JUDGMENT GIVEN

APPEAL DISMISSED BY THE FULL COURT

Decision Upholds Mr. Justice Drake, Trial Judge, in Favor of James Dunsmuir.

In the Full court Tuesday afternoon Dunsmuir appeal. The court dismissed with costs the appeal taken by Edna 2.30 to 4.10 in reading, and in it he went fluence of James, and that neither surrounding the making of this will andro. very fully into the evidence. His document was the act of a free and and the destruction of her former one ent was concurred in by Mr. Jus- capable person. tive Irving, and Mr. Justice Martin Shortly after the trial commenced, an Then it was urged that the disposisupported the judgment in a shorter order was made allowing the defend- tion of his property was not natural or

The appeal, it will be remembered, pose of enabling her to contest the was taken from the judgment of Mr. validity of the will, thereby bringing different lights. The mother was well domicile or origin, nor was any evi-Justice Drake, the trial judge.

venor, asked that a day be set for the hearing of argument as to costs. He come domiciled in California, and that the plaintiff, appellant, also intimated valid by California law. The applicathought it was right to give more to he expressed himself any differently on that leave to appeal to the Privy tion was refused by the learned trial his sisters, another that it was best the subject than before. But it is sugset as the day for hearing the argu- and the appeal was stood over to allow gether, another that all had enough coupled with his marriage to Mrs. Walment on these points.

The Chief Justice in his argument point.

Union Colliery Company (originally the James was the result of Wellington Colliery Company) the other the Esquimalt & Nanaimo Rail- or if so whether the plaintiff has any way Company, which respectively own right to have it set aside. Sons Company in Victoria, B. C., and San Francisco, California.

made a will leaving everything to his wife, but shortly before his death, had his estate was divided equally between the sons, while due provision was made for his wife and daughters. This will was, however, unexecuted for reasons which do not clearly appear, and about which it is unnecessary to speculate. The fact remains that although the sons had grown up with and helped

Extensive Business

two sons in the same way as before, the elder, James, taking charge at Vicent on the bounty of the mother, who San Francisco, where he had been sent portion of the original estate and had by his father in 1877. Neither, how- received large sums of money out of terest, both taking out of the business his marriage Alexander was of loose what they wished with the acquiscence and intemperate habits, and there is his will was not executed in accordthe case in favor of the defendant, as conform to the English Wills Act, and of their mother, who was the legal no doubt that, as already stated, in- ance with California law.

with a woman named Mrs. Wallace to follows: to them in equal shares.

liery companies.

In This Transaction.

the sons, particularly Alexander, considered that she drove a bargain with them and did not carry out the intention of the father. It would also appear that at the time of the making of was of obstinate and dictatorial na- says that between June and December, the first will in question in this action, ture, and less likely than the average 1899, he had a conversation with the she had received altogether \$3,000,000 man to be influenced by others. This deceased about British subjects becomworth of property out of the estate. I being so, it is unnecessary to consider ing citizens of the United States, when say appear, because it is difficult to the speculations of the alienists who deceased stated that he was a British extract the facts regarding the value were called in to dispute and support subject and that his home and resiof the father's estate and of its ulti-mate distribution from the enormous Had any credible evidence been given which was not shaken by the cross-ex-

Francisco in 1877. About the same time he became acquainted with Mrs. Wallace, who had two children, one the plaintiff, by her husband who was a clinic thanksgiving. He spoke thanksgiving that he offen the evidence of the same thanksgiving. He spoke thanksgiving the subject of thanksgiving the subject of thanksgiving. He spoke thanksgiving the subject of thanksgiving the subject of thanksgiving. He spoke thanksgiving the subject of thanksgiving the subject of thanksgiving the subject of thanksgiving. He spoke thanksgiving the subject of thanksgiving the sub Are the first and Mrs. Wallace have to gether as if they were man and wife until Mrs. Wallace was divorced from the parties, and I take this opportunity to express the hope that in future when I go back to Victoria again there," and the first their or interest to poultry fanciers.

The wall of wall to be a citizen here, in though, on this point, more difficult case. I refer to Me the parties, and I take this opportune to note here that the point is too meagre and omits the full state-like with the point of the Glory of particular interest to poultry fanciers. fornia. Shortly before this, Alexander | way.

His Marriage

\$1,000 a month during his life, and She also after some negotiations, on December 1st, 1900, partly no doubt in order to

Tindue Influence.

The case set up by the intervener is grant attached on Vancouver Island, two-fold. She alleges first that the will and a coal selling business carried on should be declared void as being that under the name of R. Dunsmuir & of a person of unsound mind, and in Sons Company in Victoria, B. C., and the R. Dunsmuir Sons Company in San Francisco California undue influence of James, and that it Several years before his death he had is at any rate void as not being executed in accordance with the laws of California. Probate thereof has in fact a will drawn up by which the bulk of of first instance, and we are informed

of the will are not in dispute. It is which was made in Septembker, 1898, by the testator when he was in Victoria and was prepared by their prepared by him on the verbal in- the defendant. I think it of the father without any regular sal- structions of James, who took it with appear largely to account for the tion James and Alexander had each, family differences which have ensued. as already stated, acquired a half in-The business was carried on by the terest in the railway and colliery busiever, had any salary or substantial in- the business from the sons. Before

temperance was the cause of death. went on in this way until Inasmuch as large interests are at as disclosed in the unexecuted will, the evidence adduced for the plaintiff as Francisco. Evidence as to whether or the last case, exuere patriam. Hence valid here, because if a declaration canmother consented that the business in having been also adduced by the intersan Francisco should be converted into

San Francisco should be converted into

The last case, exact a joint stock company, the stock to be as possible in the order of events and sioner in San Francisco. to others to legally constitute the com- his judgment reviewed the evidence of

lace, the latter might acquire the whole troversy, and it is at once to be obif not the chief share of his estate to served that, with the exception of the of Victoria as his home." Witness the exclusion of the other members of plaintiff herself, all the witnesses says that he often had conversations the Dunsmuir family. This was short- brought forward to impeach the will with him to the same effect, but could ly followed by an assignment to the speak only from a short acquaintance not place the time or occasion. Crosssons by the widow of the existing in- with the deceased, or only as to isolatdebtedness of the Esquimalt & Na- ed occasions when he was intoxicated, frequently told him he was going naimo Railway Co. to her of \$687,854.49, and none of them testify to having any and also of the indebtedness to her of dealings with him during the last two he has lived in San Francisco for 32 the Union Colliery Company to \$376,- years of his life. I refer to the evi-221,59. Her interest in the stock of dence of Mighell, Taylor, Wharton, these two companies was transferred Gillespie, E. J. Palmer, Howard, mean to say that the deceased said Chandler, - Young, Burns, Prather, In 1899 she sold the business and good George Fritch, J. H. Fritch, Fink, the will of R. Dunsmuir & Sons in Vic- Bullens and the Freemans, and especi- were in British Columbia, but he inditoria including three coal mines, which ally to the first two. Nor do I concated that all his personal interests is impugned on the ground that ne is "a shortly afterwards became worked out, sider that because some of these wit- were there.

Good Business Capacity.

mass of evidence which has accumulat- that when not intoxicated he mumbled amination.

the same year. Then there is the will of the plain-

Commits Her Own Future

fully attest.

ant's mother to intervene for the pur- reasonable. No doubt different temp-On the completion of the judgment Towards the end of the trial, the ion made for them, and none required never changed his allegiance, nor in-Sir Charles Hibbert Tupper, K. C., plaintiff and the intervener applied to assistance. The only brother had a tended to do so; had never taken any acting for Joan Dunsmuir, the inter- be allowed to amend their pleadings large family, and while no doubt also part in political or municipal affairs in and E. V. Bodwell, K. C., representing therefore in any event his will was in- tion of the deceased might have at any time after he bought this estate Council would be asked. Monday was judge, but it was allowed by this court, to keep the bulk of the fortune to- gested that the purchase of this estate, the parties to adduce evidence on this and that his wife should have all that lace and his evident intention to live came to him. Can anyone say, in view there with his wife, were overt acts In considering the appeal it will be of the provision which he had made sufficient to evidence a change of in-In 1889, Robert Dunsmuir died at convenient first to deal with the case of for his wife, that any one of these dis-Victoria, B. C., leaving a widow, two the intervener, as it is obvious if the positions would have been unnatural? been of small value, or had he not built facts before us the onus has not been dissons, James and Alexander, and seven will was that of a free and capable A man of just as determined a nature any residence, but simply rented a daughters. The estate consisted principally of the controlling interest in
sider the question as to whether Mrs. have vacillated between these various wife, I do not think anyone would have

Regular two joint stock companies, one the Alexander Dunsmuir's agreement with dispositions, and changed his will a any difficulty in arriving at the conclu-

parties concerned. admittedly a copy of the former will brought a copy of it for re-execution to time would seem ripe for his return to is sufficient without more to bring it within that class, as he seems to have

> Has Been Fully Discharged, free and capable testator.

whether the agreement between her established. That being so, a long line evidence as to the testator's intentions mother and James was the result of of cases ending with the recent decis- and instructions." toria, and the younger, Alexander, at had, as already stated, retained a large undue influence, or whether she has ions of the House of Lords in Winans At the conclusion of the argument our any status to maintain the action.

Things went on in this way until lashing massing interests as large in of the sons that some effect ought to fact, it seems proper to review the evibe given to the intentions of the father dence at length, and I will consider the by his father as his agent to San

divided equally between the sons, ex- not in the order in which it was given. W. G. Harrison, a witness already cept four shares necessary to be issued Following this the Chief Justice in mentioned, being examined on this point says that in 1892 or 1893 the depany. She, however, imposed a condi- all the witnesses in the case relative ceased, upon being asked by him to tion to the effect that if either of her to Alex. Dunsmuir's condition. These take an interest in an exhibition which sons predeceased her, his share was were all summarized, and following was being promoted, told him that "he to revert to herself. The reason for that he gives his judgment with the did not care to take part in anything this was that Alexander was living reasons assigned for it. This was as here as he did not consider himself a whom she entertained great repug- The above is in brief the evidence of should take any part in local matters; nance, and she was afraid that in the the eye-witnesses (about 80 in num- that his home was in British Columevent of his predeceasing Mrs. Wal- ber) adduced by all parties to this con- bia; and all his interests were in Bri-

examined, he says that the deceased home, meaning Victoria; that although years he is still British and regards mean to say that the deceased said -

All His Interests

two steam colliers and two tugs to the nesses in the hands of a skilled cross- Ridley, a former witness, says that two sons for \$410,000 to be secured by a examiner failed to detail more than in 1896 he had a conversation with the mortgage of the sons' interest in the one or two specific interviews the pro- deceased about some electric installabusiness and in the railway and col- bative force of their testimony is seri- tion, when deceased told him that he not "a fabrication of late date"-Starkie ously weakened, as it is evident that it was going home to Victoria when he was their settled conviction that the would consult his brother on the sub-deceased was quite competent to man-ject. Cross-examined, says he did not his marriage.

J. E. Freeman, a former witness,

excessive drinking. The total value of months and a half before his death), that he replied: "My people at home from are absolutely diagnostic of senile" excessive drinking. The total value of the San Leandro property was over \$300,000. The San Leandro property in San Franch prope house in Victoria.

Thomas Whitelaw, a witness already he re-executed this will in California. tiff's mother of August 16th, 1899, in referred to, testified that the deceased Alexander, according to the admission which she commits the future of her of James, imposed a trust on his daughter to the deceased, and gives he always retained his rooms in the brother that he should pay his widow him the great bulk of her property. Driard hotel there; that he would fre- at San Francisco, I have come to the quently speak of "going up home to conclusion that it was not the intention Victoria" or "going up home," or "go-ing back home"; that when in Vicavoid litigation, James entered into an into his hands by marrying him on the toria he would say: "I am going down agreement with the widow by which he agreed to pay her for life \$25,000 per year before his death. Having regard in the knew deceased was annum, and one-half of what may be to the fact that she had obtained a away a great deal from San Francisco. shortly described as the net profits of very large property, which, so far as J. P. Taylor, the witness already rethe San Francisco business, while she in return released all her claims against from her, is it not the natural infersion in San Francisco that the deceased Alexander's estate. She died shortly ence that she did not think he was within a short period of his death judgment was given in the Hopper vs. afterwards in June, 1901, and her demented? And who is there better stated that his home was in Victoria, daughter, who is the principal benefi- able to judge than the woman who had and that the San Leandro place was ciary under her will, brings this action lived with him for twenty years? And Mrs. Wallace's place. And in cross-Wallace Hopper and the intervenor alleging that both Alexander's will and that he retained his stubborn nature, examination, that he understood that Joan Dunsmuir. The judgment of the agreement between her mother and and was not liable to the undue infludeceased intended living with his wife, Chief Justice Hunter occupied from James were produced by the undue in- ence of anyone, the circumstances and that her home was in San Le-

Positive evidence is thus before us that the deceased

Never Had Any Intention,

until at any rate when he bought the score of times without being in danger sion that he had done nothing to indi- favor of the respondent; see also Attorof being adjudged a dement, or subject cate that a change of domicile, especito the undue influence of any of the ally as the business no doubt still required his oversight, and because to In going through the evidence at have established his wife in Victoria. length I have assumed that the onus at all events in the lifetime of his raises a difficult and was on the defendant to show that the mother, would have unquestionably will was not that of a demented man, caused family jars. It may of course or the result of undue influence. I am, be suggested that his mother's opposibut rather that it was the carrying out easily be that he considered it a good do not think the mere fact that James or leased to advantage whenever the

Counteracting Circumstance vs. The Attorney-General (1904) A. C., attention was called to the change in There remains to be considered the p. 287; and The Marchieness of Hunt- section 6 of the Wills Act made by the contention that the deceased had acquired a California domicile and that cember 15th, 1905, settles this branch of by said sec. 6 is made in its fifth line to the rule is finally laid down that the read "made or acknowledged," instead The deceased, as already remarked, question is not whether there is evi- of "made and acknowledged," as thereacquire another domicile, or, as put in not valid in California it would not be ance with the California law.

judge's decision was right, and should ply to it, because of the opinion already be affirmed.

Another Judgment.

read as follows: Several points are raised for determination in this appeal, and I shall consider last will and 'testament,'" and which in them in their order and as briefly as pos- this respect follows the form given in in some respects, unpleasant, nature it (1898) as being a compliance with all the west are on exhibition. They have ties concerned that no more should be said than is absolutely necessary.

dence. I have gone over the list of these costs. and am of the opinion that, with very few exceptions, they are correct, and even where I should be disposed to take a different view they, having regard to the evidence, have no substantial effect on the main result, and the appellants jection that was argued is certainly one of consequence, but having regard to the reckless and wilful perjurer" (intervenor's argument p. 105), and had been bribed to change his testimony, it was open to him to show that his material account was on Evidence (1853), 253; Taylor on Evidence, 1897, par. 1,476; Roscoe's Nisi Prius Evidence, 1898, 91-2; Phipson on Evidence, 3rd ed., 150; R. V. Coyle (1855), 7 Cox, 74; and particularly the Irish case of R. V.

Coll (1889),, L. R. In. 24, I. B. 522. Second, as to the testamentary capacity of the deceased. There is much conflicting evidence on this point, and there are charges and counter charges of perjury and chicanery against the defendant and the plaintiff. But I find it impossible dence were in Victoria; a statement out attracting much weight to the testi-

Where His Residence Was, but on further consideration of the circumstances and the special nature of the business carried on, which required the of the deceased to abandon his domicile a fair inference from the evidence, tha the longer he was practically compelled to live in that foreign country the less he liked and refused to identify himself with its institutions, and looked forward to the

when he could return to the, in many ways, more congenial surrour of the land of his birth and of his family his "home," as he often referred to it Since the recent judgment of the House of Lords on domicile in the important case of Winans vs. Attorney-General 1904, A. C. 287, it would be pre in me to endeavor to add to the subject for, as the Lord Chancellor says, "the law is plain that where a domicile of origin is proved it lies upon the person who asserts a change of domicile to establish it, and it is necessary to prove that the person who is alleged to have termined purpose to make the place of all parties in interest before the court. off, the sisters all married, and provis- dence adduced to the contrary. He had his new domicile his permanent home. And Lord Macnaughton says at p. 291 that said burden is a "heavy" one, and quotes the language of Lord Westbury that it must be shown "with perfect clearness and satisfaction." And Lord Macnaughton goes on to say that "a change of domicile is a serious matterserious enough when the competition is between the domiciles both within the ambit of one and the same kingdom or country-more serious still when one of the two is altogether foreign" as is the

Applying the above principle to the charged to my satisfaction, at least (1869), 18 W. R. 107, which is strongly in Price Countess de Wahlstals \$1.00 ney-General v. (1864) 3 H & C 273 Fourth, as to the execution of the will

Perplexing Question,

and one on which a judge of another however, not clear that the case comes tion to the marriage drove him to court has a natural diffidence in expresswithin that class which requires affirm- change his domicile, and that the puring himself. There is much conflict in the \$1.00 ative proof by a person who procures chase of this large estate, which was evidence of the two experts, and it is difthe making of the will. There is no the equivalent of a large portion of his ficult to satisfactorily reconcile the satisfactory evidence to show that the worldly substance, is the outward and numerous authorities that have been will of 1898 was suggested by James, visible sign of the change. But it may been able to reach is that there was a Some facts surrounding the execution of Alexander's fixed intention, and I investment, and that it could be sold substantial compliance with the essential requirements of the law of that state. Fifth, as to undue influence alleged t San Francisco at Alexander's request Victoria. At any rate, there is a strong have been exerted by the defendant in the procuring of the will, and also of the subsequent agreement with Mrs. Alexcommon solicitor. It is in the hand- been not the author, but the messeng- in the fact that he constructed the pro- ander Dunsmuir. I am of the opinion writing of the solicitor, and was er. However, even if the onus is on curing of the copy of the British Col- that on the evidence we should not be umbia will. No business man, who had warranted in disturbing the findings of permanently changed his domicile, the learned trial judge in these points. would be likely to dispose of large in- The defendant clearly is not in the same ary or substantial interest in it, the entire estate passed to the widow on entire estate passed to the entire estate passed to the widow on entire estate passed to the entire estate passed to the estate passed to the estate passed to the entire estate passed to the estate passed to the estate passed to the estate passed to the estate passed to his local attorneys. Assuming, how- who propounded a will which he had

> der ours. But it is unnecessary to con-In my opinion the learned trial sider this contention nor Mr. Davis' reexpressed that it was duly executed according to California law. But it is not Mr. Justice Martin's judgment was also out of place to remark that the attesta-25 (notice), 128, 484, 487. It follows from all the foregoing that First, in regard to the rulings on evi- the appeal should be dismissed with

> > SOME AWARDS.

As mentioned in another column the show of the Victoria Poultry Association commenced this morning. Appended were the results available at noon: White Plymouth Rock-Cock, 1st, J. S. Jones, Nanaimo; 2nd, Bradly Dyre, Saturna Island; 3rd, Mrs. G. A. Shade, Yates street. Cockerels, 2nd, H. S. Rolston, Vancouver. Hens, 2nd, Mrs. G. A. Shade, Victoria. Pullets, 1st, J. S. Jones; 2nd, J. S. Jones; 3rd, J. S. Jones. Pen, 1st, J. S. Jones. Buff Plymouth Rocks-Cock, 1st, W.

A. Blackstock. Cockerels, 1st, Reid, Victoria; 2nd, Edwards & Son, Salt Spring Island; 3rd, J. Wood, Victoria. Hens, 1st, W. A. Blackstock; 2nd, J. L. Lang, Victoria; 3rd, J. Lang.

WEEK OF PRAYER.

In the Y. M. C. A. rooms Monday afternoon commencing at 3 o'clock the ate, because on the evidence before us I among evangelical churches through-

Alexander and Mrs. Wallace lived to- as indifferent assessors sitting with the do I want to be a citizen for. It will by me in a very similar, though, on this which Rev. Dr. Campbell presided. ning birds in all classes without dif-1899, when they were married in Cali- their opinions will be obtainable in that would say "all of my interest is up ment of facts, but it should now be stat- God. His remarks were listened to He states that an exhibition of caponthere." In cross-examination he says ed that the evidence of the chief medical with the utmost interest. During the izing will take place at 8.30 o'clock on had purchased in her name an estate Documents were also put in which that these conversations took place beat San Leandro, California, and a large house was hardly finished when he died on January 31st, 1900, in New Terk admittedly from the effects of November 13th, 15th, 1899, (i. e., two large to the died on January 31st, 1900, in the effects of November 13th, 15th, 1899, (i. e., two large to the conversations took place between 1879 and 1885.

Thursday and Friday evenings. There superintendent of the provincial asylum for the insane (referred to at pp. 541, 543 With Jesus." Altogether the meetings of my judgment), after hearing all the effects of November 13th, 15th, 1899, (i. e., two large to the conversations took place between 1879 and 1885.

J. H. Fritch, a former witness, says that on one occasion when asking the evening J. G. Brown sang a very appropriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A Little Talk will also be a grand tombola for a propriate hymn entitled "A L

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A great chance to obtain England's In this view it becomes unnecessary to his local attorneys. Assuming, now ever, that the matter is not free from doubt, it cannot be denied that the feeting the plaintiff's case, i. e., change of domicile has not been clearly evidence as to the testator's intentions.

To his local attorneys. Assuming, now ever, that the matter is not free from doubt, it cannot be denied that the feeting the plaintiff's case, i. e., change of domicile has not been clearly evidence as to the testator's intentions. magazine at a bargain. Annual sub-Times, Ottawa, Ontario.

> THE JUDGE STARTED WORK THIS MORNING

All Preperations For Opening of Poultry Show are Complete-Tombola Arranged.

(From Wednesday's Daily.) To-morrow the annual show of the Victoria Pet Stock Association will open at the market building. It will continue on Friday and Saturday, closing on the evening of the latter tion clause states that the will was day. Members of the management "signed by the testator as and for his committee announce that the arrangements are complete. About 800 of the sible for in a case of this unusual, and, Hayes & Jarman Concise Forms of Wills finest birds to be found in the north- In the Matter of an Application for will, in my opinion, be better for all par- essential requirements of the statute; pp. been placed in comfortable coops ranged in long rows from one end of the capacious galleries of that building to the other. Judging by the noise created by the crowing of the selfsufficient cocks and the complacent chuckling of the hens, they feel quite at home and would be perfectly willjudging in connection with the annual | ing to remain in charge of the officials of the local organization for an in-

definite period. Nor has the comfort of the expected visitors been forgotten. Heaters Province of British Columbia. have been installed and the hall will No. 318. have been installed and the hall will be kept warm both aftrenoon and evening, while on the latter occasions F. Baylis will serve hot coffee and light refreshments to those attending free of charge.

As was stated in these columns yesterday the number of entries is much larger than last year's total. Not only is this so, but there is a larger range of varieties, and generally speaking, a pany is one marked improvement in the quality. Elmer Dixon, of Oregon City, who was appointed judge some months ago, arrived from the Sound yesterday, and is busily employed placing the competing poultry to-day. Mr. Dixon is one of the best known authorities of at America, but his knowledge will be taxed to its utmost in order to make one of the best known authorities of prayer and conference being held taxed to its utmost in order to make mony of either of them, which is fortun- this week in common with a movement the proper awards in some of the close contests promised in connection with ed during the progress of the litigation. Or was incoherent in his speech, or R. Van Schaick, United States assis-Alexander, as has been said, was dragged his feet, or had to be amused tant weigher in the Dunsmuir office at them on the question of credibility. I presided, and Right Rev. Bishop Cridge pleased with the splendid collection, Alexander, as has been said, was a dagged in feet, of had to be an as a child, then it would have been placed in charge of the business at San as a child, then it would have been can find no valid reason in the whole francisco in 1877. About the same necessary to consider the evidence of ceased 27 or 28 years; that he often mass of evidence (which, after the very hour to-night before having complethour to-night before having completing the handing out of blue ribbons.

Therefore, when the show opens to the general public, they will have the advantage of being able to find the winning birds in all classes without discovering the standard of the substantial of the substanti plaintin, by her husband who was some would say, "What usher in a San Francisco theatre, weight to the ears of the court if given us here?" "Oh," he would say, "What subject was recently and fully considered in the First Presbyterian church, at vantage of being able to find the win-



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San Francisco, Cal. Notice is hereby given that, sixty days after date, we intend to apply to the Chief Commissioner of Lands and Works to purchase the following described land. Commencing at the southeast corner post on Dease Lake, Cassiar, near Porters Landing, of Lot 206, thence north 4 chains, thence east 40 chains, thence south to the lake shore, thence following the lake shore to the point of commencement, and containing 160 acres

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42, Part of Section 81 (Map 321), Vic
toria District.
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intention, at the expiration of one mont
from the first publication hereof, to issue
a duplicate of the certificate of title
the above land, issued to Robert Georg
Johnston on the 8th day of Septembe

1891, and numbered 12004A. S. Y. WOOTTON. Land Registry Office, Victoria, B.C., 19th December, 1965

LICENSE TO AN EXTRA-PROVINCIAL COMPANY. "COMPANIES ACT, 1897."

Insurance Company," is authorized a licensed to carry on business within the Province of British Columbia, and carry out or effect all or any of the cjects of the Company to which the legislative authority of the Legislature British Columbia extends.

The head office of the Company is situate at the City of Hartford in the Size ate at the City of Hartford, in the St The amount of the capital of the Co ten thousand shares of one hundred

ten thousand shares of one hundred do lars each.

The head office of the Company in the Province is situate at Victoria, an Richard Hall, Insurance Agent, whose address is Victoria, is the attorney for the Company.

Given under my hand and seal of office at Victoria, Province of British Columbia, this 13th day of December, one thore sand nine hundred and five.

(L. S.) S. Y. WOOTTON,

Registrar of Joint Stock Companies. The objects for which this companias been established and licensed are The insuring of persons against the accidental loss of life, or personal injury sustained while travelling by railway steamers or other modes of conveyance to insure persons against, and to make

SECOND-HAND PIANO FOR SALE-\$137 This instrument has been used by teacher and is thoroughly well made with be delivered free to say wharf or railway station in B. C. Hicks & Lovic Plano Co., 88 Government street, victoria; 128 Hastings street, Vancouvel VOL, 53.

APPLICATION BY COAST

Matter is Still Befo ment-Inquiry

Ottawa, Jan. 13.the Coast-Kootena their route map a fore the departmen deputy minister i tion from the appli opposition parties couver & Eastern, tain pass, which is ject under discu fighting point.

The Victoria, Va say through Mr. gineer and Mr. that the aplicatio granted until it is s for two roads. As couver & Eastern charter.

Mr. Maclean, for enay, says there is if properly organiz possible for the Vie There is an evide the part of the dep some three millio ready been expen-Vancouver & East thing that would

ing built all the wa Railway The Vancouver, railway will apply leave to construc from between And to the internation from a point on t looet and Quesne Jaune Cashe: from Collingwood and to Barkerville; from river to Edmontor head Pass. Bond

> Ottawa, Jan. 12. ick Keefer, mana Columbia Copper Forestry Associat read by the assista forestry. It said "There seems to forests, and that forest land of the permanent govern their work and methods obtaining

to \$40,000,000 and

\$12,000,000 to \$25,00

wanton destruction CHINESE

Head of San Franc to Have Diso

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and prospectors ha

San Francisco. han, head of the le has received a te P. Sargent, com tion, asking for h deportation of the sent away on the C last despite an ord States court.

Fifteen minutes time of the Coptic the United States an order that the the case should b passenger agent of who agreed to hold and Mehan, it is the court's order i deported. The Chinese cor

Mail people nave t tary Metcalf, aski Chinese be landed turned here by the MINISTER

Korean War Minis Times By a Fel

St. Petersburg, J war minister, who Hotel De France escape from assas the hands of a yo be the minister's in minister eleven tin

terday, says: "Au Bakersfield, knocke bett, of Denver, in their fight here victory was an lacked vim and forceful blows fai damage on his or same near ending in