State and a state Children in the state moderate and 24 2 that only a is pater, and all the anel as a said of a second state

THE VICTORIA TIMES, TUESDAY, JANUARY 11, 1898.

dismissed on the gruond, first, that it is an interview with the Hon. J. H. Turdismissed on that the defendant compose A.-Yes. rote the alleged libel; nor, second, Q.-A reference to your interview takes that he handled what was written, or place at the beginning of the article? caused it to be delivered to some third A.-Yes. person; all of which must be strictly Q .- And there is another reference to person; all of which must be strictly it a little later, if you read down? A. ince Publishing Company. I say now, the defendant. (Citing Odgers on Yes, I see that. Mr. Cassidy objected that evidence as ibel and slander, p. 170.) Also on the ground that it is not proved that the rticle in question is in fact libellous. with the witness is not admissible, view Court adjourned until 2:30 p. m neither, the witness's opinion as to At 2:30 p.m. court met pursuant to whether or not the alleged libellous article was a fair comment.

The court heard the argument of Q.-Did you authorize the publication counsel, and took the case under adviseof an interview in the Colonist for Sunment until next day at 11 a.m., when day, December 5th, as mentioned in the judgment would be given. article complained of? Objected to as irrelevant. Question

From Monday's Daily.

comments?

worship

Colonist?

reasons.

duced and pilloried.

disallowed. Q.-I produce a copy of the Colonist "I object! I object!! I object!!!" The for Sunday, December the 5th, and I ask speaker was Mr. Cassidy, on Saturday you if an alleged interview there, entitlafternoon in the police court at the hear-"Mr. Turner's Answer," represents ed: afternoon in the places against the editor what you said in the course of the inof the Province and Mr. Bostock, M.P. treview? Objected to on the same ground; and Mr. Martin, counsel for the defence, question disallowed. drew the magistrate's attention to the

Q .-- What are the names of the two repeated infractions of the law by the mining companies with which you are Colonist in publishing comments upon connected as a director or otherwise-

the case, and desired his honor to ex-English mining companies doing business in this country? press his disapproval of this indecency Objected to on the same grounds; and

and flagrant. violation 766da welkunderstood law. His honor finity delined question disallowed. Q .- Mr. Turner, did you authorize Mr.

to do anything of the sort." Mr. Martin Cassidy to write on your behalf to the referred particularly to an editorial in Province, Limited Liability, the publishthe Colonist of the 7th inst., and sasked ers of this alleged libel, asking who the the magistrate to express his strong dis-approval of such comments. parties were who were responsible for it, on December the 16th?

His honor replied that he had absolute-Objected to. Question disaflowed. ly nothing to do with such matters. As Q .- Did you authorize Mr. Cassidy to he had ruled before he would rule now. write to the same parties on any.other Mr. Martin-And you will not, your date, asking for an immediate opportunhonor, even express disapproval of these ity to vindicate your public and private honor? His Honor-No, Mr. Martin; I can do

Objected to as irrelevant; question disnothing in the matter. I am not in any allowed. Witness stands aside. Hon. C. E. Pooley, called and sworn,

position to control press comments. Mr. Martin-But, your honor, this patestified per has for the second time commented Court-Q.-Charles Edward Pooley, or these cases, and I maintain that your barrister-at-law? A .--- Yes.

Q .-- And you live on the Esquimalt The Magistrate (sharply)-You "subroad? A .-- I live on the Esquimalt road. mit" rather, Mr. Martin. Mr. Martin-Well, I submit, then, that Mr. Martin-Q.-You are the president of the council, Mr. Pooley, and a memyour worship should express strong dis- ber of the legislature of British Colum-defamition dibel published indthe Prov-The Magistrate-I have given you my ince of December the dilth?n At-Yes nQ="Are you addirector on the advisory In reply to further remarks by Mr. board of both of two companies formed

Martin, the magistra'e said: "You"do in London for the purpose of carrying not need to remind me of my duties, on mining and trading operations in this province or the Yukon? Mr. Cassidy made objection to the dis-Objected to. Question disallowed.

cussion of the point in court, saying Q .- Do you hold any shares in any it should have been left outside. ch company? Objected to. Question disallowed. Mr. Martin-In other words, I am to stand by and see my clients foully tra-Q .- Have you drawn or been promised any emoluments or honorarium from any His Honor-As I told you before, Mr. such companies? Martin, I have no more to do with such Objected to. Question disallowed. matters than an orlinary citizen. Let Witness stands aside. this end the question now and we will The hearing for the defence here clos ed. The court adjudged that the deget on with the case.

After that the case went on, amidst fendant Nichol be bound over to appear chorus of objections by Mr. Cassidy at the first court of competent jurisdico every question Mr. Martin asked and, tion for trial. as noted in the Times on Saturday, the I hereby certify the foregoing to be a action of the magistrate and of Mr. true report of the said proceedings, fuil

Cassidy, who went the length of applying JUSTIN GILBERT, the epithet "sad dog" to Mr. Martin, led Official Stenographer. connset for the defence to throw up In the police court of the City of Vichis brief and retire from the case. He toria, before Farquhar Macrae, Esq., police magistrate, Victoria, B. C., 8th "I see there is no protection to the pri-January, 1898, 2 p.m., Regina v. Bosvate intersts of my clients, and I will tock, Mr. Cassidy appearing for the withdraw from this case. I have proprosecution; Mr. Martin appearing for

clal, financial, manufacturing, trading, or clarge in the work of farm pro-duce. They need not let the question of distance from the market bother them. This difficulty has been practically sur-mounted. They could ship poultry from Cornwall and lay it down in England for a charge of one cent per pound. The cold storage would keep them right, and at the same time it would lengthen the marketing period for them. They could ship turkeys from November to March ist, and chickens practically the year round iff they could raise them of the requisite quality. They should be killed in the French fashion—that is, after fasting for twenty-four hours previously and with a drink of water to make the fowls quiet. Otherwise they would be in a feverish condition, and common sense would tell them that this was wrong. Q.-Have you a knowledge of the af-fairs of the two companies? A.-No; I would not like to say that, Q.-Well, those two companies hold that the defendant is practically the mounted. They could ship poultry from issue of the Province of December tested against what I consider is irrelethe defendant. vant evidence and I have been overruled ystematically. I assume that you have "Arthur Davey; called and sworn, resti-

A .- One of four boys. Q.-In whose employ are these four boys? A.-Well, I-excuse my explainthe ing-the last time that question was asked me, in a former case, I said that they were in the employment of the Provthe company? to the best of my knowledge, they are in the employment of the Province Pubproduced. lishing Company. Q.-When those bundles are so made

up for mailing, whose duty is it to take them to the mail? A,-A boy by the name of Jameson. Q.-In whose employ is he? A.-Well,

the same explanation occurs in this one; to the best of my knowledge he is in the | employ of the Province Publishing Company.

Q .- The paper is published by the Provnce, Limited Liability? A .- Yes, sir. Q.-There is no doubt about that? A.-There is no doubt that the Province. Limited Liability, publishes the paper. That is admitted in the former trial. Re-cross-examined by Mr. Martin. Q.-Now, Mr. Wheeler, what is your means of knowledge when you say that the paper is mailed by one of four boys for the Province Publishing Company? How do you know that boy is employed by the newspaper company? A.-Well, I made a reservation, Mr. Martin, by saying to the best of my knowledge.

Q.-As a matter of fact, you do no know that boy is in the employ of the newspaper company, or in the employ give you, and we can get at it anyway. of the other? A.-I would not swear to You want to show that Mr. Bostock

Q .- Do you know anything about the contracts between the Province, Limit-ed Liability, and the publishing compuny? A .- No: I know nothing about

Court-Q .- As at matter of fact, Mr. Wheeler, tell me approximately, did you sell or otherwise dispose of the Province newspaper over the counter in the month of November last, or a month previous to this issue in question? A,-Well, your worship, it would be a difficult question to answer. It is a very rare thing for I thought so. me to sell any paper; and as to how often, I cannot possibly answer. It may have been once, and it many have been ten times. I would say if I sold it half.

a dozen times it would be an outside figure. Q .- In the previous month? A .- In the previous month.

Witness stands aside Ian Coltart, called and sworn, testi-

Court-Q .- Ian Coltart, accountant, laigflower road? A.-Yes. Mr. Cassidy-Q-nYou are a director in the Province, Limited Liability? A.-

Q .- You are also a director in the Provnce Publishing Company, Limited Liability? A.-Yes.

Publishing Company? A.-No. Q.-You are managing director of the Province Publishing Company? A .--

Yes. Q .- You are secretary of the Province, Limited Liability? A.-Yes. Q .- As the managing director and secretary, I suppose you have a knowledge of the working of those two concerns? A .- Well, I don't like that expression, managing director and secretary. Will you separate them, please? I am not

ne company or the other. spectively? A.-Yes. Q.-Have you a knowledge of the af-

Q .- Have you got the minute book of company here? A .- No. Q.-A summons was issued for you to produce that here. You received the cesioni. summons yesterday afternoon? A .-- Yes.

Objected to unless the summons is, Well auf I Q .- Here is the original summons init served upon you. It says, "and to bring with you the share lists and the minute book and any other books or documents

of the Province, Limited Liability, and of the Province Publishing Company, Limited Liability, which would show the interest of said Hewitt Bostock in

ter-the company's solicitor. The court ruled that owing to the

wording of the summons the witness is not guilty of any contempt of court in not bringing the minute book.

put the witness in contempt at all. But to get it on a point that I am willing to practically owns the whole lock, stock Prof. Robertson pointed out that no market in the world made as much diffor a moment that Mr. Bostock has a

company, but there) are two other shareholders there-shareholders to a large amount-in that company.

Q.-I am not now on the point of pre-

Q.-You are secretary of the Province A.-He did not? A.-Oh, no. Q.-You said just now that Mr. Bos

tock had a preponderating interest in the capital stock of the company; I re-fer now to the Province, Limited Liability? A.-Yes. Q.-What proportion of the stock should you say ?

unMr. Martin objected on the ground that because the proprietor of the paper his the corporate company and not Mr. Bostock, it is immaterial for the purmanaging director and secretary of either one company or the other Q.-I mean as managing director of of Mr. Bostock, even, for example, if he the publishing company and as secretary of the Province, Limited Liability, re-spectralized A Vac exact number of shares owned by Mr. Bostock would be an unwarranted pry-

Tenors-Francisco Collenz, Guiseppe Agastini, Artistide Masiero. Baritoues: Cesare Cioni, Luigi Fran-

Bassos: Giovani Scolari, Victorio Gi-Q .- To produce the minute book of radi, Antonio Fumegali, G. Veneziani. The company numbers 80 people all told, and includes a complete orchestra under the leadership of Sig. Dictro Val-

CANADIAN POUL/TRY.

Professor Robertson and Supt. Gilbert Give Farmers Sound Advice.

At a meeting of the local agricultural said companies." Did you notice that society after the Cornwall, Ont., annual there was anything about minute books agricultural exhibition there a few days in that summons? A .- I must say I ago, a large number of the townspeople read the summers, and it did not con- and farmers of the district heard Provey much information to my mind. As fessor Robertson, the dairy commissiona matter of fact I consulted my solici- er, and Supjerintendent Gilbert, of the tor and was guided by him in the mat- poultry department of the Experimental Farm, talk on what should be done.

bipeds of the farmyard. Mr. Gilbert explained how he had made a profit of over \$1 per hen per annum which, if carried out by the farming community or only half of it would mean \$32,000,-000 to the country in money if each farmer only kept 10 hens. He had at-tained his result by feeding the fowls entirely on the waste product, and giv-ing them attention which it was easy for any farmers' wives or daughters to do. Speaking on the English market, Prof. Robertson prointed out that her to the same: (k) To establish or promote, or concur in Mr. Cassidy-I submit we are entitled carried out by the farming community to the minute books. I do not want to or only half of it would mean \$32,000,ut the witness in contempt at all. But want the documents and books here. farmer only kept 10 hens. He had at-take Q.-Could you send for it? A.-Mr. tained his result by feeding the fowls Cassidy, it seems to me that you want entirely on the waste product, and giv-

ference in regard to the question of preponderating amount of shares of that quality as it did. If they wanted to get the trade they would have to devote the same care to it as the French and Belgians: The latter already did a very profitable business in poultry, and its

that they could step in between the very low and the very high price, Britain took from the various countries of the world in crittle, cheese, butter, eggs, security in relation thereto, or otherwise adeal in stocks, shares, bonds, debentures, and securities of all kinds, and to give any guarantee or security in relation thereto, or otherwise: (4) To draw, accept indorse, discount, that offered a market for the goods of which the United States France N. which the United States, France, Norway and the other countries were purdugers. Canada ought to get a larger share of this \$600,000,000 than she did. At present she got anly about 7 cents in every dollar and she did not by any means get the best grade of the British custom even then. They should get the first grade, and as there was a practically unlimited field it remained with the farmers to take advantage of it in poul-

change, lease, mortgage, enfranchise, dis-pose of, turn to account, or otherwise deal with all or any part of the property and rights of the company: (.) To negotiate loans, and to act as agents for the loan, payment, transmission, collection and investment of money, and for the management of property: (g.) To obtain and furnish accurate infor-mation in reference to mining and other districts, and to act as agents between owners of mining and other properties and investors, and negotiate the sale of proper-ties and generally carry on an agency, bus-iness:

ties and generally carry on an agency bus-iness: (h.) To employ and pay mining experts, agents, and other persons, partnerships, companies, or corporations, and to organize equip, and despatch expeditions for pros-pecting, exploring, reporting on, surveying, working and developing lands, farms, dis-tricts, territories, and properties, and whether the same are the property of the company or otherwise, and to colonize and assist in the colonization of the said lands, farms, districts, territories and properties, and to promote emigration or immigration for that purpose, and to make advances to, and pay for or contribute to the expenses of, and otherwise assist any persons or company prospecting, acquiring, settling or farming, building on, mining or otherwise developing the said lands, farms, districts, territories and properties, or desirous of so doing: (1) To construct ereat meintain and im

al Farm, taik on what should be hered doing: to build up the trade in the feathered doing: (1.) To construct, erect, maintain, and im-

(k.) To establish or promote, or concur in establishing or promoting, any other com-pany whose objects shall include the ac-quisition and taking over of all or any of the assets and liabilities of, or shall be in any manner calculated to advance, direct-ly or indirectly, the objects or interests of the company, and to acquire and hold shares, stock, or securities of, and guaran-tee the payment of any securities issued by or any other obligation of any such com-pany:

amount—in that company. Q.—I am not now on the point of pre-ponderating interest. Buttyou say that Mr. Bostock, between the time of ap-pointment of Mr. Nichol as editor, and the publication of the libel, attended two meetings of directors? A.—I said I thought so. Q.—Did you look over the minute book recently? That would be in the minute book, would it not? A.—Oh, yes. Q.—Yes. I think for our satisfac-tion I would like you to send for it. Mr. Martin objected that the books were the properfy of the company with that the company objects to the pro-ducing of its private books; that the

that the company objects to the pro-ducing of its private books; that the answer of the witness is sufficient.⁴ Q.—About when was the last meet-ing of the directors at which M# Bos-tock was present prior to this publica-tion? A.—The lith of October, I - think. -nQ.—Was Mr. Bostock in the habit of communicating with you as to the man-ragement of the paper during his ab-sence? A.—Oh, certainly not. -1.Q.—He did not? A.—Oh, no.

ments or securities: (r.) To invest money at interest, on the security of land of any tenure, building. farming stock, stocks, shares, securities, merchandlee, and any other property, and generally to lend and advance money to any persons or computes without persons or companies without security, or apon such securities and terms, and subject to such conditions as may seem exped-

(s.) Generaly to carry on and undertake any business, undertaking, transaction, of operation, whether merchantile, commer-cial, financial, manufacturing, trading, or otherwise, (except life assurance) as an in-dividual, capitalist may lawfully undertake