The Privy Council Decision - Provincial Legislation Declared Ultra Vires

Their Lordships Confined Themselves to This Phase of the Matter.

Following is the full text of the im pertant judgment rendered by the judicial committee of the Privy Council in the appeal of the defendants in the contabilities a resultable as merely English champion, who won at Vienna la friendly suit of Bryden vs. Union Cor- establishing a regulation applicable to the year, was scratched, having injured his le

the Supreme Court of British Columbia of July 13, 1898, affirming a decision of Mr. Justice Drake.

appeared for the applellants; Mr. Taylor,

Frye, when judgment was reserved. Lord Watson, in delivering their Lord-

and still continue to employ, Chinamen in the working of their mines. By section 4, of the Coal Mines Regulation Act, whole pith and substance of the enaction any mine to which the Act applies be and therefore trenched upon the exclustituted by the respondent, Mr. Bryden, ada. The judges who delivered opinions the company had no right to employ "Naturalization Act, No. 113 of the Re-Chinamen in certain positions of trust vised Statutes of Canada, 1886," by and responsibility or as laborers in their which a partial control was exercised mines below ground, and that such emover the rights of aliens. Mr. Justice ployment was unlawful; and (2) for an Walkem appeared to regard that fact wheel. Moron, of Chelsea, Mass., won the injunction restraining the company from as favorable to the right of the Provin-so employing Chinamen and from using cial parliament to legislate for the extheir funds in paying the wages of clusion of aliens, being Chinamen, from Chinamen. The respondent averted that the employment of Chinamen was a ence of the Dominion parliament from persons working in the mines, which in-volved the liability of the company for damages, and was also injurious and de- lative power which had been assigned to land, second; W. A. Ladue, Cold. Spring,

damages, and was also injurious and destructive to the mines. He also pleaded structive to the mines. He also pleaded the Dominion by section 91 of the Act of N. Y., third 4:32.

One mile, professional championship of until November 30. She has already been entered for nine \$1,000 and two \$500 purses. tute law of the province. Thre appel- the judgment appealed from, to find and lant company denied that there was any risk of injury arising either to other of the British Columbia Coal Mines Five mile tandem, put workmen in their mines or to the mines Regulation Act, 1890, were, in so far as from the employment of Chinamen as they related to Chinamen, ultra vires of 9:59 4-5. underground miners. They pleaded that, the Provincial Legislature, and therein so far as they related to adult China-in so far as they related to a gradual tiffs do pay to the company the costs in-record was broken, the five-mile anaeteur record was broken, the five-mile anaeteur randem unpaced, which Hooper and Nel-son reduced to 10:14 1-5. What was ex-son reduced to 10:14 1-5. What was extorney-General of the province of Brit- pay to the company their costs of this ish Columbia had, in the character of appeal. intervenant, become a party to the litigation. The controversy had been limit-ed to the single question whether the entions 91 and 92 of the British North America Act, 1867. These clauses distributed all subjects of legislation beand the several legislatures of the provinces. In assigning legislative power to one or other of those parliaments, it was not made a statutory condition that the exercise of such power should be,

in the opinion of a court of law, discreet. In so far as they nossessed legislative jurisdiction, the discretion committed to the parliaments, whether of the Dominion or of the provinces, was of sufficient importance for Germany to Taylor won; Tom Butler, Cambridge, P. Mason Inside Home J. Fraser unfettered. It was the proper function of a court of faw to determine what cologne Gazette, in an implication make mitted to them; but when that point had been settled, courts of law had no right whatever to inquire whether their purisdiction had been exercised wisely or not. There could be no doubt that if section 92 of the Act of 1867 had stood alone. and had not been qualified by the provisions of the clause which preceded. the provincial legislature of British Columbia would have had ample jurisdiction to enact section 4 of the Coal Mines Regulation Act. The subject matter of that enactment would clearly have been included in section 92 (10), which extended to provincial undertakings, such as the coal mines of the appellant company." It would have also been included in section 92 13(), which embraces "proerty and civil rights in the province." But section 91 (25), extended the exclusive legislative authority of the parliament of Canada to "naturalization and aliens," and that section concluded with a proviso to the effect that "any matter ning within any of the classes of subjects enumerated in this section shall not be deemed to come within the class of matters of a local or private nature comprised in the enumeration of the classes of subjects by this Act assigned exclusively to the legislatures of the pro-

prohibited Chinamen who

enderground coal workings

of full ingo from embloyment in

aliens requiring to be naturalized, but

ring that power in the case of naturaliz-

should be the rights and privileges per-

had been naturalized. It seemed clear

that the expression "aliens" in that sec-

tion referred to and at least included all

aliens who had not yet been naturalized,

taining to residents in Canada after they

possibly be construed as confer-

were

Every

One of a healthy vivacity of carriage—the dainty, pringy steps with which she walks. he woman who suffers from weak-ness and disease of the distinctly feminine organ ism, who is troub-led with backaches, stitches in the sides, drag-ging down or ging down or burning sensa-tions, sick headaches and the ills that accompany these disor-lers, cannot have ing carriage of a healthy woman

APPALLING LOSS OF LIFE.

Ponce, Porto Rico, Ang. 12.-Two thou

were removed to the military hospital. Yav-

says the Samoa question is not an object

make it a critical point of her policy. The

ridicules the notion that Germany is mak-

ing enemies of all the powers over every

money and work are needed.

triffing difference.

She will show in every movement that she is a sufferer.

There is a wonderful medicine for troubles of this description, that has stood the vinnes." Section 4 of the provincial act test for thirty years, and has been used suc cessfully by many thousands of women. It is .Dr. Pierce's: Favorite: Prescription. It is acts directly on, the .delicate and important organs concerned and makes them .strois healthy and vigorous. It allays inflammation, heals alceration and soothes pain. It tones and builds up the nerves. It is the discovery of Dr. R. V. Pierce, an eminent and skillful specialist, forthirty years chief consulting physician to the Invalids. Hotel and Surgical Institute, at Buffalo, N. Y. This is one of the greatest medical institualien when naturalized in Canada became ipso facto a Canadian subject of the Queen, and his children were not were natural-born Canadians. It could hardly have been intended to give the Dominion parliament the exclusive right This is one of the greatest medical institu-tions in the whole world. During the thirty years that Dr. Pierce has been at its head to legislate for the latter class of persons resident in Canada, but section 91 (23) ie has gained the unbounded respect his fellow citizens at Buffalo, and they showed it by making him their representative in the National Congress, from which ed aliens after naturalization. The subject of "naturalization" seemed prima position he resigned to give the remainder of his life to the practice of his chosen profession. He will cheerfully answer, free of charge, any letters written to him by suffering women. Address, as above. facis to include the power of enacting what should be the consequences of nathrall ation. or. in other words, what

"A few years ago," writes Mrs. W. R. Bates of Dilworth, Trumbull Co., Ohio, "I took Doctor rierce's Favorite Prescription, which has been a great benefit to me. I am in excellent health now. I hope that every woman, who is troubled with 'women's ills, will try the 'Prescription' and be benefited as I have been."

MAKAMAKAKAKAKAKAKAKAKAK Sporting News. ?

THE WHEEL. WORLD'S MEET AT MONTREAL.

within the legislative authority of the

Provincial parliament, and they decreed that the employment of Chinamen in the

company's mines was unlawful, and they

(Associated Press.) Montreal, Aug. 10.-There was another granted an injunction restraining the big crowd at the second day of the world's company from employing them. The cycle meet. On account of the time occu-The cycle meet. On account of the time occuprovisions of which the validity had been pied in disposing of the 100-kilometre race, thus affirmed by the courts below were the five-mile amateur handicap was post-

capable of being viewed in two different poned until to-morrow. aspects, according to one of which they There were two world's championships Sgt. E. McDougal 27 26 27 80 the Nelson to-morrow afternoon on Cal-signed to the Provincial parliament by section 92 of the British North America gift for the Chicago rider, John A. Nelson Act, 1867, whilst, according to the other, who had no difficulty in winning, beating they clearly belonged to the class of subjects exclusively assigned to the Legis-lature of the Dominion by section 91 other finisher, by 7 miles. Cherry, t working of underground coal mines, and, if that were an exhaustive description a steam motor, a triplet and a tandem of the substance of the enactments, it Goodson's pacing, by a triplet and a ta would be difficult to dispute that they dem, was not nearly so good as that were within the competency of the Pro- Nelson.

Mr. Justice Drake.

The Hon. Edward Blake, Q. C., and Mr. Cassidy (both of the Canadian Bar)

Mr. Cassidy (both of the Canadian Bar)

The Hon ample and the Canadian Bar wincial Legislature by virtue either of it was easily seen that records were greatly the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature of the enactments miles in 9:31, and he kept on riding of the leading feature Q. C. (of the Canadian Bar), for the respondent; Mr. Haldane, Q. C., and Mr. Charles A. Russell, Q. C., for the Attorney-General of British Columbia.

The arguments were recently heard before a board composed of Lord Watson, Lord Hobbouse, Lord Macnaghten, Sin Righard, Couch, and Sir Edward.

Consisted in this—that they had, and could have, no application, except to Chinamen, who were aliens or naturalized subjects and that they established no rule or regulation, except that those cord of 30 miles 820 yards made by Duppur of France. In two hours he rode 61 miles are 2-minute gait until he had at previous amateur records in the distance Chinamen, who were aliens or naturalized subjects should not work, or be allowed to work, in underground coal mines within the Province of France. In two hours he rode 61 miles are 2-minute gait until he had at previous amateur records in the distance Chinamen, who were aliens or naturalized subjects should not work, or be allowed to work, in underground coal mines within the Province of France. In two hours he rode 61 miles are 2-minute gait until he had at previous amateur records in the distance that they established no rule or regulation, except that those cord of 30 miles 820 yards, against the amateur competition reduced to work, in underground coal mines within the Province of France. In two hours he rode 61 miles are 2-minute gait until he had at 2-minut consisted in this-that they had, and miles at a 2- minute gait until he had of British Columbia. Their Lordships land.

saw no reason to doubt that, by virtue of Major Taylor added the mile professional Lord Watson, in delivering their Lord-ships judgment, said that the appellant compress of mis-compress of company carried on the business of min-authority in all matters which directly that won by the Major, who easily rode ing coal by means of underground mines concerned the rights, privileges and dis his field down. In the final Nat Butler in British Columbia, and had employed, abilities of the class of Chinamen who took the lead at the start. Major Taylor and still continue to employ, Chinamen were resident in the Provinces of Can-dropping into last place. The pace was boy under the age of 12 years and no Woman or girl of any age, and no China- by the appellant company, consisted in man shall be employed in or allowed to establishing a statutory prohibition which men began riding at the ninth quarter. be for the purpose of employment in affected aliens or naturalized subjects, McLeod went to the front with a rush, low ground." The present action was in- sive authority of the parliament of Cau- But the others were not to be dealed, and who is a shareholder in the company. in the Full Court noticed the fact that Major had the race well in hand, and a He asked (1) for a declaration that the the Dominion Legislature had passed a great fight was on between Tom and Nat Butler and McLeod. Fifty feet from the wire McLeod went under the terrible pace, while Tom Butler beat Nat out by a halftwo-mile amateur. Results:

100 kilometres (62 miles, 573 feet), amateur championship of the world-John A. Nelson, Chicago, won; time, 2:04:13 1-5; source of danger and injury to other legislating to the full limit of its powers of danger and injury to other legislating to the full limit of its powers (Geo. W. Riddle, Winnipeg, Man., third. Two-mile amateur-J. F. Moran, Chelsea, Mass., won; John Caldow, Glasgow, Scot-

> ier, second; Nat Butler, third; Angus Mc-Five mile tandem, pursuit race, professional-Nat and Frank Butler won. Time

Montreal, Aug. 12.-The World's a meet pected to be the best event of the noon, the championship match between the winners of the mile amateur and mile professional championships, turned out a disappointment, as Major Taylor, the colored active its under section 4 were within the sand lives are believed to have been lost the English amateur champion, who, therecompetency of the British Columbia in the recent storm in this district. Three fore, took the world's championship by definite riding in 2:18 3.5. The only other fiver, refused to ride against Summersgill. legislature. That question directly concerned the legislature authority of the legislature of British Columbia, which depends on the persons were drowned in the Ponce discontinuous and the persons were drowned in the Ponce discontinuous and persons were drowned and persons were drowned and persons were drowned and persons were d trict. During the progress of the storm easy thing for Harry Gibson, of Cincinnati. the hospital was wrecked and its patients. The road race was a fizzle, as some un authorized official turned the riders back at about half the distance. The Royal bucoa, Adjutas and Humacao were devastated, and in some instances entire vil-Canadians, of Toronto, won easily, with lages were swent out of existence One hundred persons are reported to have been killed on a coffee plantation. Everybody is ruined. Pestilence threatens, and and Canada, and a tie resulted; each team scoring 19 points. The run-over was a The German press is full of comments stretch, and the United States won easily. S. Cowan ... 1st Home. Rev. A. W. Hayer | Extras regarding Samoa. The Krentz Zeltung desults: Two-mile professional-Major K. Campbell, Outside Home, C. Archibald

> Mass., second. Time, 4:32 1-5. Five-mile tandem pursuit race amateur-Fred. Hooper, Des Moines, Iowa, and John Five-mile handicap professional-Watson fourth. Time, 10:45 1-5.

Columbus trophy race, mile amateur, in all amateur events-Earl Peabody, Chicago, won; J. Drury, Montreal, second; ors seemed evenly divided. Vancouver Lester Wilson, Pittsburg, third., Time, finally settled down to fancy tactics, 2:28 3-5.

THE RIFLE.

SATURDAY'S SHOOTING. Clover Point rifle range was the scene of lacrosse, and only the great strength of a match between teams representing H. the Nelson defence kept the wiry greys M. Navy and the local volunteers on Sat- from rolling up a score. urday afternoon. For some time the bluejackets have had an idea that the curious a good deal to do with the scores they the spectators that the Nelsons were Capt. Finnis, R.N., b Nichols, c Chalcal term in rifle sheeting for the said "fixing" is orthoptic, and it may be shortly described as an adaptation of the peep sight which is used on sporting rifles, the principal difference being that whilst in the latter case the "peep" part of the sight is affixed to the rifle, in the former case the "peep" is fixed in from of the eve of the shooter. The effect on the shooter in either case is very similar. The use of the orthoptic, or peep sight, without doubt chables the shooter to obtain a much clearer foresight; he can use a finer line on the backsight, and is generally less affected by sudden changes of light. With their usual happy knack of calling things by their uses the bluejackets have dubbed these "fixings" "optics," and it was a condition of the above match that no "optics" should be used. The various attempts at the home made article exhibited on the range by the Navy boys would however. ead one to believe that the 'optic question had taken a firm hold of their minds, and that 'tin and solder were in danger of beming scarce commodities in Esquimalt. The results of the match, which are given below, go to show that whilst finer scores can no doubt be put up with the aid of such adjuncts as orthoptics, etc., etc., these are by no means indispensable, and

their use by a rifle shot does not mean that he cannot shoot fairly well without them. The weather for shooting was typical of Glever Foint range—the usual half a gale strength of the visitors' defence. Jeffs' magnificent runs up and down the field were also a feature. From every start. It was discovered before the start. It was discovered before the start of the light st of wind from the right and the light fairly six. FIFTH REGIMENT.

Bomb. S. W. Bodley 28 35 22 85

200 500 500 Tl.

Major Williams 25	28	23	76
Guar. J. Webb 21	29	. 25	75
Sgt. W. H. Lettice 28	25	22	75
Bomb. W. Winsby 25	30	20	75
Gunr. R. J. Butler 30	17	21	68
Gunr. A. Brayshaw 24	21	22	67
Bomb. A. W. Currie 24		22	66
Range Totals255	266	223	741
THE NAVY.			
200	500	600	TI.
Sgt. T. Gormley, R.M.L.I. 27	17	27	71
Pte. C. Pike 29	23	18	70
F. J. Luscombe, 1st class			100
P. O 20	28	21	69
J. Dunston, 2d class P.O. 29	24	16	69
W. Wyatt, A. B 22	17	25	87
G. Jarvis, 1st class P.O., 23	18	22	63
H. Slee, L. seaman 24	18	18	60
W. W. Hole, 1st class	1000		602
P. O 20	28	9	57
W. L. Foale, 1st class		-	M
Р. О 16	28	8	52
	1		110

Range Totals 228 220 170 618 THE TURF.

FANNY PUTNAM. The welcome news has been received by Mr. W. G. Stevenson that his racing mare, Fanny Putnam, has been re-instated by the American Trotting Association. Last season she was entered Harries played a splendid innings for the out of her class by her driver, Andy Mc-Phaeton eleven, making 62 before he was 6-0, 6-4. Dowell, at Dubuque, Iowa, and won a \$1,000 purse. This caused considerable the top scorer for the other side. comment, and an investigation followed. with the result that she was found she had a mark of 2:39. A fine of \$800 was im- Lieut. Cayley, st Merritt, b Goode 10 posed on her owner and her driver, her Lieut. Metcalfe, e Goode, b Smith. . . . 6 owner, Mr. Stevenson, being an innocent Dr. Harries, b Collins party to the affair. However, she was Mr. Waterhouse, b Collins barred from starting on an American Mr. Jurkin, e Smith, b Goode...... track until the fine was paid. Consider- Baldwin, private, not out ... able correspondence followed, Mr. J. A. Lient. Chapman, c Pond, b Smith.... Fullerton interesting himself in the mat- Lieut. Morant, cand to desalge...... 1 ter, but it was not until McDowell, who Rowe, ig. seam; "to Smith, b deSaige.... 11 on an American track, that the mare was reinstated, Fannie Putnam will make

coast to lose was evident to the 1,500 spec-

while the up countrymen continued to

working very hard, but altogether indi-

defence. And so it did.

of play.

Vancouver.

G. Matheson ...

is now under contract to the Penn Val- Lewies, A. B., b Smfthd...... ley stock farm, paid the fine, which he Beaumont, b Smith was compelled to do before he could drive Extras her first start at the Breeders' meeting, Santa Rosa, on Saturday night. From Lieut. Collins, run out She was well driven by C. W. Jeffries of

the Spreckles & Knapp stables, and should be a money-winner this season. LACROSSE. Goode, A. B., not out VANCOUVER DEFEATS NELSON. Balsdon, b Harries The Nelson Lacrosse Club met defeat Extras from Vancouver by 4 goals to 2. That the visitors did not come down to the

tators who watched the stubborn game The Vancouver Cricket Club eleven met | Foulkes again established himself they put up against the winners. Indian eleven representing the Navy on Satvidually Nelson perhaps has as fast a urday afternoon on the Canteen Grounds, feating Mr. G. A. Hurd in three straight club as plays the game, but they were no the result being a victory for the home sets, 6-1, 6-0, 6-1. The mixed doubles team by an innings and 33 runs. The championship was won by Mr. Foulkes match for Vancouver. In almost every scores follow: way they showed skill and proficiency

First Innings. A. McCrary, b Barraclough.... ..E. Develin F. Lynch F. G. Crickmay, c Barnes, b Barra-A. AllenPoint...... clough Cyclist Challenge Shield, only two coun B. Hill , 2nd Defence... D. Blackwood J. S. Tait, b Rarraclough..... tries were represented, the United States W. Chase3rd Defence H. Howden O. O. Nichols, b Barraclough W. ForemanCentre......A. Jeffs / E. A. Digby, b Barnes..... W. Templeton...3rd Home....D. McNichol | F. F. Burns, b Barnes.... jeckeying race from the pistol to the F. Wright2nd Home A. Perrier h. R. Digby, not out ...

D. Smith...Field Captain..W. A. Galliher Second Innings. M. Oppenheimer .. Umpire... K. Burns Rev. H. G. Clinton, not out. Here are some of the News-Advertiser F. N. Chaldecott, run out... A. Nelson, Chicago, won. Time, 10:14 1-5. lacrosse reporter's notes of the game: | T. S. C. Saunders, c Hay, b Oxlade.... In checking, Nelson had the best of F. G. Crickmay, b Oxlade. loeman, Boston, Mass. 225 yards, wou; the lay, but Vancouver easily outclass- A. C. Digby, b Barraclough... T. B. McCarthy, Toronto, 350 yards, sec- ed the greens in team play. A struggle W. R. Digby, b Oxlade ond; Alf. Boake, Toronto, 375 yards, third; on the Nelson home at this stage of the J. S. Tait, l b w, b Barraclough. R. O. Blaney, Brantford, Ont., 450 yards, game gave the onlookers a sample of later O. O. Nichols, c & b Oxlade... crosse that is not witnessed at all A. G. Thynne, c Hay, b Barraclough... matches. Not that the style was pretty, F. F. Burns, c Simmons, b Oxlade..... open to winners of first and second places but it was hard fought and clean, and A. McCreary, c Metcalfe, b Oxlade.... the excitement rose high, while the hon-

play every man for himself. The Vancouver home, fed by Reynolds, Allen and Barr, were playing very pretty Nichols Try as they might the Vancouver de- Dr. Jarries, R.N., b E. A. Digby... fence could not get the ball away from Corp. Barraclough, R.M.A., not out... looking fixings that some of the local their territory. The shots were pouring Lieut. Hay, R.N., b W. R. Digby 4 Miss C. Livingston, 6-0, 6-2; Miss Rob cracks wear over their shooting optic had in on Matheson. It began to dawn upon Lieut, Collins, R.N., b Nichols.

> It was apparent, however, that Nelson had a strong defence in Lynch, Grant THE WHEEL. and Thompson. Some attempt was made at combination with poor results. Balls, RACES AT WORLD'S MEET. matter how well passed, were poorly handled in the picking up, and many of them were very poorly delivered, as Australian rider, Ben Goodson, won the often as not falling into the stick of the five miles amateur handicap, beating the watchful Cowan or Foreman. Then the Scotsman, Caldow, in a rattling finish by terday. visitors resorted to the old time dodging half a wheel, with Sperrit and Boisevert, result in order of the scores being methods. Their ability in this line show- two Canadians, close up. There was a lows: ed them at once to be out of touch with Easty spill in the third heat of this race, E. Gregg22121121222121the methods of modern lacrosse. It was Lorge, of Charlottetown, P. E. I., going H. N. Short...1222211222111 easy enough sometimes to dodge one over the embankment at its highest part. W. Bickford ..012222112201 man, but the second ended in a spill and and bringing down three other riders. a lost ball. Rev. A. W. Hayer was play- Lorge fell about 10 feet on the other side. R. Short 221120222112. ing a great game for the tourists, but and the fact that he struck a bicycle chest F. S. McLure, 2210221121

and "the minister's all right" rang out great race in the first heat, only being for the medal was then shot off. when he made a conspicuously good piece barely beaten out by his brother Frank. in a victory for the former.

good. There is no doubt that the volunteer | And to wind-up with the Vancouver reteam had a considerable advantage in the porter ventures into the realm of prointimate knowledge they, without excep-tion, possess of the peculiarities of the of the comparative strength of the prorange, as well as from the fact that, owing vincial teams. He says: "Nelson's claims to there being no rifle range adjacent to on the provincial championship will have Esquimalt, the Navy shots get little or to go unsatisfied this season. They may no practice. The following are the scores: win from Victoria. They ought to win at Nanaimo. From Westminster they cannot win."

The match between the J.B.A.A. and edonia ground, commences at 4:30 and should attract a large crowd, if only to ncourage the visitors in their attempt extend provincial lacrosse throughout he province.

MAY VISIT DUNCAN.

The management of the agricultural exdibition at Duncan is displaying much ore than ordinary enterprise, and have ow expressed a desire to add a lacrosse natch to the aftractions of the show. With gow, won; C. P. Boisvert, Montreal, see his end in view they have invited the J. A. 'A. team to take part and arrangeents are now under consideration.

TWO PROTESTS.

The matches between Victoria and New estminster have both been protested, the rst, which the Victorians won on the round that Mike Finlaison, one of the ayers, had recently acted as field capain for the Nanaimos, and the second, hat the rules regarding the sending of the A Freathy, A. B. 18 19 6 43 expense guarantee was delayed beyond the ripulated time. The protests will probabresult in a "saw-off,"

CRICKET. PHAETON'S WON.

A capital match was played on the Riggs 2-6, 6-2, 6-4; Miss Beattie beat Miss canteen grounds yesterday between elevens | Reeves 6-0, 6-1. Finals—Miss Beattie beat representing H. M. S. Phaeton and the Miss Riley 6-3, 3-6, 6-4. crews of the Amphion and Virago. Dr. lowled by Collins, Lieut. Simmons being

The scores follow: H. M. S. PHAETON.

H. M. SHIPS AMPHION AND VIRAGO, and Miss Riley in finals of ladies doubles Lieut. Hon. S. Hay, & Jinkin, b Rowe. 16 Merritt, A. B., b Rowe...... 1 Lieut: deSalge, c Chapman, b Rowe ... Smith, A. B., b Jinkin 0 Lieut. Simmons, R. M., b Cayley..... 29 Lieut. Welburn, c Chapman, b Cayley. 8

VISITORS DEFEATED.

VANCOUVER CRICKET CLUB. Rev. H. G. Clinton, b Barraclough ... 3 fought and the result often in doubt the T. S. Saunders, c Metcalfe, b Oxlade.. 12 scores were 1-6, 6-5, 5-7, 6-0, 8-6, 8-6. F. N Chaldecott, b Barraclough 4

Total

Total ... NAVY. Lieut. Simmons, R.N., b Nichols...... 0 Capt. Barnes, R.M.A., c Burns, b

Lieut. Cayley, R.N., b W. R. Digby ... Capt. Poole, R.M.A., b Nichols...... decott, b W. B. Digby 4 Miss Maitland-Dougall beat Mrs. Leath vidually and that the play at any mo- Lieut. Oxlade, R.N., b Nichols... ment might work its way into Nelson's Extras

Total

Montreal, Aug. 11. Three events were decided at the World's meet to-day. The

ally came out on top, and was time and Winnipeg, was badly scratched. again applauded for his work at close In the preliminaries of the five-mile pro- Capt. Sears ... 2022102201000 quarters, Cries of "Bully boy, parson," fessional handicap, Nat Butler made a The fle between Messrs. Gregg and Nat's time made a new handicap competi- Dallain, of the Humane Society. w The fourth game was remarkable for tion record for the distance. Major Taylor sent, but there was no occasion for the manner in which it showed the en- was the scratch man in the second heat. ference on his part.

Finally the Major started on the wheel, but had to give up after g couple of miles. The first four m a nice race of it, Boake winning nice the stretch.

Caldow, the Scotsman, won the mile amateur sprint. Jimmy Drury, the Canadian nade an attempt to smash the amateur paced record of 1:39, cently in England, but the best he was 1:43 4-5, a second slower American mark of 1:42 4-5, but ably better than the Canadian and cord, which was 1:54. Drury was paced steam motor, and had no difficult keeping the pace. Results.

Five-mile handicap, amateur-Pan on, Sydney, Australia, scratch, Caldow, Glasgow, Scotland, scrat ond; Alf. Sherritt, Brantford third; C. P. Boisvert, Montreal, 7 fourth. Time, 13:33 1-5. One-thin-mile amateur-J. Caldow end; Goodson, Australia, third. Tim

One mile amateur record trial, paced h meter, to beat world's amateur 1:39-J. Drury, Montreal, 1:43 4-5 Canadian amateur record of 1:54)

LAWN TENNIS.

(Special to the Times.) Seattle, Aug. 12.-Play in the Seattl lawn tennis tournament was continued to-day. The following is a summary of yester.

day's play: Men's Singles-Russell beat Powell 8-6 6-1, 6-2; Pelly beat Goward 6-3, 0-6, 6-3 Foulkes beat Russell 6-3, 6-2; Hurd beat Pelly 6-3, 6-8, 6-4.

Ladies' Singles-Miss Reiley beat Miss Mixed Doubles-Mr. Foulkes and Miss Beattie beat Mr. Fransioli and Miss Riggs

Men's Doubles-Hurd and Russell bear Benham and Goss 6-1, 6-1. Finals-Hurd and Russell beat Foulkes and Goward 1-6, 6-8, 6-0, 8-6, 7-5.

To-day's programme 10:30 a.m.—Semi-finals, Mixed doubles. 2:30 p.m.-Finals, ladies' doubles. 3:30 p.m.-rinals, gentlemen's singles. At 4 o'clock the finals in the men's championship singles, between Foulkes of Victoria, and Hurd of this city, will come

At 2:30 o'clock Mr. Foulkes and Miss Beattie were pitted against Mr. Russell and Miss Riley in the finals of mixed

Miss Riggs and Miss Kershaw of Tacoma are playing against Mrs. Rallins The mixed doubles game this morning between Foulkes and Miss Beattle and Powell and Miss Powell, was stopped by an accident to Miss Powell. In making a pass for the ball she accidentally sprain ed her ankle. The game was forfeited Foulkes and Miss Beattie, score 4-3. Miss Powell played a splendid game against her strong opponent, Miss Beat-

Russell, and Miss Riley beat Goward 0 and Mrs. Langley of Victoria, score 6-

FOULKES IS CHAMPION. At Seattle on Saturday Mr. J. F champion of the Pacific Northwest, and Miss Beattle, who defeated Mr. Sam Russell and Miss Reily, 6-2, 6-4. Hurd and Russell defeated Foulkes and Goward in

POSTPONED

The annual boys' tennis tournament ha been unavoidably postponed till Wednesday morning. Entries must be sent t Messrs. Aspland, Keefer or Patton no later than Monday evening at 8.

DUNCAN'S TOURNAMENT. That tennis is a game which only folk can play has been disproven by excellent tourney at Duncan's during week, the final stages of which was rea .107 ed yesterday. R. Barkley and R. Maste won the gentlemen's doubles, beating Smithe and C. Kingston by 6-0, 6-1. the ladies' doubles, Miss M. Musgrave Miss M. Livingstone defeated the Miss Robertson, 6-3, 6-4. To day the singles is the feature of the afternoon a quite a crowd of Victorians have gone

to see the finish. AT COWICHAN.

Following are the results of games i the Cowichan tournament, which was concluded on Saturday:

First round (gentlemen's open single -H. M. Hills beat B. Prior, 6-1, 6-3; R. Barkley beat W. H. Elkington, 6-0. R. Musgrave beat A. Ward, 6-1, 6-3; B Lieut. Metcalfe, R.N., c & b Burns.... 7 Drake beat R. St. Master, 4-6, 7-6, 7-Second round-Barkley beat Hills. 6-1; Musgrave beat Drake, 7-5, 6-2. 11 Final round-Barkley beat Musgra 48 6-3, 6-3, 6-0.

59 Laures' open singles (first round) E. Drake beat Miss N. Robertson, 6-2, 6son beat Miss E. Drake, 6-4, 6-2; M Musgrave beat Miss N. Drake, 6-4. 0 2-6, 6-4,7-6.

Third round-Miss M. Livingston b Miss Robertson, 6-3, 6-1; Miss Musgra .191 beat Miss Maitland-Dougall, 6-3, 6-3. Final round-Miss Musgrave beat Mis Livingston: 0-6. 6-2. 6-4.

TORTHER GUN.

THE LIVE BIRD SHOOT. The Victoria Gun Club held a succe live pigeon shoot at Langford Plains Fifteen pigeons were shot for

An Attempt

The Former Doe the Bordereas

(Associated Rennes, Aug. 14.-Tw Maitre Labori, couns One shot was fired, hitt back. Labori fell in

Labori left his house six this morning. His ated in the suburbs, an hour's walk from the being along a solitary river Vilaine. He read way on his journey, wh had evidently been lyi ed out of a narrow lane fired a single shot from murderers immediately lane from which they both escaped.

At 7:30 it was ann bullet had entered the was no outward bleedi Believe Labori

A later story has it shot in the temple by a revolver at him outs that the miscreant wa two or three laborers g the crime committed. chosen, as the murderers by Labori as they rush entrance to the lane bushes. Moreover, the easy means of escape through the lane, which

One of the laborers who witnessed the sho "As I was walking

saw a tall man walking of Rennes. He was of of the Vilaine; was lounge suit and wore was M. Labori. Just bridge crossing the st the Vilaine, two men wearing dark suits and hats, emerged from the the main roadway.

Drew a Revolve point blank at Labori. that it was quite impo There was a sharp rep Labori as he threw 'Ho, la la!' (which is expression), and he fe face. I and one or tw but the murderers had the lane. Help was for. Gendarmes quick soon after word was

Labori." M. Labori, on falling, of mind enough to arra which he carried his head for a pillow until when he half raised hir his head in her lap. A ers unloading stones heard the shouts of " raised by the nursuers ed himself in the way who, covering him w shouted. "Let me pass: fus." The man was drew aside and allowe

to proceed.

the Would-Be

After shooting the murderer ran acro he reached the railro bankment and followe he arrived at a level of was just arriving at murderer dashed acro front of the train tow the direction of the vil where he was lost to Colonel Picquart as law, M. Gast, who, it eports, accompanied to Lyces, pursued the distance, but being hea unable to continue th turned to the wounded chase of the man of peasants ar declare they heard the r say, when crossing I can get away, I Madame Labori was

Notified of th She rushed to her hu him with his head on threw herself by his side head in her lap, fann was perfectly still. noan from his lips as b the lap of his wife, w an American. As she her right hand she c her left. He tried to mastered her feelings ossible to ease her It is reported that t said, as he lay wound