

RUTHVEN IS ARRESTED

A Sensational Ending to the County Court Case in Which He Was Defendant.

Chief Justice Davis Orders His Arrest in the Courtroom for Perjury.

There was a short, but somewhat dramatic ending to the County court case of Schultz and Powell vs. Ruthven, Howe and Braden yesterday morning. The court was crowded with people to hear judgment delivered by the judge on what has been a sensational case. Mr. Ruthven, seated on the jury seats at the court-room, and it was the provincial police present in uniform. There was going to happen, and in the spectators were not disappointed, for after giving judgment in the County court case, the Chief Justice ordered Ruthven under arrest on a charge of perjury.

When the court was called to order the Chief Justice delivered judgment as follows: "This is an action on an attorney's bill for services performed for the defendant Ruthven, who describes himself as an ex-Roman Catholic priest, but who refuses to produce any certificate of ordination and declines to say whether he ever obtained one. His conduct is highly reprehensible and the services for which action is brought, are for defending him upon his commitment by the magistrate on Saturday and obtaining his admission to bail on Sunday (a most extraordinary proceeding). It seems that Ruthven had an appointment to deliver a lecture on the Sunday, and that he and his friends were very anxious for him to keep that appointment. His attorney had declined to act, but that the plaintiffs succeeded in persuading the County court judge, who was also the committing magistrate, to hear and grant the application on the Sunday afternoon, whereupon the lecture was given.

It is now sworn by Ruthven that the plaintiffs' services were not to be paid for and that his case was taken up by Schultz on that express understanding. The evidence on this point is so directly in conflict that it becomes necessary to scrutinize it closely to see who is telling the truth. According to Ruthven, Schultz met him on Friday, July 17, begging to be allowed to defend another charge in which Ruthven was then on bail, saying it was a matter of principle with him to defend such a case and that it should not cost him a dollar. Schultz on that express understanding, the judge then left the bench and Mr. Siddall removed Ruthven from the room and the audience dispersed.

Ruthven arose in his place and attempted to address the court, but the Chief Justice, who has been retained for the defence, will apply for bail to the Chief Justice at 2 o'clock today.

THE DEMAND FOR COAL. Increased Activity at the Nanaimo Mine Reported.

NANAIMO, Feb. 16. (Special)—The New Vancouver Coal Co. have chartered the Titania for coal carrying. Their Protection Island shaft will be opened on March 1, and the Northfield mines are getting in shape to supply the demands for coal.

DRUMMOND COUNTY DEAL. Committee of the Commons Appointed to Make Investigation.

OTTAWA, Feb. 15.—Premier Laurier's motion to appoint a committee to investigate the Drummond County railway deal was adopted today. The committee consists of Messrs. J. F. Lister, H. G. Carroll, C. F. Molson, and Mr. Borden (Hallifax), and Mr. H. A. Powell.

GOLDEN CHUNK FOR MERCER. Immense Extent of Auriferous Gravel Allocated to This Lucky Friend.

OTTAWA, Feb. 16.—J. A. Mercer, of Montreal, brother of the late premier of Quebec, dredging yesterday from the mouth of the St. Lawrence, has secured for himself a right of way to the use of these inventions and improved methods of excavation, and to do all and sundry things necessary or conducive to that end. Dated at Victoria this 20th day of Dec. 1892.

NOTES FROM THE CAPITAL. Seattle Request Will Be Refused—Boundary Railway Project—Public Works in the North.

OTTAWA, Feb. 16.—Fortified by a telegram from the president of board of trade of Victoria, Hon. E. G. Prior saw Mr. Sifton today, and strongly urged that Congressmen Lewis' request that free miners' certificates be issued at Lake Tagish be granted. The minister informed Col. Prior that under no circumstances would the concession be allowed. Protests have been pouring in on Mr. Sifton all day from British Columbia. Messrs. Morrison and Maxwell have received several telegrams urging them to protest against the granting of Mr. Lewis' request.

FREE TO LADIES. We will give one lady in each town or village a full sized 20 cent U.S. X. U. R. A. the only Toilet article in the world that will develop the bust and give the female form, remove wrinkles, and write to-day for it. G. M. WIGGINS, 112 N. West 2nd Street, New York.

Fur sleeping bags. Extra heavy blankets. B. Williams & Co.

Upon the reassembling of the court on the Monday morning, Mr. Ruthven produced his best imitations of character, one a certificate under the seal of an A.P.A. lodge and the other on half a sheet of legal cap, purporting to be an expression of confidence from some members of a Presbyterian congregation; but upon being asked for the certificate of bank exchange proving the \$15 to have been sent to Australia, he remarked, "I do not intend to produce it—it is in my strong box;" and Mr. Ruthven did not produce it.

In my opinion the defence of gratuitous service falls far want of credible evidence in support of it and it is only necessary to say in reference to the evidence of "no signed bill," that the defence arises upon the statute and has not been pleaded as required by the practice. Moreover there is abundant evidence that a duly signed bill was delivered.

As to the defendants, Howe and Braden, I am afraid that the defence raised for them by Mr. Walls must prevail. Not that I doubt for a moment the evidence of the plaintiffs, and I feel sure that if I were to guard them. On the contrary I am satisfied with the truth of their version and the repeated and unanswered written demands for payment confirm me in the opinion that I am not satisfied that there was any original retainer by Braden and Howe. At most there was a promise to pay the debt of another and void for want of writing. When a verbal retainer is disputed the law presumes that the plaintiff is right, unless indeed a case of overwhelming proof is established, and that has not happened here. They must be dismissed from the action, but I will not deprive them of costs upon the principle of Cooper v. Whittingham, L. R. 15, Ch. D. 501, as I am satisfied that they led the plaintiffs to believe that they would pay or see them paid.

There will be judgment in favor of the plaintiffs, without costs, and judgment in favor of the plaintiffs as against Ruthven for \$70, with costs.

It now remains for me to deal with another matter in connection with this case," continued the Chief Justice as he concluded his judgment. "I have looked through the evidence carefully and I consider I would not be doing my duty if I did not invoke the provisions of the code and direct that Victor Michael be prosecuted for perjury and commit him to the custody of the sheriff."

As the Chief Justice made the order Deputy Sheriff Siddall walked over to Mr. Ruthven and touched him on the shoulder as a sign that he was under arrest.

Ruthven arose in his place and attempted to address the court, but the Chief Justice, who has been retained for the defence, will apply for bail to the Chief Justice at 2 o'clock today.

PHILIP CARTER HILL PRINCE, Esquire, Inspector, Northwest Mounted Police to be a Justice of the Peace for the County of Nanaimo.

PROVINCIAL SECRETARY'S OFFICE. HIS HONOUR the Lieutenant-Governor has been pleased to make the following appointments: 15th February, 1893.

NOTICE is hereby given that application will be made to the Legislative Assembly of the Province of British Columbia for the purpose of amending and assisting invention and for the purpose of the discovery of, and introduction of better mechanical means and chemical methods, for the mining and recovery of the gold and other precious substances known to be, and believed to be contained in the numerous auriferous gravel deposits and other gravel deposits of the province of British Columbia, and for a concession of exclusive use, and right to operate by the use of these inventions and improved methods of excavation, and to do all and sundry things necessary or conducive to that end. Dated at Victoria this 20th day of Dec. 1892.

NOTICE is hereby given that sixty days after date I intend to make application to the Hon. the Chief Commissioner of Lands and Works for permission to purchase 160 acres of land, described as follows:—Commencing at James Murphy's southeast stake on west side of Kitimat Inlet; thence 40 chains south; thence 40 chains west; thence 40 chains north; thence 40 chains east, to stake of commencement. ALFRED MAGNUSSEN, 1527

NOTICE is hereby given that thirty days after date I intend to make application to the Hon. the Chief Commissioner of Lands and Works for a licence to carry on the objects of the Company in the following described land in the District of Esquimalt, viz:—Commencing at a post marked "A" in the northeast corner of a north-westerly direction one mile, thence south-westerly to the point of commencement, containing 160 acres more or less, the said location embracing a lake and a portion of the beach, and containing one mile and a half northwest of the town of Esquimalt, B.C., the 9th day of February, 1888.

NOTICE is hereby given that thirty days after date I intend to make application to the Hon. the Chief Commissioner of Lands and Works for permission to purchase 160 acres of land, described as follows:—Commencing at A. C. Murray's southeast stake on west side of Kitimat Inlet; thence 40 chains south; thence 40 chains west; thence 40 chains north; thence 40 chains east, to point of commencement. GORDON HUNTER, 1527

NOTICE is hereby given that thirty days after date I intend to make application to the Hon. the Chief Commissioner of Lands and Works for permission to purchase one hundred and sixty acres of land, described as follows:—Commencing at W. E. Oliver's E. E. stake on the west side of Kitimat Inlet; thence forty chains north; thence forty chains east; thence forty chains south; thence forty chains west; thence 40 chains north; thence 40 chains east, to stake of commencement. G. A. KIRK, 1529

ADMINISTRATOR'S NOTICE. In the Matter of the Official Administrator's Act and in the Matter of the Estate of James Chaplin, Deceased Intestate.

MR. O'REILLY SUPERANNUATED. His Retirement From the Position of Indian Reserve Commissioner to be Announced.

OTTAWA, Feb. 16.—(Special)—Among the superannuations to be announced in a few weeks will be that of Hon. P. O'Reilly, Dominion Indian reserve commissioner for Victoria.

Hon. P. O'Reilly has seen long and honorable service under the Imperial, Dominion and Provincial governments. He was gold commissioner in Cariboo under the Imperial government long before British Columbia became a part of the Dominion and in all has put in forty years in the public service. For several years past he has been Indian reserve commissioner for the province.

CONFECTONERS ASSN. MONTREAL, Feb. 17.—(Special)—Foster & Co., confectioners, have assigned. The liabilities amount to \$70,000 of which \$40,000 is due to the Merchants Bank of Canada.

A SIMPLE CATARRH CURE. I have spent nearly fifty years in the treatment of Catarrh, more than any other specialist in the history of medicine. As I must soon retire from active life, I will from this time on, send the means of treatment and cure as used in my practice. Free and post-paid to every reader of this paper, and I will send this booklet, dangerous and disgusting disease. This is a sincere offer which anyone is free to accept. J. A. LAWRENCE, 114 West 34th St. New York.

FREE. Let us send you a Free Trial Package pleasant and harmless medicine that will go right to the spot and quickly cure you of Catarrh, Headache, Dyspepsia, Indigestion, Kidney Troubles, Liver Complaint, Rheumatism, and all Blood Diseases. It cures nine people out of ten. Address EGYPTIAN DRUG CO. Form 26, New York.

EPPE'S COCOA. ENGLISH BREAKFAST COCOA. Possesses the following distinctive Merits: DELICACY OF FLAVOR. SUPERIORITY IN QUALITY. GRATEFUL AND COMFORTING TO THE NERVOUS OR DYSPEPTIC. NUTRITIVE QUALITIES UNRIVALLED.

Family Knitter. Will do all Knitting required in a family. Write for the SIMPLEST KNITTING. We guarantee every machine to do good work. Agents wanted. P. O. No. 88.00 Dundas Knitting Machine Co. DUNDAS ONT.

PROVINCIAL SECRETARY'S OFFICE. HIS HONOUR the Lieutenant-Governor has been pleased to make the following appointments: 15th February, 1893.

NOTICE is hereby given that a special general meeting of the shareholders of the Nanaimo & Slocan Railway Company will be held at the City of Victoria, British Columbia, on the 21st day of February, 1893, at 11 o'clock in the forenoon, to elect directors and transact the ordinary business of the company.

NOTICE is hereby given that I intend to make application to the Hon. Chief Commissioner of Lands and Works for permission to purchase one hundred and sixty (160) acres of land described as follows:—Commencing at J. James Cartwright's southeast stake in the many townsite, thence 40 chains south; thence 40 chains east to stake of commencement. ALFRED MAGNUSSEN, 1527

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ADMINISTRATOR'S NOTICE. In the Matter of the Official Administrator's Act and in the Matter of the Estate of James Chaplin, Deceased Intestate.

LICENCE AUTHORIZING AN EXTRA-PROVINCIAL COMPANY TO CARRY ON BUSINESS. "Companies Act, 1897."

THIS IS TO CERTIFY THAT the "Tula" Mining Company, Limited, is authorized and licensed to carry on business within the Province of British Columbia, and to carry out or effect all necessary objects hereinafter set forth, to which the legislative authority of the Legislature of British Columbia extends.

The head office of the Company is situated in the City of Ottawa, Province of Ontario. The amount of the capital of the Company is twenty thousand pounds sterling, divided into two hundred shares of one hundred dollars each.

The objects for which the Company has been established are:—(a) To acquire by purchase, location or otherwise, a tract or tracts of mineral lands in the Dominion of Canada, and to work and develop the resources of the same.

To carry on the business of exploring for, mining and gathering gold, silver, copper, nickel, lead, iron, and other metals, and to carry on the business of mining, and to work and develop the resources of the same.

To dig for, mine, crush, smelt, reduce and manufacture such metals, ores and minerals, and to carry on the business of mining, and to work and develop the resources of the same.

To purchase or acquire from any individual, in whole or in part, any business of a nature or character similar to the business which this Company is authorized to carry on, and to acquire from any individual, in whole or in part, any lands, property, privileges, rights, contracts and liabilities appertaining to any such business, and to carry on the business of mining, and to work and develop the resources of the same.

To build, acquire, own, charter or lease, navigate and use steam, and other vessels, so far as may be necessary or expedient for the conveyance of the products of the lands and properties of the Company.

To build, construct and maintain all works, roads, bridges, aqueducts, canals, dams, water power, roads, streets, and other works which may be found necessary or convenient for the objects of the Company.

To purchase and sell gold, silver, copper, nickel, lead, iron and other metals, minerals and ores, and to carry on the business of mining, and to work and develop the resources of the same.

To acquire for the purposes aforesaid, or any one or more of them, by purchase, location, or otherwise, water leases, and application with respect to the organization, and to build, construct, flumes, ditches, aqueducts, works and other system of water ways, and to convey thereon one place to another by means of the Company may deem expedient.

To purchase or otherwise acquire any patent or patents for any invention for or relating to any of the objects of the Company which the Company may see fit, and to sell any patent or patents acquired by them, and to assign or otherwise dispose of or manufacturing thereunder, respectively.

Under my hand and seal of office at Victoria, Province of British Columbia, this 3rd day of February, 1893, at ten o'clock, hundred and ninety-eight.

NOTICE is hereby given that a special general meeting of the shareholders of the Nanaimo & Slocan Railway Company will be held at the City of Victoria, British Columbia, on the 21st day of February, 1893, at 11 o'clock in the forenoon, to elect directors and transact the ordinary business of the company.

NOTICE is hereby given that I intend to make application to the Hon. Chief Commissioner of Lands and Works for permission to purchase one hundred and sixty (160) acres of land described as follows:—Commencing at J. James Cartwright's southeast stake in the many townsite, thence 40 chains south; thence 40 chains east to stake of commencement. ALFRED MAGNUSSEN, 1527

Licence Authorizing an Extra-Provincial Company to Carry on Business. "Companies Act, 1897."

THIS IS TO CERTIFY THAT the Incorporated Exploration Company of British Columbia, Limited, is authorized and licensed to carry on business within the Province of British Columbia, and to carry out or effect all necessary objects hereinafter set forth, to which the legislative authority of the Legislature of British Columbia extends.

The head office of the Company is situated at No. 55, New Broad Street, in the City of London.

The amount of the capital of the Company is £200,000, divided into 200,000 shares of £1 each.

The head office of the Company in this Province is situated at Slough Creek, Cariboo, and John Hopp, manager of the said Company, whose address is Slough Creek in the head office, is the attorney for the Company.

The objects for which the Company has been established are:—(a) To acquire by purchase, location or otherwise, a tract or tracts of mineral lands in the Dominion of Canada, and to work and develop the resources of the same.

To carry on the business of exploring for, mining and gathering gold, silver, copper, nickel, lead, iron, and other metals, and to carry on the business of mining, and to work and develop the resources of the same.

To dig for, mine, crush, smelt, reduce and manufacture such metals, ores and minerals, and to carry on the business of mining, and to work and develop the resources of the same.

To purchase or acquire from any individual, in whole or in part, any business of a nature or character similar to the business which this Company is authorized to carry on, and to acquire from any individual, in whole or in part, any lands, property, privileges, rights, contracts and liabilities appertaining to any such business, and to carry on the business of mining, and to work and develop the resources of the same.

To build, acquire, own, charter or lease, navigate and use steam, and other vessels, so far as may be necessary or expedient for the conveyance of the products of the lands and properties of the Company.

To build, construct and maintain all works, roads, bridges, aqueducts, canals, dams, water power, roads, streets, and other works which may be found necessary or convenient for the objects of the Company.

To purchase and sell gold, silver, copper, nickel, lead, iron and other metals, minerals and ores, and to carry on the business of mining, and to work and develop the resources of the same.

To acquire for the purposes aforesaid, or any one or more of them, by purchase, location, or otherwise, water leases, and application with respect to the organization, and to build, construct, flumes, ditches, aqueducts, works and other system of water ways, and to convey thereon one place to another by means of the Company may deem expedient.

To purchase or otherwise acquire any patent or patents for any invention for or relating to any of the objects of the Company which the Company may see fit, and to sell any patent or patents acquired by them, and to assign or otherwise dispose of or manufacturing thereunder, respectively.

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Licence Authorizing an Extra-Provincial Company to Carry on Business. "Companies Act, 1897."

THIS IS TO CERTIFY THAT the British Columbia Electric Railway Company Limited, is authorized and licensed to carry on business within the Province of British Columbia, and to carry out or effect all necessary objects hereinafter set forth, to which the legislative authority of the Legislature of British Columbia extends.

The head office of the Company is situated in the City of Vancouver, Province of British Columbia.

The amount of the capital of the Company is £1,000,000, divided into 1,000,000 shares of £1 each.

The objects for which the Company has been established are:—(a) To acquire by purchase, location or otherwise, a tract or tracts of mineral lands in the Dominion of Canada, and to work and develop the resources of the same.

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