could not positively swear that it was, except that I saw the writing that pur- ary. ported to be Mr. Nichol's.

Court-Q.-Remembering what you that, as to whether it is entirely based fied: say, that Mr. Nichol wrote, and outsid- on that interview. ers wrote, can you say that any particular passage in "Men and Things," there, in referring to the paper which has been Q .-- And you reside on Burnside road? that was in the handwriting of Mr. handed to me, and which I presume is a A .- Yes. Nichol? A .- To any particular part? Q.-Yes? A.-No.

Mr. Martin-Q .- Can you take it up it refers to an interview with me, but Mr. Marin-Q.-Call you take it up and say, for instance: "This was writ-ten by Jones and this by Brown and this by somebody else?" A.-No. I sim-Q.-You could not say if it were en-Where did you first see that paper? A.this by somebody else?" A .- No. I simply glanced at the heading. Court-You cannot say a single word er it is based on that, Perhaps it says of that copy of "Men and Things" was in here, I do not know-perhaps it says

written by Mr. Nichol? A .- I said part further on it is based on that; I don't of the copy I understood was written by know. Q.-You cannot say it is based on that? Mr. Nichol. Mr. Martin-I do not think he under-A.-I cannot say what they based their

charges on stood your worship. Court-Q.-Pointing to this paragraph, you cannot say whether it was or not? I want to know what the alleged libel A.-Arthur Wheeler. You cannot say any particular part of was on? A .-- Yes. I don't know.

"Men and Things" was written by Mr. Q .- It says here, "on Sunday-that is December 5th-this was followed with Nichol? A.-No. Mr. Martin-Q .- Or by anybody else? an interview with the Hon. J. H. Turner." A .- Yes. A.-No.

Q.-A reference to your interview takes Court-Have you read this article that is the subject of this inquiry? A .- I read place at the beginning of the article? A.-Yes. it after it was in print.

Q .- You read it after it was in print? Q.-And there is another reference to it a little later, if you read down? A .--A.-Yes. Q .- When did you read it? A .- It Yes. I see that.

might be the next day, or the next day. Mr. Cassidy objected that evidence as Q .- When did you first read this artit, whether or not there was an inter-A .- A day or two after; that is view with the witness is not admissible, Saturday or Sunday; it might have been neither the witness's opinion as to later, but I read it after it was issued. whether or not the alleged libellous arti-I did not know that the article was in cle was a fair comment. it, because I did not know that they Q .- Did you authorize the publication were examined until Monday; or, that of an interview in the Colonist for Sunthere was any case on, so I guess it day, December 5th, as mentioned in the

must have been Monday before I read article complained of? Witness stands aside. disallowed. George Sheldon Williams, called and Q.-I produce a copy of the Colonist sworn testified: for Sunday, December the 5th, and I ask Court-Q.-What is your full name, you if an alleged interview there, entiti-

Mr. Williams? A .- George Sheldon Wiled: Q .- Your occupation? A .- A proofterview

Objected to on the same ground; and reader. Q .- And you live where? A .- I am question disallowed. Q .- What are the names of the two

at present sleeping at night at the Provmining companies with which you are ince building. connected as a director or otherwise* Mr. Cassidy-Q.-You are employed in the Province building? A.-Yes, sir. Q.-By which company? A.-The Prov-English mining companies doing business in this country?

ince Publishing Company. Q .-- You say you are a proof-reader? question disallowed. A.-Yes, sir.

Q .- You know the article in the Prov-Cassidy to write on your behalf to the ince of December 11th produced, begin-Province, Limited Liability, the publishning: "There is light at last." Did you read the proof of that article? A .-- Yes; parties were who were responsible for it, on December the 16th? the proof; yes, sir.

honor?

allowed.

ness stands aside.

such company?

Objected to.

Witness stands aside.

barrister-at-law? A .-- Yes.

testified:

Q .-- You read the proof of this article? Objected to. Question disallowed. Who with? A .- I could not recollect, Q .- Did you authorize Mr. Cassidy to Mr. Cassidy; I have no regular copywrite to the same parties on any other date, asking for an immediate opportunholder.

Q .- Whose writing was the copy in? -I could not tell you, sir. Q .- Isn't it your practice to read through with the person who writes the

article, who writes the copy? A .- Oh, no, sir. Some of the people who write the copy are a couple of thousand miles away Q.-I know that; but I mean in the

case of an editor? A .- No; never. I will be disallowed? never heard of it being done on any pa-

Q .- You did not read copy with Mr. that he writes copy. Q.-You do not know who the editor ings prevented the defendant from provpaper is? A .-- No. sir.

get on with the case. A .-- I cannot express an opinion on Arthur Davey, called and sworn, testi-

Court-Q .- Arthur Davey, student-at-Q.-I did not say entirely. A.-I see law? A.-Yes.

correct paper, that it refers to an inter- Mr. Cassidy-Q.-You are a student view: I had scarcely noticed it before; in my office, Mr. Davey? A.-Yes. Q .-- I produce to you a copy of the

tirely based on that? A .- No; or wheth- I purchased this from Mr. Arthur Wheeler in the Province building in this

city on December the 16th. The document was put in by Mr. Cassidy, marked exhibit A.

Witness stands aside.

Arthur Wheeler, called and sworn, testified: Court-Q .-- Your name, Mr. Wheeler

Q.-You are of the Province Publish-ing Company, Limited Liability? A.-

Yes. at No. 4 James street.

Mr. Cassidy-Q.-You are a clerk employed in The Province building? A .- I am.

Q .- By what company? A .- By the Province Publishing Company, Limited Linbility

Q.-There is a newspaper company also occupying that building, is there not? think he was, but I should not like to

ince, Limited Liability.

lished from that building? A .- Yes. Q .- Which company makes up the paper; that is to say, in regard to the writing and the rest of it? Which com-

you be a little more explicit? Q .- What are the positions of the two

"Mr. Turner's Answer," represents your view? A .- Just in the relationship what you said in the course of the in- of customer and printer. ne remain in Victoria? A .- Only a few Q .- That is to say, the publishing com-

> company? A.-Yes. Q.-You sold a copy of this issue.]

December the 13th last. A .- Yes. Q.-At the Province building referred

Cross-examined by Mr. Martin. Objected to on the same grounds; and Q .- Did you sell that for the Province Publishing Company on behalf of the proprietors of the paper? What I mean

ers of this alleged libel, asking who the for the Province Publishing Company to sell those papers? A .- No, sir. Q.-In selling it was it not a personal accommodation to a clerk or clerks for the newspaper company and whose busi-

Re-examined by Mr. Cassidy. ity to vindicate your public and private Q .- You sometimes do sell these pa-

Objected to as irrelevant; question dis-Q .- Although you are a clerk for the blishing company? A .- Yes. Q .- Now, who makes up the bundles pose of being sent to the mail? Objected to as not re-examination. panies and the offices he holds in them Question allowed.

A.-One of four boys.

His Worship-That is right. I cannot Q:-In whose employ are these four let such questions go in as evidence. Mr. Martin then stated that under ing-the last time that question was ask-Nichol? A.-No; I do not even know such circumstances it would be useless ed me, in a former case, I said that they to prolong the examination, for his rulince Publishing Company. I say now,

Question allowed as being prelimin- this end the question now and we will fairs of the two companies? A .- No; I Mr. Martin quoted numerous authoriwould not like to say that. Q .- Well, those two companies hold eetings of the board of directors, don't A.-Oh, yes. they?

time he was appointed?

Q .-- How many directors were there at

Q .- That will be yourself, Mr. Bostock

who? A .- And Mr. Scaife.

Q .- Mr. Hewitt Bostock is a director of both companies, is he not? A .- Yes, I think he is; yes, he is. Q .- Am I correct in saying that the general policy of the Province newspa-

per with regard to the course of its articles and editorials is controlled by the directors? A .- The general policy of the newspaper is controlled by the directors. you ask?

Q .- The general policy and course of the newspaper with regard to its editorials is controlled by the board of di-

rectors? A .- Yes, I suppose it is, according to what the general policy is. _Q.-Mr. Nichol has been editor of the

SUPPLEMENT.

Province for some time back, has he not? A .- Only a month or two.

Q .- Since about when? A .- Since beginning of October. Q.-He was such editor on or about

the period of the publication of the issue Q .- And residing where? A .- I reside of December 11th last? A .- Yes. Q .-- By whom was Mr. Nichol appoint-

ed to that position? A .- By the direc-

Q.-Including Mr. Bostock? cannot remember whether Mr. Bostock was-you mean was Mr. Bostock present at the

Q .- Well, yes, if you know? A .- I should not like to say that he was. I

A.-Yes. Q .- What is it called? A .- The Prov-

Q .- The Province newspaper is pubthat time, and are there now, of the l'rovince, Limited Liability? A.-Three.

Objected to as irrelevant. Question pany gets out the paper, in the sense of making up the paper? A .- Would Oh. ves.

> companies in relation to this paper, in think he was; I am not certain. Q .- And for how long after that did

pany print the paper for the newspaper

believe, to my clerk, Mr. Davey, about

to? -A -Yes.

Q .- Mr. Turner, did you anthorize Mr is this: is it part of your duty as a clerk

ness it was to sell that paper? A .--

pers? A.-Yes.

Mr. Martin (to the Magistrate)-Am I to understand, your worship, that any of the Province newspaper for the purquestion I might ask this witness regarding his connection with mining com-

boys? A .- Well, I-excuse my explainwere in the employment of the Prov-

run as one affair, and run by Mr. Ian ties in support of his contention, and claimed that too much latitude was be-Coltart. Witness stands aside, not cross-examing allowed Mr. Cassidy in his conduct ined.

Walter Cameron Nichol, called and Question allowed, as admissible on sworn, testified:

the proposition sought to be established Court-Your full same? A .- Walter that the defendant is practically the Cameron Nichol. master spirit of the two companies.

Q .- You are editor of the Province which the prosecution has the right to newspaper? A .- Editor of the Province, Q.-And you live where? A.-130 Cadboro Bay Road. Q .- What proportion of the stock of

the Province, Limited Liabilty, did Mr. Mr. Cassidy-You were editor of the Bostock hold at the time of the publica- Province newspaper during the month

tion of this? A .- Am I obliged to an- of December last? A .- Yes. swer that question? I claim a privilege Q .- That is to say during the whole

that I have no right to give information of the month? A .- During the whole of that kind. I have received special in- of the month. structions from the directors-not with

Q.-When did you become editor? regard to this, but general instructions. A .- Somewhere about the first of Oc-I have been instructed as secretary of tober, I don't remember the exact date.

the company to do certain things; now, Q.-By whom were you appointed? it is disloyalty to my company to go A .- By the Province, Limited Liability.

aside from these instructions, and I am Q.-By the directors? A.-By the asked to give what I have no right to directors

Q .- Were you present at the meeting Court-You must answer, Mr. Coltart. at which you were appointed? A.-I

Mr. Martin (growing restive)-Now, was not. your worship, I object. This is going Q.--In what manner was your appoint-

against himself.

swer?

ernment?

ment conveyed to you? A .- I think it Court-You are before the court, and was Mr. Scaife told me. the court says you must answer; the Q .- Was it in writing? A .- Oh, no,

court is to blame if you do wrong. Your | only verbal. lawyer is here. You are exempted now

The court here advised the witness

ing against him in which this question

is involved, and was not directly proved,

might make to the question could not

be made any possible use of in the case

The Witness-It is a privileged an-

Mr. Cassidy-You had written previ-

ous articles in the Province along the

Q.-I mean to say about this matter

of the so-called improper connection of

Messrs. Turner and Pooley with pub-

Q .- For instance, I show you one on

page 881 of the issue of December 4th,

1897, under the heading "Men and

Things," commencing with the words

"The Hon. J. H. Turner and the equal-

ly honorable C. E. Pooley," and ending

ing a dollar." Did you write that. A .-

"There is no longer any hope of mak-

Q.-And I also produce to you an is-

sue of The Province newspaper on No-vember 27th, 1897, and on page 853

show you under the heading "Men and

Things," an article beginning: "The

chorus of condemnation continues. On

every hand, from every quarter of the

civilized globe almost, the legislative de-

coy ducks of British Columbia are be-

ing denounced," down to "find them-

selves called upon to blush for your

memory and your name, and pray that

the pitying mantle of silence and forget-

fulness be thrown over both." Did you

write that too? A .-- I wrote that, too.

Q .- Now, to what extent did the di-

rectors of the Province interfere with

lic companies? A .-- I think I had, yes.

same line? A .- Criticism of the gov-

that as a matter of law any answer

The Court-Yes, that is so.

A.-Yes, I wrote it.

Yes, I wrote that.

Q .- Was there a written contract? A .- Three-fourths, I should say. A .- No written contract. Q.-Three-fourths, you should say? Q .-- I produce to you a copy of the is-

Court-I do not think you need get sue of the Province of December 11th, 1897, and I show you an article in there at it any closer than that. Q.-I now ask you the same question beginning on page 908, with the words "There is light at last," going

with regard to the Province Publishing Company, Limited Liabilty. down to the words, "highest bidder, Mr. Martin was on his feet in page 909. Did you write that?

stant with the objection that to allow such a question would be a deliberate Q .-- Was Mr. Scaife here at the time defiance of all the rules of evidence. It that inasmuch as there was a case pend-

of the appointment of Mr. Nichol? A .was bad enough to allow the other one; to allow this would be an unheard-of Q .- Do you know whether Mr Bostock and outrageous proceeding.

pointment of Mr. Nichol? A.-Yes, I pontment of Mr. Nichol? A.-Yes, J The court ruled that the witness must answer and Mr. Cassidy had started to repeat his question when Mr. Martin.

of the case.

show.

give.

in a voice that trembled with indignation. said:

For the space of a moment not

"Just one word-

"I see there is no protection to the pri-Q .- Is it correct to say that Mr. Nichol vate interests of my clients, and I will was given a free hand by the directors withdraw from this case. I have prowith regard to the editorials which he tested against what I consider is irreleshould publish? A .- No; I think you vant evidence and I have been overruled

will find my answer to that question alsystematically. I assume that you have ready recorded in the evidence. I would done what you think right, your worship, piefer to have that read. Q.-In a previous case? A.-Yes. however.'

His Honour-You need make no com ments on that, Mr. Martin. Q .- Very well. Is this right: "Mr. Nichol, the editor, has had a free hand Mr. Martin-All I say on the matter i in the conduct of the paper, so far as I that your ruling shows me that it is idle

know?" A.-Yes. to come here as counsel for a Q .-- Has Mr. Bostock attended any man and expect to have the rules meeting of the directors since the apof evidence construed as they are genpointment of Mr. Nichol, up to the date erally construed in courts of justice.

o" the publication of the libel? A .-Mr. Martin's remarks were listened to After the appointment of Mr. Nichol, in profound silence. When the full did you say? meaning of them came home to the spec-Q .-- Yes; between the appointment of tators they gasped. Magistrate McRae Mr. Nichol and the date of the publicaturned pale, Mr. Cassidy seemed struck

tion of the alleged libel, did Mr. Bostock dumb. attend any meeting of the directors? A. a sound was heard. Everyone looked -Yes. I think he did. Q .- About what times? A .- I think to see what would happen next. Mr. Martin quietly pulled the strings of his my previous evidence I stated that

bag together and started to walk out of to the best of my knowledge there had the room. been two meetings of directors since the "One moment, Mr. Martin." said the appointment of Mr. Nichol. Q .- Have you got the minute book of court. the company here? A .- No.

"I wish your henour good afternoon," said Mr. Martin, as he vanished Q .- A summons was issued for you to through the door. produce that here. You received the A moment later Mr. Cassidy, who had summons yesterday afternoon? A.-Yes. Q .-- To produce the minute book of

by this time recovered his self-posses sion, rose to his feet and began to compliment the magistrate on hi

London, Feb. 26 .- A desp Daily Mail from Singapore ported from Chinese source Kong, that a French force ha Kwan-Chuen-Wan, 240 miles of Hong Kong, and has in Chinese that it intends erec

and Public

Important Schemes Maturia

Beform-London County

Bursting of West Africa

The West African war scar

The version of the logithty leaves and the second s

company, unlike the governi comparatively free hand, bei position of an individual e

ssers from his premises. the company say they

rhough the Secretary of

Colonies, Mr. Chamberlain, and Friday, in the House of Con-the cabinet is a unit on the West Africa, parliamentary g

West Arrica, pariamentary g that the Marquis of Salisbury the deciding trick of his gam Chamberlain in announcing t from the ambassador to Par mund Monson, in the House of Tuesday. The premier, both

ner and matter, has taken a p in snubbing Mr. Chamberla evident from the fact that t which in substance set forth

hostile intention in

and no hostile intention in V and had no knowledge of t of French troops in the Sok was not communicated to th Commons by the parliamenta for foreign affairs. Hon. Mr. the reason that he "had n foreign screetary that day."

the reason that he "had n foreign secretary that day." Mr. Chamberlain is most am

particularly so as many C have expressed anger at his

Inglish Press on the Maine

The sensational despatches

The sensational despatches repeat the alarmist utteran ent McKinley, Secretary her officials, are beginning t opinion on this side of t d create the impression ay possibly be truth in hich allege that the loss o as not due to an accident st believed here, although t e United States and Spain uded as improbable. The d

Distant will at

the West African

Maine Scares.

Elections

\$1.50 ANNUM

VOL. 17.

Press

Q .- Do you know who is supposed to be the editor of that paper? A .- No, sir. I qualify that, Mr. Cassidy, by saying that I know by Mr. Martin's admission to-day; that is the first time I ever heard it. Through Mr. Martin's admission to-day I know that Mr. Nichol is the editor. That is the first I knew of

Q .- How long have you been around there? A .- As a proof-reader, since the bia? A.-I am. 6th, I think, Monday, the 6th of De-

Q .- You have only been there since Monday, the 6th of December? A .- As pioof-reader.

Q .- Since the 6th of December last A.-I think that is the date, sir. Q.-What were you before? A.-A colprovince or the Yukon? fector for the Province Publishing Com-

Q .- Do you know who was proof-read er before you went there? A .- No, sir.

Witness stands aside. Mr. Cassidy-That is the case, your such companies?

Mr. Martin asked that the charge be dismissed on the ground, first, that it not proved that the defendant composed or wrote the alleged libel; nor, second, that he handled what was written, or coused it to be delivered to some thirdperson; all of which must be strictly tion for trial. proved in order to bring the charge home the defendant. (Citing Odgers on libel and slander, p. 170.) Also on the ground that it is not proved that the article in question is in fact libellous. Court adjourned until 2:30 p.m.

At 2:30 p.m. court met pursuant to adjournment.

The court heard the argument of press his disapproval of this indecency ment until next day at 11 a.m., when indgment would be given on the motion to do anything of the sort. Mr. Martin judgment would be given on the motion to dismiss the charge.

On court being resumed on the following morning, the motion to dismiss being denied, the defendant was called upon approval of such comments. to exercise his privilege of answering the charge if he desired.

The defence made a sensation in court by calling the Hon. J. H. Turner, the houour, even express disapproval of these premier of the province, as a witness. comments? It had been generally expected that he His Honour-No, Mr. Martin; I can do othing in the matter. I am not in any would appear as a witness on his own behalf, but did not do so. When he was position to control press comments. subpoenaed to give evidence for the de-Mr. Martin-But, your honour, this pa-per has for the second time commented fence the surprise was universal. Mr. On

Turner looked pale and worried. or these cases, and I maintain that your being sworn, he testified: Court-Q.-Your name? worshi A.-John The Magistrate (sharply)-You "sub-Herbert Turner.

mit" rather, Mr. Martin. Q .- And you live where, Mr. Turner? Mr. Martin-I submit and maintain that A .- Pleasant street, Victoria. your worship should express strong dis-Q .- Your occupation? A .- A merapproval of these comments. You will

not allow me to read the article in the chant. Mr. Martin-Q.-Now, Mr. Turner, Colonist? would you kindly look at the copy of the The Magistrate-I have given you my Province produced, marked exhibit A, in reasons. this matter (handed to witness)? A .--In reply to further remarks by Mr.

Yes Q .- The alleged libel is based on or is not need to remind me of my duties,

reference to an interview with you which was published in the Colonist of Mr. Cassidy made objection to the discussion of the point in court, saying December 5th, is it not?

Mr. Cassidy objected on the ground it should have been left outside. that the character or basis of the libel Mr. Martin-In other words, I am to is a matter for the magistrate's considstand by and see my clients foully tra-

eration, and not a matter of evidence; duced and pilloried. His Honour-As I told you before, Mr. evidence bearing on the scope of the Martin, I have no more to do with such spectively? A .- Yes. libel, or upon exculpation, would not be matters than an ordinary citizen. Let!

ing the truth of the alleged libel. Wit- to the best of my knowledge, they are in the employment of the Province Pub-Hon. C. E. Pooley, called and sworn, lishing Company.

Q .- When those bundles are so made Court-Q.-Charles Edward Pooley, up for mailing, whose duty is it to take them to the mail? A .- A boy by the Q.-And you live on the Esquimalt name of Jameson. coad? A.-I live on the Esquimalt road. Q.-In whose emp Q.-In whose employ is he? A.-Well, Mr. Martin-Q .- You are the president the same explanation occurs in this one:

of the council, Mr. Pooley, and a memto the best of my knowledge he is in the employ of the Province Publishing Comber of the legislature of British Columpany. Q.-And you complain of an alleged

Q.-The paper is published by the Provdefamatory libel published in the Province. Limited Liability? A .- Yes, sir. ince of December the 11th? A .-- Yes. Q .- There is no doubt about that? Q .- Are you a director on the advisory A .- There is no doubt that the Province. board of both of two companies formed Limited Liability, publishes the paper. in London for the purpose of carrying That is admitted in the former trial. on mining and trading operations in this Re-cross-examined by Mr. Martin. Q .- Now, Mr. Wheeler, what is your Objected to. Question disallowed. means of knowledge when you say that Q.-Do you hold any shares in any the paper is mailed by one of four boys for the Province Publishing Company? How do you know that boy is employed Objected to. Question disallowed. by the newspaper company? A .- Well, Q.-Have you drawn or been promised I made a reservation, Mr. Martin, by any emoluments or honorarium from any saying to the best of my knowledge.

Question disallowed. Q.-As a matter of fact, you do not know that boy is in the employ of the newspaper company, or in the employ The hearing for the defence here closof the other? A .- I would not swear to ed. The court adjudged that the deferdant Nichol be bound over to appear

Q."Do you know anything about the at the first court of competent jurisdiccontracts between the Province, Limited Liability, and the publishing com-puny? A.-No; I know nothing about At 2 o'clock in the afternoon the case

against Mr. Bostock was taken up. Mr. Martin, counsel for the defence, Court-Q .- As a matter of fact, Mr. drew the magistrate's attention to the Wheeler, tell me approximately, did you repeated infractions of the law by the sell or otherwise dispose of the Province Colonist in publishing comments upon newspaper over the counter in the month the case, and desired his honor to exof November last, or a month previous to this issue in question? A .- Well, your counsel, and took the case under advise- and fingrant violation of a well-under- worship, it would be a difficult question to answer. It is a very rare thing for me to sell any paper; and as to how referred particularly to an editorial in | often, I cannot possibly answer. It may the Colonist of the 7th inst., and asked have been once, and it many have been the magistrate to express his strong dis- ten times. I would say if I sold it half

dozen times it would be an outside Q .- In the previous month? A .- In had ruled before he would rule now. the previous month. Mr. Martin-And you will not, your Witness stands aside, Ian Coltart, called and sworn, testi-

fied . Court-Q .- Ian Coltart, accountant, Claigflower road? A.-Yes. Mr. Cassidy-Q .- You are a director n the Province, Limited Liability? A .-

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

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

Q .- You are secretary of the Province, Limited Liability? A.-Yes. Q .- As the managing director and see retary, I suppose you have a knowledge

of the working of those two concerns? A .- Well, I don't like that expression managing director and secretary. Will you separate them, please? I am not nanaging director and secretary of either

one company or the other. Q.-I mean as managing director of the publishing company and as secretary of the Province, Limited Liability, re-

Q .- Have you a knowledge of the af

Objected to unless the summons produced. Q .- Here is the original summons

the company?

some show of returning colour. served upon you. It says, "and to bring When Mr. Cassidy had finished the with you the share lists and the minute magistrate remarking that he had no debook and any other books or documents sire other than to do his duty, said that of the Province, Limited Liability, and in the emergency he supposed Mr. Bosof the Province Publishing Company, Limited Liability, which would show the interest of said Hewitt Bostock in tock would want time either for reflection or to engage new counsel. He suggested an adjournment until the evensaid companies." Did you notice that there was anything about minute books ing.

Mr. Bostock-"I think I would prefer in that summons? A .-- I must say I read the summons, and it did not conto proceed." Magistrate McRae pointed out to Mr. vey much information to my mind. As

a matter of fact I consulted my solici- Bostock that he was unrepresented by tor and was guided by him in the matcounsel and might want time for reflecter-the company's solicitor. tion. The court ruled that owing to the Mr. Bostock said he had not asked for

wording of the summons the witness is any adjournment and if his wishes had not guilty of any contempt of court in any bearing on the matter he would sconer go on without further delay. not bringing the minute book. Mr. Cassidy-I submit we are entitled Magistrate McRae insisted on the adto the minute books. I do not want to journment, however, the fact being deput the witness in contempt at all. But veloped that it was Magistrate McRae himself who wanted time for reflection. I want the documents and books here. Q .- Could you send for it? A .- Mr. and finally it was decided to postpone Cassidy, it seems to me that you want the further hearing of the matter until to get it on a point that I am willing to Monday afternoon at 2 o'clock, the idea give you, and we can get at it anyway. being that that would give the magis-You want to show that Mr. Bostock trate sufficient time to reflect on the unpractically owns the whole lock, stock expected turn of affairs and consult the

and barrel of the thing? I won't deny authorities. for a moment that Mr. Bostock has a When court resumed on Monday afpreponderating amount of shares of that ternoon, Mr. Bostock being still unrepre-

company, but there are two other shareholders there-shareholders to a large sented by counsel, Clive Phillips-Wolley was the first witness called. Being amount-in that company. sworn, he testified: Q.-I am not now on the point of pre Court-Clive Phillips-Wolley. A .ponderating interest. But you say that Yes. Mr. Bostock, between the time of appointment of Mr. Nichol as editor, and Oak Bay? A .-- Yes. the publication of the libel, attended two meetings of directors? A .- I said one time associated with the publica-I thought so.

tion of the Province newspaper in this Q.-Did you look over the minute book recently? That would be in the city? A .- I acted as editor for some minute book, would it not? A .- Oh, yes. time. Q .- Yes. I think for our satisfaction I would like you to send for it. Mr. Martin objected that the books were the property of the company and June, I think. not under control of the witness, and that the company objects to the producing of its private books; that the answer of the wifness is sufficient. Q .- About when was the last meeting of the directors at which Mr Bostock was present prior to this publication? A .- The 11th of October, I think. since I have been here, yes. Q.-Was Mr. Bostock in the habit of communicating with you as to the management of the paper during his ab-

A .- About five weeks I should think. sence? A.-Oh. certainly not. Q.-He did not? A.-Oh, no. Q.-You said just now that Mr. Bostime? A.-Mr. Ian Coltart. tock had a preponderating interest in the capital stock of the company; I refer now to the Province, Limited Liability? A.-Yes. Q .- What propertion of the stock should you say? Mr. Martin objected on the ground that because the proprietor of the paper far as the management? is the corporate company and not Mr. Bostock, it is immaterial for the pur-

my belief. Q .- Well, did you notice any distincposes of this inquiry what his interest tion at all? Was there, as far as you is; the company would not be the agent of Mr. Bostock, even, for example, if he owned 48 out of a total of 50 shares in the compary; that to enquire into the, exact number of shares owned by Mr. Bostock would be an unwarranted pry-

ing into private business.

you in writing those articles? A .- Not the case, the magistrate listening with a at all. pleased look on his countenance and

Q .- It is not too much to say, I suppose, that the directors, in common with other people, knew what you were doing? A.-I am sure I don't know. Q .- You don't know? A .- They never said anything about it, and I never asked them.

Q .- Well, is it right to say that they gave you practically a free hand? A suppose it is right to say that, yes. Court-Your answer? A .- It is right o say that, yes. I had no definite instructions at all of any kind. Witness stands aside, not cross-exam-

ined. The examination of Ian Coltart was here resumed, and in the course of a long examination, marked by repeated cross-firing between Mr. Cassidy and the witness, it was shown that Mr. Bostock had a preponderating interest in both companies, but took no active part in their management.

Mr. Bostock made a short, straightforward statement to the court by saying:

"I have no witnesses to call and I ask your worship to dismiss the charge against me. The only ground on which the prosecution seeks to make me criminally liable is that I am the proprietor of a company called the Province, Limited Liability, which published the alleged libel: I am a shareholder and a director, but I am not the proprietor. Sec. 5 of the Companies Act, of 1890, declares plainly that a company such as this is "a body politic and corporate, Q .- Barrister-at-law and reside at in fact and intename," and there can be no proprietor of what the statute has Mr. Cassidy-Mr. Wolley, were you at declared to have a distinct and separate existence. "The evidence for the prosecution shows clearly that I did not know of or see the libel before its publication, and gave no Q .- During what portion. Just give instructions regarding its appearance. the dates about? A .- Round about the As a matter of fact at the time of the time of the Jubilee-about the 10th of publication of the alleged libel I was over two thousand miles away (in Ontario), Q.-Do you know anything about the and only saw the copy of the paper conmanagement and publication of that taining it on the 23rd of December, paper as to who it is got up and pub- after my return to my ranch at Ducks. ished by? I mean at that time who "I have no desire whatever to evade it was got up and published by? A.— any responsibility for any of my actions, Who it was got up and published by? but I regard this prosecution as a trans-Q .- There were two companies, were parent and malicious attempt to brand there not? A .-- I have learned that me as a criminal and prevent both the press and the legislature of this province from discussing a matter of first importance to the people. "Such a prosecution as this could not

Q .- Who was manager there at that be begun in England without the order Q.-There is a printing establishment of a judge, and if it is the law in this there in that building? A.-Yes. country that shareholders, large or small, Q .- Do you know whether -as far as of companies, can be branded as crimyou knew at that time, there was any inals because of acts about which they division between the department who know nothing it is time the people reawrote and got up the matter which ap- alized their danger plainly, because I feel peared in the paper and the part sure they do not now." which printed it? A.-Do you mean as The court reserved de The court reserved decision for a day,

but the adjournment made no difference Q .- Yes, A .- No, not to the best of in the result. Mr. Bostock was committed for trial with the rest. All four of the "crim-

inals" are out on bail. observed, in there, any line of demarka-A sensational feature of the case tion between the employees who were

Q .- You were editor for how long?

occurred when Mr. Martin delibgetting up the paper and writing it-associated with that part of it-and the erately threw up his brief for printing establishment? A.-No, as far Mr. Bostock on the ground that he as I saw, the whole thing seemed to be could not get fair play for his client.

mistake, "as apart from ser material losses inflicted upon by the anarchy in Cuba mus

The Saturday Review is of that the affair is gravely of comments upon the silence of of Inquiry as being "ominous nervous anxiety of Presiden and his ministers to avoid a r Spain, it would obviously has to publish anything which w ton the mouths of Senator Allen, who with the assistant newspapers, are "yelling for in the best Jingo style." Pro in the best Jingo style." Pro Saturday Review says that Sherman having been silenced ple process of not allowing anything, the executive has anything, the executive has its secrets admirably, but it suspected that the pacific d President McKinley is large the reports of his naval adv effect that America is not in to go to war with Spain, v tainty of an immediate and o

States government. "whethe States government. "wheth information from Europe, rous of peace, is anxie

Army Reform.

The war office scheme, fo of the British army, which w in the House of Commons o the Hon. Mr. Brodrick, the secretary of the war office, an essential desideratum. adds 23,000 men, the larg ever proposed in Great Brits

o great is the Empire's that one in every sixteen ab in the country is serving army or navy, and one ouths, reaching the age of ined one of the two service awback of the present rodrick says, was its incap ide for sudden small wars oposed to meet the situat is 5,000 infantry to go or

ing 5,000 infantry to go and draw a shilling instead per day these men to be s Mr. Brodrick outlined a fice reforms, conferring la altiative and financial cont erals, and putting an end of constant reference to the minor matters. It was prop to create three effective any which two would take the ately, in case of war, and would be in readiness for m

cies, without calling upon No battalions of infantry fewer than 600 men, no can ewer than 350 mer ewer than 350 men, and pattery fewer than 150 men

County Council Co

London is in the throes ampaign in its history, the seats in the London count; sears in the London county pletely throwing into the s keenest fought 'general elections. For three weeks has been waging alike in 1 Whitechapel. Nightly the of meetings attended by cal and "front benchers" of bot the 118 sears to be filled of there are 340 candidates, in Independents. National iss included in the fight in a m uded in the fight in a m