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Owing to the considerable number of complaints as to the miscarriage of letters said to contain money remitted to this office, we have to request our subscribers and agents when sending money to THE SUN to do so by post office order or registered letter, in which case the remittance will be at our risk.

Subscribers are hereby notified not to pay their subscriptions to any person except a regularly accredited traveller for THE SUN.

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THE WEEKLY SUN

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THE WEEKLY SUN.

ST. JOHN, N. B., MAY 22, 1895.

BRITISH FARMS AND CROPS.

The last issue of the Statesman's Year Book, which is just to hand, gives details, showing the remarkable change that has taken place in the agricultural situation in Great Britain during the last twenty years. In 1874 there were on the island 9,431,490 acres in grain. In 1894 the area had fallen to 7,854,974 acres. During the same time the area in green crops declined from 3,581,276 acres to 3,300,769. Flax almost ceased to be cultivated. The area in hops was reduced, that in fallow fell off nearly one half. There was a small increase in the space devoted to fruits. Clover and other hay land increased from 4,340,742 to 4,503,632 acres. But most of the ground formerly devoted to grain crops seems to have gone to pasturage, of which the acres increased from 13,178,412 to 16,465,069. The recent report of the parliamentary committee showed that the assessed income valuation of farm lands has decreased enormously during the past twenty years, and there are reasons for supposing that a considerable quantity of the land said to be devoted to permanent pasture has gone out of use altogether. However true this may be, it does not appear that the additional pasturage is called for by additional stock, as the following figures show:

	1874.	1894.
Number of horses	1,311,739	1,529,461
Cattle	6,125,491	6,347,113
Sheep	30,313,941	25,861,500
Pigs	2,422,832	2,390,026

There is a small gain in the number of cattle and horses, but a large loss in sheep. In Ireland the decline in grain and green crops is as marked as in Great Britain, and there also an increase in the number of cattle and horses is accompanied by a decrease in the number of sheep. The grain which has fared the worst is wheat. Great Britain had 3,630,300 acres in this grain in 1874, but last year the area was only 1,927,962 acres. There is a decline in barley, beans, peas, potatoes and turnips, and an increase in oats. The Irish wheat area declined from 188,711 acres in 1874 to 49,342 acres in 1894. The national peculiarities are shown in the favorite crops. Ireland plants more potatoes than Great Britain and keeps far more than her share of cattle and pigs. Scotland goes in for sheep. Wales has almost as many sheep as Ireland and has more pigs than Scotland. The average size of farm holdings in England and Scotland is 60 acres, in Ireland 58 1-2, and in Wales 46 3-4 It may surprise the reader to learn that two-thirds of the farm land of England is let in holdings of more than 100 acres. The same is true of Scotland. More than a quarter of the farm area of England and Scotland is in holdings above 300 acres.

LORD ABERDEEN AND MANITOBA.

It is perfectly in order for Lord Aberdeen to talk over the Manitoba school question with Premier Greenway and Attorney General Sifton if these ministers choose to meet him for that purpose. Nor would the slightest fracture in the constitution result if the governor general should bid Archbishop Langevin to the feast. Lord Aberdeen has as good right to do these things as Lieutenant Governor Schultz had to get an opinion from Dr. Bourinot. There is no reason to suppose that the dominion government would offer the slightest objection to the course of Lord Aberdeen in having these conversations. Beyond this, however, the governor general has no right to go. He cannot use his official influence in the matter without the direction of his advisors. If he has summoned Messrs. Greenway and Sifton from Winnipeg to hold a conference with them on the school question he has done so with the approval and probably on the advice of his ministers. Some correspondent has said that the Manitoba ministers claimed that they could not refuse to obey such a summons. While it may be true that a summons by the governor general could not properly be disregarded, it is impossible to suppose that any such summons was sent to Manitoba. If any message was sent there it was undoubtedly an informal suggestion with which they were at liberty to comply or not. If they are visiting Ottawa with the view of reconciling the local difficulty in a manner consistent with their public duty to all parties in the province the course is creditable to them.

NEW JAPAN.

The close of the war with China leaves Japan with a large and wealthy island colony, an immense balance of cash to her credit, and with great prestige as an Asiatic power. To the people of the west it is a novelty to find an Oriental people possessed of all the qualities which make for national influence and progress. Here is a country which in times of peace has learned to make war after the most approved modern methods, and which of its own volition had previously acquired the science of government as practiced in countries where it had been slowly and painfully developed. This wonderful people have suddenly taken possession of and assimilated all the arts and mysteries which represent in other countries slow and laborious processes. Not only have they learned how to govern and how to conquer, but they have somehow acquired the rare gift of knowing when they have gone far enough. Even a more experienced people might have been expected to be somewhat intoxicated with the unprecedented success which the Japanese have met with in this their first great war under modern conditions. It might have been supposed that in the hour of victory the protests of European powers would have been thrown away upon them. But throughout the whole proceedings to this stage the Japanese have shown as much sagacity and moderation as courage and capacity. They seem to have among them the elements of a nation destined to become the dominant power in the east.

ANOTHER STATEMENT.

(From The Daily Sun of the 14th.)

Yesterday Judge Hanington took occasion to explain his position as to the order or decree on which the street railway money was taken out of the custody of the receiver general. The judge emphatically declares that he never issued an order for the payment of this money to the parties who obtained it, but on the contrary refused to make such an order when asked to do so. The matter is not altogether a public one, but Judge Hanington's statement contains two features of general public interest.

The attorney general in his long letter to the Telegraph asserted that the bondholders' money was properly payable to him as solicitor. He refused to believe that Judge Hanington would have insulted respectable solicitors by refusing to order the payment to them of money due their clients. Now the judge says that he not only could refuse to authorize this payment to the solicitors, but that he actually did so refuse both orally and by letter. After this repeated and vain request for an order the discovery was made that the decree issued long before the request was made was intended to be an order for payment to the solicitors. One would suppose that a double refusal to order this payment, with the explanation that the law did not admit of it, would have made it possible for Mr. Blair to imagine Judge Hanington declining to make such an order as he wanted.

The other feature of public interest is Judge Hanington's statement that additions were made to his decree after it had left his hands, and before it was used as an order for money. Dr. Pugsley contends that the judge authorized the additions, but the judge says he did nothing of the kind. Dr. Pugsley calls for an investigation of this mystery and it does appear that some inquiry is called for.

A QUESTION OF DEVOTIONS.

The National Council of Women of Canada has in the begining of its history been obliged to take up a question similar to one of those which are involved in the Manitoba school case. The council is made up of women of all races and creeds. Among those who have taken an interest in it are, we believe, certain Hebrew ladies in Montreal. If these are not members it is Lady Aberdeen's idea that they should be eligible. The idea was to make the association broad enough to take in all women who are connected with societies engaged in educational, benevolent or religious work. It became a question how much and what devotional exercises should take place at the meetings. This is one of the things to be determined at Toronto. The London council, supported by the Toronto council, and also by that in this city, proposes that meetings be opened with silent prayer, followed audibly by the Lord's Prayer. Montreal, Halifax, Ottawa and East Kootenay favor silent prayer only, while Kingston advocates the use of the Lord's Prayer only. In some of the local councils the discussion has been long and spirited, and at Ottawa all Lady Aberdeen's influence was only sufficient to carry by a small majority the vote for silent prayer alone. The question is to be settled at the national convention, but some go so far as to say that if the Lord's Prayer is omitted the whole organization will be broken up. No doubt the question is in a sense vital, since it has become a subject of discussion, though one would suppose that either or any of the propositions might have been accepted at the beginning without compromise of conscience. As silent prayer does not exclude the Lord's Prayer the main question seems to be whether the devotions shall be audible or not. It is of course not contended that prayer repeated aloud is addressed to the congregation, or is more audible to the being addressed than silent prayer. Nor would it be contended that all present should be obliged to join audibly in the Lord's Prayer, or that in one case more than the other the petition would be sincere or genuine. It is now apparently a question how far one form rather than another will be an open and public recognition of the Supreme Being. The Lord's Prayer makes no mention of Jesus Christ, and if the question had not been raised one would have supposed that all theists would be willing to join in it, or at least that they would have no objection to its use. If there are agnostics or atheists in the council, would they join in Lady Aberdeen's silent prayer?

M'GILL.

The governors of McGill University have obtained in Scotland a successor to the able Nova Scotian to whom more than any one else the college owes its present position. Sir Donald Smith has long had the matter in charge and has doubtless made a good choice. The first duty of the board was to get the most suitable man, and it is quite certain they would have preferred a Canadian if they could have found one to suit them. It is probable that some Canadian teacher under middle life is as well qualified for the post as the man selected, but in the absence of a test the governors had no way of knowing who he was. It might have been wise for the university to take the risk of trying an experiment. At the time that Dr. Schurman went to Cornell he could not have obtained the presidency of any large Canadian college, yet in two or three years he was placed at the head of a university as large as all of them put together. Since the new head of McGill is not a Canadian, it is open to the friends of McGill to hope that he make himself one in spirit as fast as possible. The citizens whose benevolence has made McGill the best equipped school in Canada are nearly all Scotchmen. But we have no better Canadians than they.

AN UP-RIVER PROJECT.

The people of Hartland, Carleton county, have about given up hope that the provincial government will bridge the St. John at that point. A bridge there is much needed, and part of the money wasted in the political bridge at Woodstock would have provided it. But the political bridge has got the money now and there is no way of getting it back. So the Hartland folk are considering whether it would not pay to put up a structure and charge enough for tolls to meet the interest. It is suggested that if this were done the province might after a time take over the bridge and make it free. The idea is worth considering. One result would be that the bridge would probably be built without contributing to local elections.

The financial returns for April will enable Mr. Foster to reduce his estimate of this year's deficit. Mr. Foster owned up to $4,500,000 on the basis of a comparison with last year. But the balance for last month is $260,000 better than that of April, 1894, and the prospects are that May and June will make a still better showing without the new sugar and spirit duties.

The attorney general has taken a proper course in ordering the investigation of the alleged alteration in Judge Hanington's decree concerning the street railway bonds.

A red sunset foretells dry weather because it indicates that the air toward the west, from which quarter rain may generally be expected, contains little moisture.

Thet hree counties of Knox, Athens and Fairfield, Ohio, return a certificate that there are no cigarette dealers in them.

JUDGE HANINGTON'S ORDER

Made Last March in the Consolidated Electric Railway Case.

His Honor Makes a Statement Based on the Interview With Mr. Blair.

The Judge Declares That Words Were Added to His Judgment by Someone.

(From Daily Sun, May 14th.)

In the equity court last evening Mr. Justice Hanington made the following statement:

In re Consolidated Electric Railway cases:

On opening my copy of the Daily Telegraph of Friday last I noticed and read therein a report of an interview between one of the staff of that paper and the attorney general upon the subject of the orders made by me early in March last for the payment of the balance of the funds in this matter to the bondholders of the respective companies and the subsequent payment thereof by the provincial secretary to the attorney general and Mr. Pugsley. As a part of the statement published involves, as I think, and unwarrantably interprets and criticizes my action as the presiding judge administering the fund, I feel it due not only to myself, but to the administration of justice, to avail of this, the first occasion of my sitting in equity in the electric railway matters, to make a statement in respect to it. With much of the matter stated in the interview I have nothing to do, and shall therefore make no statement about it. As I read the statement it substantially alleges that I intended and ordered that the money, stated now to be about $60,000, should be paid to the attorney general and Mr. Pugsley, the solicitors in the causes as such, and so ordered in the words he quotes, as follows: "If the amount coming to the bondholders respectively is by law vested in the trustees, the money to be paid to them or whoever has title to receive the same. "And the attorney general states it was under the authority of that part of the order that the money was paid out by the receiver general, following the statement a little after with these words: "There was not, I am absolutely positive, any change made by anybody in the wording of the order after it left the judge's hands." My judgment was plain and distinct, typewriten, not by an officer of the court, and certain additions were added in my own writing as to some small matters. I read it in court and handed it to the deputy clerk, Mr. Ritchie, stating at the same time that if any change was necessary I would give further directions, which I reserved. I say that the above words the attorney general mentions as now in it, whatever their effect may be, whether they go any further than in effect directing payment to the holders of bonds and those entitled to them or not (which I shall not discuss), were added to my judgment after I so gave it to the deputy clerk, and were added without my knowledge. The first knowledge I had that they were added was while I was in Fredericton at term in April last, when I was informed the money had been drawn out of the treasury by the solicitors under my order. As I had never made, signed or authorized any order for the money to be paid to the solicitors, but had refused to do so, I was much surprised and went immediately into the clerk's (Mr. Allen's) office and asked to see my judgment. Whereupon he showed it to me, and upon it, under my own writing and in writing which he told me was Mr. Fry's, I found that the words above quoted had been added. It was indeed a surprise to me to find that anyone had added to my judgment and I so expressed myself to Mr. Allen, and asked him when he had received the judgment, to which he replied that it was brought to him as it then was on the 1st April; that the decree had never been settled; that he had put his name to it, and he understood that the money had been paid out by the reciever general under it as it then stood, of which I had also a short time previously heard. I on the next day met Mr. Ritchie, the deputy clerk of the court, and to whom I had delivered the judgment, and he told me there was no addition to my own words when he sent it (by whom or how he did not say) to Mr. Allen. The attorney general seems to think, and so states it to be my duty, if there was any change made in my judgment not to give the information to newspaper authorities, but to have it investigated. I have so far as I know or remember made no statement to anyone connected with the press on the subject, but have, when I was asked by those interested, stated what my judgment was and the facts so far as I know them. This I thought it my duty to do, and I did not, nor do I now think it the duty of a judge to institute or advise investigation in any such case as this, nor shall I do so. If any have suffered they may or may not, as they please, seek a remedy. The terms of my judgment as to whom the money was to go were plain and distinct, and that it was to be paid to the bondholders, whoever they were, will not, I think, admit of any misapprehension. Some weeks after the judgment was given, and in the last week in March, the attorney general and Mr. Pugsley, by their agent, and Mr. Pugsley for himself and the attorney general directly to myself applied to me for an order that the money be paid to them as solicitors as such, without procuring any power of attorney or petition from any bondholders. This I to their agent, Mr. Teed, and also by letter to Mr. Pugsley, declined to do, and stated that if the bondholders wanted their money paid to the solicitors they could readily give a power of attorney or authority to that effect. The attorney general seems to think that to decline to do so was an insult to him. He is reported to say: "It is either charged or insinuated in the newspapers that Judge Hanington never intended that anybody should get the money except the trustees themselves, and that the solicitors acting in the suit under which the money was received would not be so authorized. I am sure that Judge Hanington would not himself put forward that view, nor do I think he could have done so. It would be considered a gratituous insult if any judge were to direct or prevent, or were to refuse to allow a respectable solicitor to receive the money for his client. I am entitled to go further and to say that not only would it be an insult, but that a judge would have no right to denude a responsible solicitor of the powers and privileges which his retainer gives him." If the solicitors are insulted the law, not I, insults them. In justice to myself I feel bound to say that in refusing to make the order for the payment of the money to the attorney general and Mr. Pugsley as they asked me I had no thought or intention of insulting anyone. I do not, I hope, discharge my duties on any such basis. Having had a considerable practice in equity I was quite sure the authorities did not authorize me to do so unless the solicitor had a power of attorney or direct authority from the bondholders to get an order for it, and I so stated when I refused to give the order so asked for. I thought that no authority could be found that would justify me without a direct request or authority from the bondholders to make an order that the fund remaining in the treasury (after payment of the costs and other sums specially mentioned) should be paid to the solicitors; and that I was right in refusing is well supported by the best authority, Sec. 2 Daniels Ch. 1655, which is as follows:

"As a general rule, upon the presentation of a petition of this kind" (for payment of money out of court) "the court will not make an order for payment to any person except the person or persons entitled to the money. Where, however, the fund is small in amount, or has to be divided amongst so many that the share of each would be small (b), and consequently the expense of separate orders and powers of attorney would be important, the court has ordered payment to the solicitor upon his undertaking to distribute the fund among the petitioners. In the case of Kelsall v. Minton (c) Lord Langdale, M. R., said 'that the rule which he had adopted, and which must be followed on that occasion, was not to make any such order unless the petition praying for payment to the solicitor was signed by the parties, or unless a written authority was produced, signed by the parties, stating that they were desirous that their money should be paid to the solicitor.'"

"It is only when the amount of the fund is small (not exceeding ten pounds, except under special circumstances, in Middleton v. Younger, 17 Jur., 664) that the general rule is relaxed by allowing the solicitor to receive the fund without a power of attorney; but where a regular power of attorney, authorizing a particular person specifically to receive the fund in question has been duly executed, it seems that, however large the amount, the court will upon proof of the due execution of the power, and that the same is still in force, order payment to the person so authorized" (d).

My view of the law, and I still think I am quite right, was that the money under the act of 1893 was to be paid out of the provincial treasury to the persons entitled to it, in the same manner as under the rule of court of March term, 1871, Earle's S. C. Rules, 164, sec. 2. The costs to the solicitors, for which under the judgment as before I gave separate orders signed by myself, and the same to the bondholders whoever they might be, on their amount being ascertained. I certainly had no intention that the ordinary course should not be pursued, and that I, early last year, directed that a statement should be sent in by the bondholders as to how many and which bonds they held for the information of the court to be advertised for by the attorney general, was not because I intended the money to be paid to him, but because it was suggested to me as a matter of convenience, and a quick way, as I thought, to obtain the information for ultimate purposes of distribution; and I did not understand then, nor do I now, that he represented all the bondholders.

Whether the money is paid out of the treasury properly or not I have at present nothing to say, but I thought it right to make this statement on the facts.

As to the costs and contemplated appeal I shall say nothing except that when the attorney general named those who were allowed the $1,000 as costs, it would have been, I think, at least, as fair to the judge as well as to those gentlemen to have mentioned that Messrs. McLeod, Hanington and Palmer also went to New York and attended the taking of the evidence under the commission, as well as himself and Dr. Pugsley. The fact, however, may have escaped him, as may have also the fact that those barristers who he says came into court and "looked very wise" and got pay, were paid the sums they were upon the request and at the representation of the counsel engaged, Mr. Pugsley expressing their views and the attorney general not objecting, which he does not mention.

DR. PUGSLEY, Q. C.,

asked if the judge would permit him to say a word. Having been answered in the affirmative, Dr. Pugsley said the attorney general and he were in Fredericton when the order was given. They inquired of the clerk when the order came into his hands. He told them that it came up by mail.

Judge Hanington—That is, I think, a mistake. Mr. Allen says it was filed on April 1st.

Dr. Pugsley—Mr. Allen said so, at all events.

Judge Hanington—The order was made in March. It was an unpleasant thing for him to impute anything in connection with the matter.

Dr. Pugsley—The cheques in respect of the St. John City railway and New Brunswick Electric company bonds were issued direct to the order of the trustees.

His honor—I have simply made a statement of facts. I decline to pay the money over to the solicitors, as it would be contrary to law.

Dr. Pugsley was proceeding to deal with Mr. Blair's statement in the papers, when the judge interrupted him, saying: I don't want to hear anything as to that.

Dr. Pugsley said they felt that the order was followed to the very letter.

His honor—Before the money could be paid over an order must be given, signed by the judge.

Dr. Pugsley—That was done.

His honor denied that any such thing had been done. His name was not at the bottom of the order.

Dr. Pugsley—It is at the top.

His honor—Oh, yes, that is always the case with judgments. At the top always appears judgment of Hanington, J., or words to that effect. He never signed anything except a decree under which he thought the matter would be settled. He never signed anything that could be considered an order for the payment of the money.

Dr. Pugsley felt that his honor meant that if the property vested in trustees the cheque was intended to issue to them and that is the case of the suit brought by the bondholders to the solicitors.

Judge Hanington repeated that his name was not signed to any order for the payment of the money. The matter had been discussed in the press. If any wrong had been done, and he did not say that any had, Mr. Blair's statement seemed to place it on him (Judge Hanington.) He had nothing against Messrs. Blair or Pugsley. They wanted an order for the payment of the money to them, but he would not give such an order. It was alleged that a part of the money had been drawn. He could not say whether such was the case or not. He had no feeling in the matter and was not here to discuss it. It had been attempted to place on him a responsibility that he ought not to be called upon to bear. The matter might come before him in another way.

Dr. Pugsley—Your honor has intimated that words have been added to your judgment.

His honor—Yes, I saw them.

Dr. Pugsley—Then I ask that an investigation be had.

His honor said when a proper petition was presented to him he would consider the question of an investigation.

Dr. Pugsley said the judge had stated that words had been added to the jugment after it was handed to the clerk. This reflected on some one, and he, as the solicitor of two of the principal parties, asked that a time be appointed for an investigation.

His honor said he was going to the Charlotte circuit now.

Dr. Pugsley asked for an investigation at the earliest possible day.

His honor—I want to know who asks it and what it is desired shall be investigated.

Dr. Pugsley—I ask it.

His honor—Do you say the words were not added.

Dr. Pugsley—I believe they were not added. Mr. Frye says they were added at your honor's request and by your dictation, and one or more solicitors, I am informed, were present and state that such was the case.

His honor—I must ask for a proper petition.

Dr. Pugsley—I will see that this is done.

DESTROYED BY THE REBELS.

Spanish Troops Capture a Celebrated Bandit.

Havana, May 15.—The village of Palastina, near Dos Caminos, has been destroyed by the rebels, who set fire to it. Rodriguez, one of the rebel leaders, has placed himself at the head of twenty men who formerly belonged to the band of Carlos Castillio, as announced in these despatches yesterday, was dispersed by the Spanish troops.

The Spanish troops have captured the celebrated bandit, John Estrada. Millana, a deserter from Masso's band, after travelling nine days, reached Cruceis, and is surrendering to the Spanish authorities. Others of the rebels are following their example.

OSCAR WILDE'S CASE.

London, May 16.—The attorney for Oscar Wilde, referring to rumors that his client would forfeit his bail, stated to a representative of the Associated Press today that Wilde would certainly appear for trial on that day. Wilde is at present staying at his mother's house in Chelsea.

WHITAKER DEAD.

London, May 15.—Joseph Whitaker, founder of Whitaker's Almanac, is dead.

The area of the British colonies is 8,000,000 square miles, that of the French 3,000,000, of the Dutch 660,000, of the Portuguese 206,000, of the Spanish 170,000, of the German 99,000, and of the Danish 74,000.

The Greek republics raised money for war by "inviting" wealthy citizens to contribute. They always contributed liberally, as on one occasion the head of a rich man in Athens was cut off for refusal.