THE FIRST BLOW.

It is, we confess, hard to credit the report which has been cabled to the United States that it is the intention of the British government henceforth to give home productions a preference when purchasing supplies for the army or navy. It may be that the imagination of our American friends has been stimulated by the feeling that they have for a long time deserved to be shut out of the privileges which they absolutely refuse to accord to their best customer. But we hope the correspondents have not been misinformed. It may have a wholesome effect upon the protectionists of the United States to dissipate their dream that Great Britain is entirely dependent upon them for the necessaries of life and that they may take any liberties they please and twist the tail of the lion into knots without his making the slightest move towards retaliation. John Bull has a penchant for purchasing his goods in the cheapest market without regard to the situation of that market that is in some respects commendable. But under certain circumstances virtues assume the aspect of vices, and we submit that the patience with which John has presented the other cheek to his commercial smiter as well as general "bullier" and "vituperator" has not been calculated to increase colonial respect for him.

The United States could procure many things from Great Britain cheaper than they buy them at home. Ships of war and commerce can be built in the British yards at about one-third less, but our neighbors stick to the home market. Their government believes that "patriotism begins at home," and it reserves American commerce for American ships. Not only so, but one of the principal problems engaging its attention at the present time is how to oust the mercantile marine of Great Britain from the position of the chief carrier of the world's commerce. It is all very well to say that the American people are the sufferers, as they have to pay the piper. They care not for the cost so long as they have the glory of carrying all that is greatest upon earth. Their fiscal system may be all a mistake. Probably they might achieve all they hope for much more quickly under free trade. But if it is clear that it would be in the interests of both if a more reasonable policy prevailed on this side of the water, it is surely the duty of Great Britain to bring pressure to bear in the only way the Americans can appreciate to bring about such a desirable consummation. It is only too true that our amiable neighbors to the south are filled to bubbling over with a sense of their political and commercial omnipotence and that a dose of the medicine which they are so fond of administering to other nations might do them good. Once convince them that there is a possibility of their losing not only the British government but the British people as well as customers and they will be much more pleasant gentlemen to deal with.

THE COOK CHARGES.

We are rather sorry for Mr. H. H. Cook, the gentleman who was so anxious for a seat in the Senate that he became a Tory, and a very unscrupulous one at that, to gain it. He seems to feel his position keenly himself, too, which is more to his credit than the charges he made against a dead man. He has quarrelled with some of his friends who are not Liberals and threatened to punch the noses of divers persons for reasons which were not brought out by the inquisitorial court of the Senate. Sir Mackenzie Bowell, the genial old gentleman and self-confessed non-partizan who leads the Tory majority in the Upper Chamber which is so fast dwindling away, recognises that this is his last chance to direct an assault upon the government, and he is deriving the greatest enjoyment from his position.

Whatever the outcome of the investigation may be, it is well to remember that the friends of Mr. Cook refused to put in the witness box the only men who could corroborate his statements and that the only living ones said to be implicated have given them an emphatic denial. The matter therefore resolves itself into a question of whose statements are most worthy of credence—those of Sir Wilfrid Laurier and Sir Richard Cartwright or the affirmation of a man who was so eager to occupy a public position that he engaged in a conspiracy with the political opponents of his party to accomplish its defeat. Whatever the findings of the Senate committee may be, these are the facts which have so far been brought out. It is reported that a discovery has been made that some of the letters read by Mr. Cook have been tampered with, although even as altered they are not incriminating in any way. It is also said that the son of the late Mr. Cameron has suddenly appeared at Ottawa and that he will have something to say about the aspersions Mr. Cook has cast upon his dead father.

In looking over the report of the proceedings we do not wonder at the reluctance of Mr. Cook to appear in the matter at all. But, as we have already said, it was Sir Mackenzie's last chance, and he could not forego it. The proceedings contain a warning to politicians, however. When they fail to secure a nomination from several constituencies they should recognise the fact that they may be lacking in some of the qualifications necessary in a public man, and that as the selection rests entirely with the people it is of no avail to protest and impugn their judgment. It is also well to remember that there may be others with claims to public positions quite as strong as those of the most persistent of the applicants and that if any one has reason to be dissatisfied with the policy of the party to which he has hitherto given his support there are perfectly legitimate ways of signifying his disapproval and of working to secure its defeat. Mr. Cook was in a measure rendered insane by his thwarted ambition, and he resorted to measures which have blasted his reputation and ended his public career.

SOCIAL PROBLEMS.

The work of amalgamation goes on rapidly in the United States. At the present rate of progress there will soon not be a man in the country "in business for himself." Presently there will be no internal competition, and as the tariff effectually guards against foreigners interfering with the preserves of the native, in the last stage the people will find themselves all employees of trusts and customers of trusts. The capitalists will probably live in Europe, draw their fat dividends at a comfortable distance from labor troubles and political turmoil and marry their sons and daughters to princesses and princes. Thus everything common will be kept at a distance and beyond possibility of offending. The lower classes of Europe know their place and the higher orders from this continent who have attained to the positions which they were ordained by Province to adorn will have no occupation but to increase the measure of their "culchaw" and meditate upon the wisdom of Providence in creating the "lower classes."

This is the new form of slavery into which the world appears to be rapidly drifting. It is only possible in protectionist countries, as far as can be judged at present, although Mr. J. Pierpont Morgan appears to have some hopes of introducing his system into Europe. Perhaps he calculates upon inducing Great Britain to change her fiscal policy, and thus make straight the path for his operations.

The question is how long will the people—who are generally supposed to be omnipotent on this continent, although it is a great mistake—submit to this sort of thing? Millionaires are being turned out at a rate that positively paralyzing. The greater the development the more numerous they become. If the conditions were such as they ought to be the benefits of the great natural wealth of the country would be more evenly distributed. Carnegie ground the faces of his poor workmen, became the owner of many millions and of a castle and estate in Scotland, and his wealth is accumulating faster than he can give it away. He wants to educate the workmen now through the establishment of free libraries and make them more conscious of the inequalities of life on this free continent.

Who can foretell what the outcome will be? Will the government be compelled to take possession of and operate every business in the country in the interests of the people, or will the people rise themselves and smash the fiscal system which has made such a state of affairs possible? There is an interesting time ahead for our neighbors. Wait till the next cycle of depression of business comes along.

THE EVER PRESENT PROBLEM.

We do not envy the provincial government the task it will have on its hands when the House again meets. It is said to have made up its mind as to the course it will pursue in regard to the construction of a railway line from the Coast to Kootenay and that its policy is far from being in harmony with the evident desires of the parts of the country chiefly interested. It is the general opinion at the present time, arrived at by drawing inferences from the utterances of the various members of the cabinet at different times, that an understanding exists, and has existed for some time, with the C. P. R. and that that company will secure the right which is so ardently coveted by it and its competitors. The government, it is also understood, will claim that it has secured terms from the Canadian company which are so manifestly in the interests of British Columbia that it had no option but to accept of them; that the electors who have been meeting and passing resolutions had no justification for the heat they displayed, inasmuch as they were not adequately informed as to the circumstances of the case, and that the moving spirits in the agitation were the agents of a company desirous of entering more actively into competition with the C. P. R.

As far as the city of Victoria is concerned, it was not necessary for the V., V. & E. people to stir the waters of popular opinion very deeply. The people had been watching the actions of the government very keenly, were fully alive as to railway possibilities, and were anxious to give the administration the benefit of their opinion. Rightly or wrongly, they feel that a critical stage has been reached in the history of Victoria; they know that in order that British Columbia and its capital shall attain with the least possible delay to within some measure of the importance for which they are destined, we must have railway competition, and they have expressed themselves on the point most emphatically through resolutions of public assemblies and the Board of Trade.

No doubt the government realises as fully as any of the agitators that it dare not open one of the constituencies in which the meetings it affects to treat with scorn have been held. The vacancy to be created by the departure of the new agent-general for London will not be filled until the agitation has died away or until the ministers have satisfied the country that they acted conscientiously and in what they believed to be its true interests. No doubt the Premier and his colleagues think they are free agents, that the hypnotic influence of the C. P. R. is powerless in their case, and that they know much better what the people need than any public assembly can tell them. If the representatives of the constituencies in the House stick to their pledges, however, one of the most interesting struggles in the political history of British Columbia will shortly be beheld.

As to the sneers which have been flung out from some quarters about paid agitators and expressions from public meetings assembled under certain conditions having no value, we submit that it is infinitely better for the country to have an agitation carried on in that way than in the lobbies of the House among the legislators. The C. P. R. has funds for such purposes, and trusted and experienced men have charge thereof. The work of the lobbyist in Canada in this first year of the twentieth century has created both indignation and alarm. As a result of it there is a possibility of an agitation arising calling for the exclusion of paid servants of corporations interested in a great deal of the legislation passed by Houses of Parliament from the floors of assemblies. Such an agitation might have a healthy effect.

OUR SALMON FISHERIES.

The salmon canners of British Columbia have declared their want of confidence in the administration of the fisheries and that there is a danger of one of the chief industries of the province being killed by the methods at present pursued. As these men must be credited with knowing their business and with a desire to perpetuate an industry in which they have large capital invested, it is obvious that the most careful consideration should be given to their petition by the two governments interested. Canned salmon as an edible is growing greatly in favor in all parts of the world, and if the conditions are as they are represented no time should be lost in arresting and putting an end to the process of deterioration. It is worthy of note in this connection that Sir Louis Davies and the officers of his department have been indefatigable in their efforts to gather information and to apply it for the benefit of the Fraser river fishermen. Every man from this province supposed to possess expert knowledge was sent for and asked his opinion when he visited Ottawa. In the views expressed there has always been wide divergence. There are many who hold that the hatcheries are of comparatively little account, all they can do in the way of propagation being insignificant compared with the grand and comprehensive operations of nature. Then again the conclusions of the scientific men have more than once been held to be inaccurate as concerns the fish of this coast, however correct they may be respecting the habits of the salmon of other waters, and the regulations promulgated from such a basis are said to be simply ridiculous and vexatious. If under local control a remedy can be found for all grievances and the industry at the same time preserved from the decay which is said to threaten it, it is extremely improbable that the Dominion government will oppose such an arrangement, supposing all the facts are as they are represented.

MR. J. C. M'LAGAN.

Time in its flight has taken with it many of the friends of the late J. C. McLagan, of Victoria, but there are still many left who will regret to learn of the death of one who was connected with this paper in the days of its infancy. Mr. McLagan was proud of the fact that he was a pioneer of Liberalism in British Columbia. He delighted to look back into the past and recall the struggles of the little band that undertook to convince a population, which was at that time stiffnecked indeed, of the error of its ways. It was clear that the people needed education and enlightenment, and these things could only be shed abroad through that enemy of darkness—the press. The Times was established in Victoria, and through it the influence of the pioneer who has just passed away and his associates was exerted in such a manner as to speedily produce a marked change in public opinion. Liberalism soon ceased to be regarded as a term of reproach, and the party grew and waxed strong.

On the completion of the Canadian Pacific Railway, Mr. McLagan carried the banner of the party in whose service he was an enthusiast to Vancouver and established the World there. He lived to see the principles which he had advocated all his life through many vicissitudes and discouragements triumphantly vindicated under the great leader whom he so ardently admired.

Above all things, however, Mr. McLagan was a newspaper man. No individual ever breathed who was prouder of his profession. It was his boast that he was at home in any department of his office. He had served in all capacities from devil-may-care imp to dignified editor, and he had none of the false pride which is ashamed of the fact. He climbed from the very bottom of the ladder, and he gloried in the knowledge that it was so. On the World as in all his other ventures Mr. McLagan was a hard worker. He was eager to make his paper a power in the province—the Globe of the West, as he was pleased to term it—and he spared himself not at all in his efforts. If he had taken life more easily he might have lived longer to enjoy the rewards of his toil. The case of the veteran had for a long time been hopeless. He realized himself that the time of his departure was at hand, but he fought Death with the determination which was a characteristic of his nature and a surprise to his friends. He loved Canada with all his soul, and his native land with the devotedness of a true Scot. British Columbia he knew to be the greatest province of a great country, and he regretted greatly that the fates had decreed that he should not remain to see her attain in some measure to the position for which she is destined. All the friends of the family in Victoria will join with us in tendering the sincerest sympathies to Mrs. McLagan and her children in their bereavement.

INDIANS TO GO.

The gratifying intelligence has arrived from Ottawa that the Minister of the Interior and the Premier of British Columbia have reached an agreement in regard to the removal of the Songhees reserve. It may be taken for granted that no time will be lost in securing the translation of the Indians to their new and more wholesome surroundings. A great bar to the material progress of Victoria, a blot upon the landscape and a menace to the health of the community, morally and physically, second only to Chinatown, will therefore soon be taken away. If this matter had been approached by his predecessors in the spirit which has characterised the attitude of the Premier it would have been disposed of long ago. The terms are practically the same as were proposed by the representatives of the Dominion government some years since. But it is not much use referring to the actions of former governments of British Columbia, except to show that a settlement was possible without the Dominion government changing its attitude. The question has now been settled finally. The only thing that remains to be done is to urge that there be no delay in securing the new reserve and offer up thanks that there are men in power who in some measure appreciate their responsibilities.

We fully agree with the views of a barrister, whose communication appears in another column, in opposition to the passage of the Champerty Bill by the House. Litigation on the basis of a division of the "profits" should not be legalised. All sorts of vexatious and vindictive suits are likely to be instituted. A system but slightly removed from blackmail will surely crop up. Unfortunately for Canada, many people have lost confidence in the courts and will submit to a great deal of justice and loss rather than "go to law." They generally find it would have paid them better in the end. Win or lose they are out of pocket. Such people would be bled without mercy by the shyster lawyer under the proposed measure. They would come down handsomely every time in order to compromise the bogus case entered against them. The province needs less, not more, litigation. What is needed is the restoration of the confidence of the poor man in the efficacy of the courts to render him justice without taking away from him all that he has left in addition to that which he has already lost. This is something which is not likely to be accomplished by a measure which will admit of the creeping in of so many abuses and which may possibly result in the demoralization of our system of jurisprudence.

* * *

We have never been ignorant of nor tried to conceal the fact that the C. P. R. has a "pull" at Ottawa as well as in Victoria. It prevented the construction of the Kettle River Railway, and it is opposing the construction of the Crow's Nest Southern because it does not want to see another company coming into what it has the goodness to consider its special preserve. There is not the slightest doubt that both these undertakings if completed would be of the greatest benefit to British Columbia. The government at Ottawa should be aware that the people here most concerned have no fear of a coal famine and that they thoroughly understand that but for the opposition of the patriotic and unselfish C. P. R., such a question would never have been raised. If the coal company gave any evidence of a disposition to treat Canadian concerns unfairly, of what use are the governments's fifty thousand acres of coal measures if it fail to put them in operation and bring the company to time? Besides, any such action would give the C. P. R. a splendid opportunity and market for its coal. The time will come when British Columbia will inquire why this company and this province are subjected to treatment different from that accorded to institutions and provinces in other parts of the Dominion.

* * *

An expert says there are twenty-two billion tons of coal in the Crow's Nest fields. There does not seem any likelihood of a famine in British Columbia for a few thousand years or so. We really believe the legislatures and their patriotic protege the C. P. R. are over cautious. They should guard the interests of the East, where the coal is really scarce, and allow us to take the fullest advantage of all that nature has been kind enough to give us. By the time the Crow's Nest and other extensive fields in British Columbia are exhausted the chances are that some more economical manner of creating, or rather utilizing, energy shall have been discovered.

THE CHAMPERTY BILL.

To the Edior:—It is pleasing to note that the papers of this province are commencing to be alive to the fact that it will work great injury to the business interests of British Columbia to pass an act introduced by the leader of the opposition to abolish champerty.

The News Advertiser, the Province, the Nelson Miner and the Colonist have condemned it. What has the Times to say? The question of course to be properly understood must be explained. The debate in the House ought to have well defined it to all enquiring minds. Champerty and maintenance—as both are covered by the proposed legislation—consists in a bargain with a litigant to divide the land, mineral claim or other matter sued for if he shall prevail at law, whereupon the solicitor is to carry on or defend the action at his (the solicitor's) expense. This is now—under the law—an offence against the due administration of justice, as it keeps alive strife and contention, and perverts the remedial process of the law into an engine of oppression. Persons indulging in such work are thus referred to in Stephen's Commentaries on the Laws of England: "These pests (and the lawyers of British Columbia are to be the pest of the future) of civil society that are perpetually endeavoring to disturb the repose of their neighbors, and officiously interfering in other men's quarrels, even at the hazard of their own fortunes, were severely animadverted upon by the Roman law." Tindal, C. J., in Stanley v. Jones, 7 Bingham, 368, said: "The agreement is in effect, a bargain by a man who has evidence in his own possession respecting a matter in dispute between third persons, and who at the same time professes to have means of procuring more evidence to purchase from one of the contending parties at the price of the evidence which he possesses or can procure * * * part or share of the sum of money which shall be recovered by means of the production of that very evidence. And we all agree in thinking that such an agreement cannot be enforced in a court of law. The offence of champerty is defined in the old books to be the unlawful maintenance of a suit, in consideration of some bargain to have part of the thing in dispute or some profit out of it. That this was considered in earlier times and in all countries an offence pregnant with great mischief to the public is evident from the provisions made by our law in the statutes of Westminster, first and second, and from the language of the civil law which was afterwards received as the law over the greater part of the continent."

The design of the law is purely one to advantage the speculative lawyer, and the speculative lawyer is befooling the public and the legislature into the belief that it is a law designed to benefit the poor man. What effrontery. The poor man with a just cause is always safe in the hands of an honorable profession, but degrade the profession and then where will the poor man with the just cause be? He will have fastened on him the greed of the avaricious lawyer, who will have half or three-quarters of his property, or he will not act for him. It is scandalous that it is possible for the leader of the opposition to obtain the support he does for the amendment of any law which will allow such iniquitous practice to have the sanction of law. That the poor man with a just cause may always be assisted under the present law of England and of this province is at once seen by the following quotation from Stephen's Commentaries on the Law of England: "A man may, however, with impunity, and indeed with propriety, out of charity and compassion maintain the suit of his near kinsman, servant or poor neighbor, and he may also maintain any action or other legal proceeding in which he has any interest actual or contingent."

It is being attempted throughout to obtain the passage of this law as being a boon to the poor man, but it will be a whirlwind to the poor man as well as the rich man; it will flood the country with vexatious and blackmail actions, and drive out capital and deter its coming here. It is the legislation of the wreckers—and what insanity is being displayed—hardly a word in protest save from a very small minority in the House who, to their credit be it said, have put up a determined fight—a battle for the best interests of the public and the well-being of an honorable profession.

PARRISTER-AT-LAW.
Victoria, B.C., April 13th, 1901.

BRICKLAYERS AND CHINESE.

To the Editor:—In your issue of the 9th inst. a report appears of the testimony given by Canon Beanlands before the royal commission in the court house. A part of his declaration reads thus:

"There were bricklayers here, but no white bricklayers' assistants, and there was no class of white labor here sufficiently inferior for that capacity. Had it not been for Chinese, he did not believe bricklaying would have gone on."

Kindly permit us to state several facts. On the 1st of January, 1890, the bricklayers of Victoria wrote a friendly letter to the contractors informing them that three months from said date they proposed dispensing with Chinese help. That proposition was approved of by the contractors, and, in consequence, on the 1st of April all the bricklayers employed by the leading contractors were tended by white helpers; and to show you the spirit in which this radical change was brought about, allow us to state that a firm of contractors reported to us that they could not afford to pay the higher rate of wages that were being paid to white men because the contract they had on hand was delayed through stress of weather and they had figured on employing Chinese. So soon as this was made known to us we immediately made an arrangement whereby that firm suffered no loss and the white men were employed.

Since that date white labor has been used exclusively by all the principal brick building firms, and there has been no lack of men of that class to supply every demand for their services. At present we know of forty-five bricklayers in Victoria and its suburbs. Two of these work Chinese helpers.

The parliament buildings, new post office, Five Sisters' block, new Driard hotel, Bank of Montreal, The Vernon, Janion, Hepburn, Earle, Times, Colonist, and MacGregor blocks, in fact dozens of blocks, have been built during these years, and on all of these brick and stone structures (with the exception of four minor buildings) the bricklayers were helped exclusively by white men.

There are nineteen bricklayers employed at present at the barracks, Esquimalt. These are tended by white men.

In view of these facts, will Canon Beanlands have the courage to admit his mistake and request the commissioners to erase that part of his evidence that refers to bricklayers, because it is incorrect?

On behalf of bricklayers,
JOHN RUSSELL.

Maywood P. O.

HYPNOTIZED BY TELEPHONE.

Remarkable Experiment Conducted at the Rochester Whist Club.

Rochester, N. Y., April 12.—An interesting and remarkable exhibition of hypnotism was given at the whist club last night in the presence of a large number of physicians, and was very satisfactory. The proposition was to hypnotize a subject by telephone, the subject being at the whist club while the operator at a telephone instrument was stationed in the editorial rooms of the Democrat and Chronicle. Prof. Clayton Wilcox, who recently came from Mexico, performed the experiment. A young man whom he had placed under hypnotic influence several times before was sitting in the whist club rooms last night when he was called to the telephone. He had been told that he would be hypnotized, but expected one of the ordinary demonstrations. As the subject placed the instrument to his ear he heard the following questions: "Is this Charles?" "Yes." "Give me your close attention, please." (Short pause.) "Sleep," and the subject immediately fell back into the arms of a bystander.

The usual tests were then applied by physicians present, which showed that the man had been thoroughly hypnotised this morning, who was evidently primed on nautical terminology. The greater part of the examination with the use of diagrams on which witness marked the direction and course of both vessels before the collision first outlined the course and direction of the Empress before her deviation, four points consequent upon the "hard a-port." He also stated that from the time he first discerned the ship until the collision she had altered her course. The witness then illustrated by means of the diagram the extent of deviation of both vessels, as well as course before and subsequent to the deviation.

In regard to the direction of the ship at the time he differed from the report received from Neah Bay and Cape Flattery. One minute elapsed from the time he first saw the Abby Palmer until the collision. She was about three or four lengths distant, something over ten hundred feet.

When he heard the order "hard a-port" on his ship he immediately went to the bridge and was there about a minute before the collision. Between the order "port" and "hard a-port" about two minutes elapsed, and when the first

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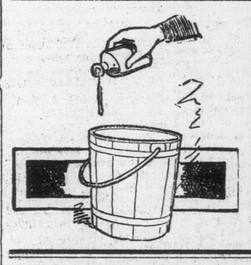

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The Case Contin

Additional Evidence Taken Smith vs. Empress Japan Trial.

Capt. Pybus, of C. P. R. Presents His Side the Story

Before Mr. Justice Martin and Montague S. Hulton, James D. S R.N., the case of Smith vs. Emp Japan was proceeded with in the alty court yesterday afternoon, witness called being Capt. Ulberg bark Abby Palmer. The captain the circumstances of the collision knew them, told of the course steering, of the state of the weath described the position of the tw by means of two small models chart.

J. A. Thompson, steamboat in gave expert opinion as to how t dent occurred. He pointed out jibboom first struck the port g of the Empress, hitting the fore the latter a glancing blow and smashing with cut-water into th R. liner. He submitted a co plans to illustrate his theory.

John Clark, the next witness had been quartermaster on the E at the time of the accident, and having heard one bell struck bef Abby Palmer collision, indicating on the starboard bow of the E He was in the wheel house and t press was going between 14 knots. When Captain Pybus ca the bridge he asked if the engin been stopped. On being told th not the captain at once gave ord the ship to be stopped. The came on deck about the time of cident. The course of the ship tered two or three minutes prev The second officer gave orders fo to port—that was when he first s Abby Palmer. He was in the house, and going out on deck sa bark's green lights. Since the c he has lived in Vancouver first an in Seattle.

To Mr. Davis he admitted hav ceived pay from the Abby Palmer rate of $50 per month in the in but denied having entered into a rangement whereby he was to rece ward from the owners of the When he started to call the capt the Empress the Abby Palmer w 200 yards off. A fourth and officer were on the bridge, but th tain did not get out on deck un accident happened. Witness was wheel from 12 to 2. He did not s bark until about 20 minutes to 3 o

Robert Sudden, one of the own the Abby Palmer, was next pla the witness box and gave evidence who the vessel belonged and as having been examined in Lloyds Francisco about three years ago, she was found to be in good condi

Mr. Davis, speaking for the of the Empress of Japan, explaine the defence they proposed to es was that the C. P. R. liner was a ily laden ship, that under the con of course and wind the accident v evitable from her standpoint, an that the lights on the Abby Palme not burning brightly.

Captain Pybus was then placed witness stand. He related the cou ship was taking. He heard the giving orders to port the ship an to hard a-port her. He jumped mediately but could see no lights Abby Palmer. The latter bar then about three ships' lengths d In the course of about half a h he thought he saw a blurred ligh was not very sure of it. He im ately gave orders for full speed When he first saw the bark he see abaft her yards, and he took be ahead. As to the statem Clark's of not being on deck time of the accident he descri positively false. He was nearly ped at the time of the blow. The Palmer disappeared in about fou utes after the mishap. He hail twice, but received no answer. mained in the same course for three-quarters of an hour, but saw ing further of the bark. He also about to see if he could see her, bu ing concluded that she made off the wind.

He described minutely the positi the ships by means of a chart model, and submitted a number tures to show the damage his shi tained. His evidence was not ye cluded when the court adjourned 10.30 o'clock this morning.

The proceedings in connection the case of Smith vs. Empress of were resumed in the Admiralty this morning, Capt. Pybus, of the being under cross-examination by Taylor, K. C., representing the tiff. The versatility required of a rister was strongly exemplified by set this morning, who was evidently primed on nautical terminology. greater part of the examination with the use of diagrams on whic witness marked the direction and of both vessels before the collisio first outlined the course and direct the Empress before her deviatio four points consequent upon the "hard a-port." He also stated from the time he first discerned the until the collision she had altere course. The witness then illustrat means of the diagram the extent deviation of both vessels, as well as course before and subsequent to th viation.

In regard to the direction of the at the time he differed from the re received from Neah Bay and Cape One minute elapsed from the tim first saw the Abby Palmer unti collision. She was about three lengths distant, something over fe hundred feet.

When he heard the order "hard a on his ship he immediately went t bridge and was there about a m before the collision. Between the "port" and "hard a-port" about minutes elapsed, and when the fir