

**Why not try
H'S MALT EXTRACT?**
It is highly recommended to those
run down;
lost appetite;
difficulty after eating;
or from nervous exhaustion;
nursing Mothers,
as it increases quantity and
improves quality of milk.
PRICE, 40 CENTS PER BOTTLE.

Wood, was to-day acquitted on the charge
of tampering with the wires of the Ce-
sar Rapids, Burlington, and Northern
and during the recent strike.

New York, May 3.—A crank named
Bell, formerly a prosperous business man,
allied at Archbishop Corrigan's house to-
day and announced his intention of tak-
ing communion with the prelate. He
was arrested. Fell declared in court he
could "lick" anybody in America, not ex-
cluding Sullivan.

St. Louis, May 2.—A special to the
lobe-Democrat from the City of Mexi-
co says that President Diaz, under the
authority conferred by congress, has is-
sued a decree altering the tariff of impor-
tation in many particulars. The most im-
portant changes are on the following
articles: Opium, made of fute, fute,
hemp, and camassine, per kilo
gross, three cents. Articles, not speci-
fied, of copper, brass or any other com-
mon metal, gold or plated ware whose
weight exceeds one hundred kilos, per
do 40 cents; jewel ornaments of any
metal, not being gold, silver or platinum,
old or plated, per legal kilo, \$1.50. Pis-
tol, of first melting or in fragments or
small pieces, per kilo gross, one cent;
rough, forged pig iron or pig steel, per
do gross, one cent.

New York, May 3.—Lawyer Magee,
charged with the murder of Margaret
Harris, his typewriter, found shot in his
basement office, has been discharged, his
evidence was not sufficient.

San Francisco, May 2.—The customs
authorities are still hunting for two thou-
sand pounds of opium, but the chances
are that it will not be found. About
two weeks ago Collector Wise and spe-
cial Treasury Agent Phoenix were infor-
med that the above quantity of drug was
on its way to San Francisco on a sailing
vessel. An extra watch was ordered
over 40 coasters were searched. The
seizement is worth about \$35,000, and
effort will be spared to capture it.

San Francisco, May 2.—The funeral of
the late George B. Bayley, who was ac-
cidentally killed while riding in an elec-
trical car in his own premises, was held to-
day in Oakland. The insurance on his
life amounted to \$125,000, being larger
than any similar life loss ever sustained
in the Pacific coast. Some of the poli-
cy dated back ten years, while one for
\$50,000 was issued only three weeks ago.
He died at the time of his death
was paying \$4000 in yearly premiums.

GOLDEN GATE CITY.

Mrs. Hazelton's Return to Her
Darkened Home.

SOMETHING ROTTEN IN PACIFIC BANK

Attorney General Urged to Close It—
Fifteen Hundred Happy Newboys—
Midwinter Fair Doings—Latest Ori-
ental News—Slaughtered Japanese
Miners.

San Francisco, April 28.—Mrs. R. H.
Hazelton has returned to the city after a
visit search along the west coast of a
British Columbia for the bodies of Jas.
O'Brien, her brother, Captain Brown and
Captain Gaffney, who lost their lives in
the wreck of the sealing schooner Mary
Brown while on their way from Sand
Point, Alaska, to Victoria. Mrs. Hazel-
ton brings back a number of relics of
the lost vessel, among them a bullet hole in
the wall, a bullet hole in the back, indi-
cating that he was murdered by being
shot from behind; a vest cut in several
places and stained with crimson silk
handkerchiefs. No trace could be found of
the stinks.

At the colliery in Kojoung there was a
sudden issue of gas from a disused gal-
lery on the 30th ult., resulting in the
suffocation of eleven colliers. Six men
were killed in an explosion at Ilushun-
betsu on the same day.

A severe earthquake shock at Atsugishi
on the 24th ult., resulted in the collapse
of 21 houses and 34 others being badly
damaged. No loss of life was reported.

A fire which recently broke out at Na-
gaoka, razed for seven hours and de-
stroyed over 500 houses.

C. W. Myers, who has been engaged
in the real estate business in Oakland
for a few weeks, was arrested last night
on charges of forgery, perjury and em-
bezzlement. Myers was charged with
wrecking the bank at Greensburg, Kan-
sas, of which he was vice-president. The
fine weather this morning brought
visitors to the fair early. Chief among
the visitors were the excursionists from
Stockton, who came down by train and
boat to attend the exercises to be held
in San Joaquin county heading this morn-
ing in honor of that county's day.

Among other early visitors were about
1,500 newboys, guests of the Daily Liv-
ing Report. The youngsters are pro-
vided with tickets of admission to nearly
all the concessions, and they will long re-
member the feature of the morning was the op-
eration grounds, many well-known
marksmen participating.

The bank connected with, in present-
ing their report of the investigation into
the affairs of the Pacific Bank to the
attorney-general, stated that they found
the bank to be recklessly and dishonest-
ly managed by R. H. McDonald, Jr.,
and the directors. This condition of the
bank is such that the attorney-general
is urged to close the institution at once.

PULLMAN'S SLAVES.

They Object to the Grinding Tyranny of
the Millionaire.

Chicago, May 1.—The immense strike
which it is rumored would take place at
the Pullman car works to-day has not as
yet begun to any great extent. This is
not so much on account of a lack of
provision, as because of the poor, un-
organized state of the men. According
to their statements their grievances are
 manifold. Last year they suffered a big
cut in wages, and this, in addition to
the many petty tyrannies to which the
employees of the place car magnate
have been subjected, has been ranking
in the minds of the men ever since.
The Pullman company owns every foot
of real estate in the manufacturing town
of Pullman, which is now a part of Chi-
cago, even the streets having never been
dedicated to the public. The employees
complain of the high rents charged for
the cottages, and claim that if they rent
cheaper houses beyond the limits of the
company's domain they are sure to lose
their places. The work of organization
has been going forward at a rapid rate
for several months, and even if the pre-
sent movement miscarries the men will
not be discouraged.

GERMAN'S BIG MAN.

What Bismarck Has Been Saying and
Doing Lately.

Berlin, May 1.—Prince Bismarck was
exceptionally gallant at the reception of
the women from the Duchy of Berg on
Thursday. He shook hands with every
member of the deputation, gave her a
rose and his autograph and invited her
to visit Friedrichsruh again. He spoke
at length with one of the deputation
concerning his life in the Saxon forest.
He never felt so lonely when wandering
throughout the thirty years which he
had passed in the big cities, in court and
in parliament. The forest's solitude
must have a soothing influence upon Ger-
man, he thought, as the German rang-
ed people in the world, while the German
politicians were without exception dis-
satisfied and miserable. He had always
wished to pass the last ten years of his
life in rural quietude. When he was in
office the temptation to leave the busy-
life of politics for a long rest in the
country had almost overpowered his
sense of duty. In 1877, for instance,
he had been so worried by intrigue and
opposition that he was absolutely in
earnest when he asked the old emperor
to let him retire.

The prince's speech to the deputation
concerned present politics only indirectly.
On the subject of Prussian particularism
he said: "Most of those in the west
agree with the people on the Rhine, but
—Dr. Drew, a graduate of New York
Medical School, has been admitted to

in east Prussia particularly still has a
strong hold. Many east Prussians can-
not forgive me. It is for the best, how-
ever, that we are 50,000,000 Germans in-
stead of 5,000,000 Prussians. Presently
my fellow Prussians comprehend that
with 10,000,000 Prussians Frederick
William III. was unable in 1815 to
bring his kingdom into line with the great
powers. In the course of time the east
Prussians will realize that things have
bettered for them since 1807."

Bismarck has grievously offended the
Liberals by his exceptional courteous-
ness to the Conservatives. He telegraphed
on Friday to Count Za. Limburg-Stir-
rum, thanking him for the birthday con-
gratulations sent by the Conservative
groups in the reichstag, and adding:
"Please bring my thanks to the notice
of our political friends."

It was only last week that the Nation-
al Liberal deputies were in Friedrichs-
ruhe, and in view of their party's pro-
longed co-operation with the old chan-
cellor they object to being classed with
the political opponents. Several Nation-
al Liberal journals construe Bismarck's
dispatch as indicating his relapse into his
old feudalistic position.

A French Expert's Opinion—Colonial Secretary's Suggestion.

London, May 1.—The correspondence
exchanged between the board of agricul-
ture and the colonial office concerning
the admission of Canadian cattle into
Great Britain, was made public to-day
by the board of agriculture. The col-
onial secretary in his last communication
dated April 26, quotes M. Nocard, a
French expert on cattle diseases, who says
that what is known in the western part
of the United States as "corn stalk dis-
ease," which is only feebly contagious,
has often been mistaken for pneu-
monia. M. Nocard, in his report to
Sir Charles Tupper, Canadian high com-
missioner, in September last, declared
that the condition of the lungs of the
Canadian cattle which had been submit-
ted to him for examination was identical
with the condition found in the corn stalk
disease.

After calling attention to the fact that
there had been no outbreak of pneu-
monia since the alleged outbreak in
Canada in 1890, and to the fact that only
eight suspicious cases have been found
among 300,000 imported cattle, and in
view of the evidence furnished by the
Canadian government, the colonial sec-
retary says that he cannot admit that Can-
adian cattle are infected with any other
disease than that attributable to hardship
and exposure from the pasture to Euro-
pean.

He expressed the hope that the
board of agriculture will finish his special
examinations by the middle of June, so
as not to interfere with trade.

In conclusion he says he will suggest to
the Canadian government the propriety
of having all cattle destined for Great
Britain suitably marked to the end that
suspicious cases may be easily traced to
the herd from which they came.

MAY DAY FESTIVITIES.

No Agitation in France—The London
Anarchists.

Paris, May 1.—The Socialists and
Students' demonstration in the Salle
Barrat was a success. The two
eight students made their appearance in
the hall where the delegates of the So-
cialist organizations were assembled, and
including the eight students the total
number of persons present did not ex-
ceed forty. The smallest of the Social-
ists could not agree as to which element
should take precedence and the meeting
broke up in a riot. The Place de la Con-
corde was filled with people today, but
they were mostly persons who had come
to look on rather than to take part in
the May Day celebration. A strong force
of police and mounted members of the Re-
publican Guard was stationed in front of
the Palais de l'Industrie and the Cham-
ber of Deputies, and presented a written
proclamation setting forth the rights of
the working classes. Most of the work-
ing men in Fournies, Nantes, Czan-
cote, Lisse, Arvenc, and Roubaix spent
the day at work as usual.

London, May 1.—The Anarchist meet-
ing in Hyde Park proved to be a suc-
cess. The speaker, who was a man of
lively address, before making a speech
the expulsion of the speakers and their
audience. Among the speakers were Editor
Samuels, of the Anarchist organ "Com-
monweal," Louis Michel and several
other English and foreign leaders. The
audience was small, but noisy. Editor
Samuels got well into a fervor over Val-
lant, Henri, and other martyrs, when
the storm arose. Several men in the
crowd who were not Anarchists protest-
ed against the style of oratory and were
quickly joined by others, the Anarchists
meanwhile denouncing those who had in-
terrupted their speakers. There was lull
for the space of a few minutes, and
Mr. Samuels resumed his remarks with
even more warmth than before. Sudden-
ly he became a howl of indignation and
a rush for the platform. The Anarchists
fought hard to protect the speakers, and
the police tried to restore order, but the
police were thrust aside by the anti-Anar-
chists, and the Anarchists were forced to
run out of their park for their lives, pur-
sued by the mob. Samuels succeeded in
getting away unharmful but hundreds of
his Anarchist audience had their clothing
torn from their backs, and many of them
received cuts and bruises which they will
carry for some time.

American.

Kansas City, May 2.—The grand jury
returned indictments against thirteen
men who participated in the recent elec-
tion riots here. The indictments are
equally divided between Catholics and
A. P. A. men.

New York, May 1.—Stocks opened
dull; the sugar and lead trusts were
fractionally lower.

Washington, May 1.—Representative
Barnes, in an interview to-day declared
that the bill for the repeal of the twenty
percent tax on state banks would cer-
tainly be defeated. He admitted, how-
ever, that the vote would be close.

Lick Observatory, Cal., May 2.—The
bright comet recently observed by Prof.
Gale in Australia has been observed here
every evening this week. It is nearly
circular, and its diameter to the eye
looks something like a star of the fifth
magnitude. It is moving north five or
six degrees daily, but is slowly growing
fainter. Its light has been analyzed in
the spectroscopic, both visually and pho-
tographically, and found to resemble in
every respect that of the bright comet of
July 1893. The comet is therefore com-
posed almost wholly of incandescent car-
bon and nitrogen gases.

DESTRUCTION OF THE NEVA.

Loss of the Russian Vessel Recalled by
an Indian Find.

Several days ago some Indians came
to town with an air-tight copper tank,
oak timbers and utensils supposed to be
remnants of the wrecked Russian vessel
Neva, which they found near Mount
Edgemoor. Below we narrate the catas-
trophe which befell the Neva:

It was in 1812, when the Neva, a full
rigged Russian ship, weighed anchor at
Olenok, Siberia, amid deafening cheers
from the multitude on the shore she un-
furled her mass of canvas and before a
stiff breeze plowed the waves and was
soon unaccountably bound for Sitka, Alas-
ka. The ship was under the stern com-
mand of Lieutenant Podushkin, the
Russian navy, and was owned by the
Russian American Fur company. Her
cargo chiefly consisted of merchandise,
Olenok, Siberia, today at that time
the principal distributing point of sup-
plies for Alaska. But the purport of her
voyage was the conveying of the treasure
and fixtures designed for the Greco-
Russian church at Sitka. The most
precious passenger "who" perished was
board this craft was Collegiate Counsel-
or Baranovskoff, who had been appoint-
ed Governor Baranovskoff's successor. The
survivors were Lieut. Podushkin, the
mate Nerodoff, a cadet Peregrinoff, a
master-mate and twenty-one sailors
and laborers. Three of the latter died
soon afterwards. Under a clear sky and
favorable weather she reached the vicin-
ity of Mount Edgemoor—twelve miles
west of Sitka—on January 9, 1813, where
she encountered a heavy storm, and
after a fearful struggle with wind
and snow was dashed upon the rocks.

The first intelligence of the wreck was
brought to Sitka by two sailors who were
sent overland by Lieut. Podushkin after
reaching this side of Krusenoff island the
men sighted an Indian canoe and ap-
proaching it begged of the Indians by
signs to take them to Baranoff. They
apparently agreed, but instead convey-
ing them to an Indian village on Crab Apple
island, about two miles distant. When
there the Indian chief inquired, through
a Russian interpreter, from whence they
came. The men being anxious for the
safety of their comrades, whom they had
left at the place of the disaster, told the
chief that they were out fishing, were
caught in a storm, lost their bearings,
and were inhabitants of Sitka.

After the usual Indian ceremony and a
big-wow-wow they agreed to convey the
men to Baranoff. Once having set out
they demanded the equivalent of fifty
blankets. The men under these cir-
cumstances were forced to this contract.
So accordingly they were safely landed
at Sitka, but in a pitiful condition, half
dead from exposure and starvation. One
of the two strangers was at once report-
ed to the governor by a guard. He gave
orders for the strangers to be immedi-
ately brought before him. As soon as
the men entered his chamber he anxiously
inquired "Do you bring news of the
Neva?" She was then two months over-
due. It was then they related their tale
of woe, handing him the letter. After
reading the epistle he was overcome with
emotion and cried bitterly. The Indians
received a compensation of five dollars
and the messengers were cared for by
the hospital inmates of the castle—which
is no more.

The following day he ordered a cutter
to be manned with eight stalwart sailors,
and heeding no other advice, set out
to rescue the unfortunate near Mount
Edgemoor. After a cruise of two days
and nights, he was compelled to abandon
the search on account of a snow storm
approaching. Ten days of painful
searching and waiting, and the vessel was
lost. One of the news-bearers, who by
this time had sufficiently recovered from
his feeble condition. The cutter left
Sitka in the early morning and before
nightfall they sighted the survivors on
this side of Krusenoff island, while they
were hearing any tidings of the two men
they had committed, and apprehending
some evil, had started overland them-
selves. Baranoff took them aboard and
brought them to Sitka.

The captain of the Neva told Baranoff
he had placed the valuables saved in
barrels, interspersed them by a creek by
a large spruce tree, which could be identi-
fied by a notch cut in the bark. After the
wreck they proceeded to build a stockade
and huts for shelter, facing hostile
Indians. One of those days they were
warlike and constantly avenging them-
selves upon the Russians for the persecu-
tions they had received at the hands of
Baranoff, some time after the massacre
at Old Sitka, which is six miles north of
the present place.

It may be stated here, that they had
nothing to fear from the Indians in the
vicinity, as at that time the caves were
supposed to be haunted by witches. Many
years prior to the wreck a volcanic
eruption took place, and the sea was
broken by a horrid of indignation and
a rush for the platform. The Anarchists
fought hard to protect the speakers, and
the police tried to restore order, but the
police were thrust aside by the anti-Anar-
chists, and the Anarchists were forced to
run out of their park for their lives, pur-
sued by the mob. Samuels succeeded in
getting away unharmful but hundreds of
his Anarchist audience had their clothing
torn from their backs, and many of them
received cuts and bruises which they will
carry for some time.

London, May 1.—The Anarchist meet-
ing in Hyde Park proved to be a suc-
cess. The speaker, who was a man of
lively address, before making a speech
the expulsion of the speakers and their
audience. Among the speakers were Editor
Samuels, of the Anarchist organ "Com-
monweal," Louis Michel and several
other English and foreign leaders. The
audience was small, but noisy. Editor
Samuels got well into a fervor over Val-
lant, Henri, and other martyrs, when
the storm arose. Several men in the
crowd who were not Anarchists protest-
ed against the style of oratory and were
quickly joined by others, the Anarchists
meanwhile denouncing those who had in-
terrupted their speakers. There was lull
for the space of a few minutes, and
Mr. Samuels resumed his remarks with
even more warmth than before. Sudden-
ly he became a howl of indignation and
a rush for the platform. The Anarchists
fought hard to protect the speakers, and
the police tried to restore order, but the
police were thrust aside by the anti-Anar-
chists, and the Anarchists were forced to
run out of their park for their lives, pur-
sued by the mob. Samuels succeeded in
getting away unharmful but hundreds of
his Anarchist audience had their clothing
torn from their backs, and many of them
received cuts and bruises which they will
carry for some time.

London, May 1.—The Anarchist meet-
ing in Hyde Park proved to be a suc-
cess. The speaker, who was a man of
lively address, before making a speech
the expulsion of the speakers and their
audience. Among the speakers were Editor
Samuels, of the Anarchist organ "Com-
monweal," Louis Michel and several
other English and foreign leaders. The
audience was small, but noisy. Editor
Samuels got well into a fervor over Val-
lant, Henri, and other martyrs, when
the storm arose. Several men in the
crowd who were not Anarchists protest-
ed against the style of oratory and were
quickly joined by others, the Anarchists
meanwhile denouncing those who had in-
terrupted their speakers. There was lull
for the space of a few minutes, and
Mr. Samuels resumed his remarks with
even more warmth than before. Sudden-
ly he became a howl of indignation and
a rush for the platform. The Anarchists
fought hard to protect the speakers, and
the police tried to restore order, but the
police were thrust aside by the anti-Anar-
chists, and the Anarchists were forced to
run out of their park for their lives, pur-
sued by the mob. Samuels succeeded in
getting away unharmful but hundreds of
his Anarchist audience had their clothing
torn from their backs, and many of them
received cuts and bruises which they will
carry for some time.

New York, May 1.—Harrison Price, a
passenger on the Steamer, which arrived
here to-day from Southampton, com-
mitted suicide while on the way over by
shooting himself.

ALL OVER A BATH.

Can the City Give Chinese a Bath?
Habeas Corpus Case
Hearing.

The City Health By-Law Will Not
Stand the Scrutiny of a
Legal Eye.

Fifty-six Chinamen were given a bath
at the suspect station last night. They
were brought from the Flewery King-
dom by the Canadian Pacific liner Em-
press of China, which arrived in port
yesterday morning. The bath was given
in the presence of Sanitary Officer Con-
lin and Police Officer Purdie. They
were put into a tub, six at a time, each
tub containing hot water with a strong
disinfection mixture. It took over two
hours to put the Celestials through the
process of fumigation. While the bath-
ing was going on in one room in another
department the baggage and clothes
were being fumigated. Early this morn-
ing the Chinamen were liberated and
many of them wandered down to the
supreme court building and were hearers
of the argument of learned counsel over
a writ of habeas corpus in which their
own liberty was concerned.

The writ of habeas corpus was return-
able 10 this morning. Justice Walk-
em was on the bench.

H. D. Helmecken appeared for the al-
leged ill treated Celestials, and by his
side sat Ling Hook, a Chinese merchant,
who is said to be the moving spirit in the
action for the redress of alleged offences
to his fellow countrymen. J. P. Walls,
appeared on behalf of the city. Dr.
Duncan, medical health officer, sat near
Mr. Walls. In the audience were many
Chinese, who took great interest in the
proceedings.

Mr. Helmecken said the Empress of
China came into port yesterday and the
passengers were examined by the medi-
cal health officer for the Dominion, Dr.
Jones. They were all passed. Directly
the Chinese passed the city boundaries
they were hustled into wagons and taken
to the suspect station. He claimed that
the city had no right to detain these
Chinese passengers after they had been
passed by the Dominion health officer,
Dr. Jones. There was no authority in
the by-laws of the City of Victoria giv-
ing such powers. The clean bill of
health of the Dominion health officer en-
titled the passengers to land without
further detention and examination. The
detention of the Chinese in the absence
of evidence that they had been exposed
to infection was unlawful. The health
by-law of Victoria, 1893, sec. 12, said:

12.—In case any traveller coming from
without the city, or any person residing
within the city, is infected with or ex-
posed to any of the diseases mentioned
in this by-law, the medical health officer
may make effective provision in the man-
ner which to him shall seem best for
the public safety by removing such per-
sons to a separate house, if he considers
it to be in the public interest, or by
detaining them in the city, or by otherwise
isolating him, if it can be done without
danger to his health and by providing
nurses and other assistance and neces-
saries, together with food and clothing,
or the cost of his parents or other
person or persons liable for his support.

Section 15 ran as follows:
15.—If the medical health officer or san-
itary inspector believes that any person
is infected, or has been exposed to infec-
tion, or that his or her clothing or other
effects contain infection, either of them
may detain such person or his or her clo-
thing and effects aforesaid, and such
person and the clothing and other effects
shall be at once disinfected.

These were the sections under which
Dr. Duncan, health officer of the city
of Victoria, had acted, and the court
must see that he had overstepped his
authority, perhaps unintentionally. Nev-
ertheless he had done something which
the by-laws of the corporation of Victo-
ria did not give him the power to do. A
medical health officer could not detain
upon mere suspicion; he should use his
authority with discretion.

Justice Walkem said a Chinaman had
the undoubted right under the English
law to be treated just the same as a
white man. A medical health officer had
no right to detain unless the suspicion
was well founded. The Bowack case
was not a parallel, although some of the
circumstances were the same. The ques-
tion was this case, whether Mr. Bow-
ack had come from an infected locality,
and if he had been within such a local-
ity of the place of infection as to render
him liable to contract or spread the dis-
ease.

Mr. Helmecken said that was the case
of the trouble.

Justice Walkem replied that he had
called for three affidavits in the Bowack
case before liberating that gentleman.
It was a very great question involved be-
tween the liberty of the subject on the
one hand and the public health on the
other.

Mr. Helmecken said the Empress of
China had been stopped in the stream
by Medical Health Officer Jones and a
tender had taken the passengers to the
outer wharf, where they had been ex-
amined, their marks noted and entries
made in a book kept for the purpose.
A number of people had come in con-
tact with these Chinamen while on the
wharf. The Chinamen had been passed
by the Dominion authorities and arrest-
ed by the city officers. Why did not the
city officers detain the persons who
had come in contact with the Chinamen?
They would have had a chance to con-
tract the disease if the Chinamen were
infected. The Chinese stood by the by-
law and wanted the same treatment as
white men.

Justice Walkem said he was not at all
sure that the city had not the right to
protect itself after the Dominion govern-
ment had done examining.

Mr. Helmecken said the Canadian
Pacific railway had nothing to do with
the affair. It did not matter to the
railway so long as they were able to land
the passengers.

Mr. Walls said Mr. Helmecken omitted
to quote very valuable section of the
health act in favor of the city. Section
16 read:

If the medical health officer only sus-
pects that any person or the effects of
any person have been exposed to infec-
tion he may keep such person under ob-
servation.

This course was greatly beneficial to
Chinamen.

Justice Walkem thought a good bath
would benefit the Chinamen, but they
objected, and they had just as much
right to object as a white man. To de-

tain a Chinaman was to practically
make him a prisoner.

Mr. Walls said the Chinamen were
bathed and then liberated.

Justice Walkem said the by-law gave
the power to the health officer to keep
his eye on the man. That was what
the word "observation" amounted to.
But this must be done according to law
and the health officer must be careful
not to exceed his rights. He did not
think that Dr. Duncan would intention-
ally use arbitrary authority, but health
officers often had it in their power so
to do. He asked whether an affidavit
had been filed.

Mr. Walls said he had one.

Justice Walkem said the writ had been
made returnable at 10 this morning on
purpose to give time for the filing of
affidavits.

Mr. Walls read the affidavit. It ran as
follows:

1. George Duncan, of the city of Victo-
ria, British Columbia, medical health
officer in and for the city of Victoria,
make oath and say:

That I have read the affidavit of
James Allen, Chinaman sworn on the 1st
day of May, 1894.

2. That the steamer Empress of China,
referred to in paragraph 2 thereof has
recently arrived in Victoria from China
and Japan, on board of which steamer
were the above named Yon Je and
other Chinamen referred to in the
said affidavit.

3. That from conversations recently
had with medical missionaries from
China and Japan, I have good cause to
believe that smallpox is epidemic in the
said countries, that the Chinese have no
fear of smallpox and actually expose
their children to infection.

4. That I am well acquainted with the
habits of Chinamen from my experience
as medical health officer of the said city,
and have had great difficulty in stamping
out smallpox from portions of the city
where the Chinese reside, all from the
wheedling and seemingly attempting to
conceal the fact of the existence of any
case of smallpox among them. They
freely mingle in and out of houses in-
fected with the disease, and the white
population of the city are thus exposed
to contagion.

5. That the Empress of India on her
last trip from China and Japan had sev-
eral cases of smallpox on board, which
were landed at Yokohama, and put
into quarantine there, and the ship pro-
ceeded to Vancouver with the rest of the
Chinese and Japanese passengers on board.

6. That several days after landing in
Vancouver, a case of smallpox broke
out among those held in bond, bound for
ports in the United States.

7. From this reason and from my ex-
perience with Chinamen and from my
knowledge of their habits, and the dan-
ger of allowing the entrance of smallpox
into Victoria again, I advised the mayor
of the said city that the Chinamen on
board the Oriental steamer should be
detained, and with their baggage, dis-
infected before being allowed to enter
the city.

8. That the said mayor, under the pro-
visions of the health by-law, 1893, for the
said city of Victoria, gave me directions
to detain the Chinamen according to
the provisions of the said by-law.

9. That I believe the baggage of the
said Chinamen to be particularly danger-
ous, coming as it does from quarters
which we knew not of among the Chi-
nese, or the cost of his parents or other
person or persons liable for his support.

10. That it is dangerous that the said
Chinamen should be detained in quarters
which we knew not of among the Chi-
nese, or the cost of his parents or other
person or persons liable for his support.

Mr. Walls said the affidavits of other
medical men might have been