Victoria, Friday, June 1, 1894. THE LAW OF LIBEL.

A Toronto lady, Mrs. Juliette C. Smith, some time ago brought a suit for libel against the Chicago Herald on account of some statements in reference to her which appeared in the columns of that paper. The jury awarded her \$15,000 damages and the defendant newspaper immediately moved for a new trial. In granting this, the presiding justice, Judge Dunne, offered some remarks on the law of libel and the responsibility of newspapers which it would be well for some of his judicial brethren in Canada to take to heart. Judge Dunne said: "The plaintiff had the protection of a husband, an intelligent gentleman fully cognizant, no doubt, of the circumstances attending not be evaded. Although the campaign the publication of a newspaper. He and lie has lost much of its potency, the fact she must have known that news is gath- has only been the effect of redoubling the ered by such a paper from multitudinous sources and from the whole face of the earth and published hot from the tele- against resort to such methods is emraph wires. That it is absolutely impossible for this modern engine of informa- the day is not far distant when lying as tion to do the work which the times and a political expedient, and liars as politithe people expect and demand and at the | cal instruments shall have passed into insame time to verify every statement and nocuous desuetade?" We should very to explore for possible falsity in what much like to see these words taken to seems true was information common to heart by the World, which is proving itthe plaintiff, her husband and all intelli- self the worst "campaign liar" in Canada, ent persons." The judge went on to with the possible exception of the Torshow that the proper course for the plain- onto Empire. It may be well to remind tiff to pursue was to inform the publish | the World that it has made its own case ers of the falsity of the article and demand reparation and refraction ball dis suit had been brought without any request for a retraction. This statement therein. Judge Dunne followed with a few observations on the press and its relations to the public which show that he has a true sense of equity and some knowledge of actual newspaper work: "The modern daily is at once the effect and instrument of progress. Its proprietors must answer for wrong done, even without express malice, but they are entitled to fair treatment. When a newspaper is fed in mate him, but Quennell's supporters were to publishing unknowingly, an untrue. statement concerning an individual, it should not only retract when the truth is made known, but also compensate the injured party for infury already done; but the nature of the business has not been at is equally the duty of the person thus announced. Both parties have been injured to make known the truth, demand retraction and lessen so far as possible the injured consequence of the libellous publication. If this be done and the paper persists in repeating the statement, or refuses ample retraction and reparation, then it is time for the vindictive lightning of the law to strike. Here a party who claimed to be injured, did nothing to stop the further circulation of the report. The right to redress is not the boat was the work of a few minutes right to vengeance. Courts are to stand between every individual and injustice, protecting the one, preventing the other. It has been the uninterrupted practice of the courts to examine with careful scrutiny verdicts the principal element of which is vindictive damages, and to set aside, or otherwise control, the same Mr. J. Randle, jr., the popular foreman where they are manifestly the result of of No. 1 shaft, has been appointed a nreasoning prejudice, blind sympathy member of the board of examiners for dent, Herbert Kent; Vice-President, or wanton recklessness." There are peoin for a chance to be libelled and who are | the recommendation of Inspector A. continually exposing their feelings to in- Dick. jury in order that they may proceed against some newspaper for libel. Unfortunately they too often find courts and lawyers but too effective instruments for the working of injustice, but if all judges had the same sense of justice as Judge Dunne of Chicago the newspapers would less frequently be victimized. His concluding words seem well worth quoting: "The management of a newspaper was subject to the same risks as any other are firm. The floods in British Columbia's mercantile undertaking, no more; but great agricultural district will not be with- of habeas corpus last week, was to-day there was no rational theory in law upon out their effects on prices. Receipts of which vindictive verdicts as against one meat from the Sound are heavy. class of defendants should be higher than against those of like financial standing."

# THE AMBULANCE.

The circumstances attendant on bl death of the boy Johnson show the no cessity of some change in the regulation regarding the ambulance. It so happe ed that the first doctor called upon in tha case had no power to call in the amb lance, so another had to be asked to is sue the necessary summons. It seem that the power is restricted to doctor who are on the consulting staff of th hospital, others not being entrusted wit it, for some reason not known to us. I the case of young Johnson there was tim lost on account of this red tape regula tion, but less than will be lost in th majority of cases, for it so happene that a member of the consulting state was found without delay. However, th incident has furnished sufficient evidence to show that the regulation should b modified so as to permit the ambulance being summoned by any responsible phy sician when similar emergencies aris An hour's delay in such cases migh easily make a decisive difference in th

### outcome. EDITORIAL NOTES.

Vancouver will shortly vote on a b law to raise by loan the sum of \$60,000 being the amount due by property owner for taxes during the past year. Th bonds will be for one hundred dollar and as the arrearages are paid in th bonds will be retired. This course, th World says, is deemed preferable to sel in the lands and will give those owin the city an opportunity to pay up witho sacrificing their property. The plan a new one in civic financiering, and w work well provided prosperity retur before the bonds mature.

The uncertainties of the law, through the mistakes of those who administer it, demonstrated affesh in the Cotton Strawberries, per dox.

The Weeking Times | case. There have been already in this celebrated case half a dozen instances where somebody has blundered. Mr. Cotton's release yesterday was due to a technical flaw in the warrant. When men of high legal attainments make so many flagrant errors, it ought not surprise the bench that men not so well informed-say, for instance, newspaper men-now and then commit a trifling indiscretion and are prosecuted for libel. The legal fraternity, from the bench downward, ought to be very charitable.

> The Vancouver government organ reproduces from an American paper an instructive article on "campaign lying," of which the conclusion is as follows: "A campaign liar has much to answer for. He can plead no extenuation. A lie alin the heaf of political discussion or in cold blood. The responsibility for it canefforts of its inventors and stimulating their ingenuity. But the public revolt phatic, and gives reason for the hope that all the worse by reproducing the article

at the meetting last evening, that is, if the report brought in is a true one. There were quite a few of C. C. McKenzie's Nanaimo and the Stars of this city on supporters present, who wanted to nomi- Saturday next promises to be an interin the majority, so that it was finally decided to nominate Mr. Quennell in the interests of the Davie government.

A meeting of Mr. J. McGregor's supporters is called for Friday night, but working silently of late, but the next few weeks will find them engaged in holding meetings in different parts of the city and district. The Reform Club park last night. F. Moody was second will take advantage of the first day the mines are idle, so that they may be assured of a large attendance.

A boat containing Mr. Savage and a lady capsized on the bay on Tuesday evening. Fortunately the accident was observed by the crew of the bark Sea King. The launching and manning of a and a few minutes after the lady and gentleman were rescued from their peril-

Rev. G. W. Taylor was formally inducted as rector of St. Albans church last evening by the Lord Bishop of Columbia. There was a special service, in which the clergy of the district took

of the late R. Scott. The appoint

## **一般,我们们在这个人的人的人** THE MARKETS

A Short Summary Covering Articles Produced by the Farmer.

Fresh eggs are not as plentiful as they were by any means and values are stiffen-ing up somewhat. Many retailers have advanced the retail price to 25c, a dozen and it will go higher. The eastern and preserved eggs are holding at old prices. There is an upward tendency in feeds and millstuffs and the price will probably advance. Oats over there remain low. Retail prices are as follows:

83	Trouble sees to be a see of the sees of the Co.	5
e	Three Star	Į.
2000	Victoria di Constanti di Consta	63 72
9-	Povel	ä
19	Wheat per ton	â
200	Oats, per ton	Ü
1-	Barley, per ton	D(
it	Middlings, per ton	DI
1-	Bran, per ton	U
<b>500</b>	Ground Feed, per ton	JE Or
8-	oracked 50	UK OK
ıs	Cornmeal per 10 Ths	41
6555	Oatmeal, per 10 lb.	ŝ
S	Oats, per 'ton	1
le "	Potatoes, per ib	S
h	Potatoes new, California 21	ġ
	Potatoes, seed	
n	Cahhage	i
le :	Cabbage Hay, baled, per ton	οi
1-	Straw, per bale 1	Ð
252.8	Onions, per ID	D
le	Eggs per doz	2
d	Sugar per pound	Ŗ
30000	California Creamery	7
f	Cheese, Canadian, per lb, retail	2
10	" American, per 10	2
e.	Hams, American, per lb	2:
e e	Onions, per ID. 56 Eggs per doz. 156 Sugar per pound. 6 I Butter, Island roll, (2 Ibs), 606 California Greamery, 606 Cheese, Canadian, per Ib, retail.  "American, per Ib. 2206 "Canadian, per Ib. 2206 "Canadian, per Ib. 4174 Bacon, American, per Ib. 4174	2
	Bacon, American, per ib.  Rolled per ib.  Long clear per ib.	1)
e.	Long clear, per fb	Ė
V-	Long clear per h Shoulders, per lb. Lard, per lb. Lard, per lb. Pig's feet, per doz. Tongues and Sounds, per kit. Meats—Beef, per lb. Sides, per lb. Mutton per lb.	14
e.	Lard, per ID	$\frac{2}{2}$
	Topous and Sounds per bit	91
nt	Mests-Beef, per In.	1
e	Sides, per 10 8@	i
	Mutton, per ib	1
	Pork, fresh, per fb	ij
	Chickens, per pair1.50@2.	DI C:
	Googe per th	9
	Fish-Smoked salmon (spring) per th.	1
y-	Fish-Salmon (Spring), per ID10@	Ē
0,	Meats—Beer, per lb   100   1	5
rs	Salmon (Smoked), per ID	퇿
10	Halibut	
E. 1999	Cod per ID	ã
8,	Smoked halibut         12 l           Cod, per lb         86           "Nfdl, per lb         12 l	è
1e	" (Nfd), per fb. 121 Small fish	Ņ
10	Smeits, per ID	L
	Herring (Labrador) per doz	Ž,
ll-	" (smoked) "	Š
ıg	Eastern eysters, fresh, per quart	7
nt	Fruits-Apples per 10 40	À
	Bananas, per doz25@	4
B	Granges Cantrornia.	9
11	" Naval 40@	ñ
164	Lemons, California, per doz	3
	Naval 406 Lemons, California, per doz 256 (Australian) 556	3
	Pine apples, apiece	D I
2767	Liranderries, Der Quart	3

SPORTING INTELLIGENCE.

Matters of Interest Going Forward the Sporting World.

CANOEING.

MEETING. There will be a meeting of the Canoe Club next Tuesday evening at 8 o'clock. There will be an election of members and general business will be considered. The meeting will be at the club house.

CRICKET ALBIONS VS. R. M. A.

The following team will represent the the Royal Marine Artillery at Work Champions only are recognized by Point on Saturday: Players are requested to leave town by the 1:30 car. Malthy, captain; A. C. Anderson, C. Frost, J. C. Jones, V. Howard, R. H. Swinerton, C. Schwengers, H. Martin, ways remains a lie, whether it is uttered J. E. Martin, W. J. Savory and Q. D.

> TACHTING. THE WORK OF THE VOLAGE A protograph of the yacht Volage as west and the sport is booming.

The Victoria lacrosse club has adopted Nanaimo, May 31.—The government in the centre. The design will be work. feet 1 3-8 inches. party in Cedar district cannot be said ed on the front of the shirts worn by the to be harmonious, as was clearly evinced players, and a number of small badges will very likely be made up for the mem bers of the club. The game between the intermediates of

> esting game. There will be a large number of Victorians go to New Westminster on the

Islander on Saturday. Victoria will have a strong team in the field and it will very likely be a royal game. THE WHEEL.

TWO MILE RACE. E. A. Wolff, of Victoria, won the two mile roadster bicycle race at Beacon Hill and H. T. Franklin, of Vancouver, There was only half a foot between the second and third men. Frank ling cracked the handle bar of his bicy cle in the start. The race was interest

A one mile open race was also run and won by E. W. Bradley. The winner was mounted on an eighteen pound Brantford racer, which stood the rough track admirably.

Local wheelmen who intend to compete at the Northfield meet on the 9th prox should see that their entry papers are in by the 2nd, as the list will be closed af ter that date.

NEW CLUB ORGANIZED. new bicycle club was organized new bicycle club was organized last night with a good membership, Keynard: Laes was made by the minister of mines on P. Hibben; Stanard Bearer, Justin Wil. ector A. bert; Executive Committee, the foregoning with Thomas W. Edwards, C. H. Gibbons and E. W. Bradley. A committee to provide a programme for the meeting next Tuesday night was named Its members are Herbert Kent, Clement Rowlands and W Williams.

THE TURF.

DWYER VICTORIOUS. Brooklyn, N. Y., May 29 .- Philip Dwyer, who was held for the grand jury on a charge of maintaining a lottery, and whose case was brought before Judge Gaynor in the supreme court on a writ discharged on the ground that his arres was illegal under the Ives law. indge in his decision sava-

"There is no foundation for the contenion that horse racing is a lottery. It is not a lottery, either in common speech or within the legal definition. A lottery de pends on a lot or chance, such as the easting of lots, throwing dice, or the turning of a wheel. In the scheme of these, race horse owners do not pay a sum to win a large sum by lot or chance, but in order to enter into the contest of skill endurance and speed, upon which the stake depends. With the matter as a moral question, I have nothing to do.'

THE FRENCH OAKS. Paris, May 28.-The race for the Prix de Diane (the French Oaks) of 67.850 francs, for three-year-old fillies, ten furlongs, was run at Chantilly on Sunday, and was won by Baron Rothschild's brown filly Brisk by Galloping Bie, Calceolaire second, Floredid third. There were sixteen starters. The posted odds were ten to one against Brisk, seven to five against Calceolaire, and eight to one against Floredid. The horses got away to a fair start. Brisk and Calceolaire ran behind together until they were entering the stretch. Here they were giv en their heads and rushed to the front, racing almost neck and neck. Then is sued a final tussle for first place. Brisk's staving nowers were better than those of her opponent, and she finished a half a

ACCIDENT ON THE COURSE. Vienna, May 27.-The Austrian Derby was run to-day. As the racers were nearing the winning post Fincgoyerck, one of the leaders, stumbled and fell. Five horses following struck the prostrate animal, and all piled in a heap on top of it. | States district attorney for the District Mixed up in the pile of frightened and kicking beasts were their jockeys, who were finally rescued from their dangerous position. Not one of the jockeys was dangerously hurt, but two or three boys will not be able to ride for some time. The race was won by Magus.

NOW A BACK NUMBER. NOW A BACK NUMBER. by West, declaring in favor of letting the lary.

San Brancisco, May 29.—Henry Peter Sandwich Islanders choose their own His lordship then briefly told the grand son, the champion carsman of the Pa- form of government, had been laid on the jury their duties saying that there were cific coast, has returned from Austin,

pion, did not complain of the climate. In fact, Peterson was the only oarsman that competed who had made any remarks relative to the climate and its baneful effects upon oarsmen. It may possibly be that Gaudaur, mesmerized the Californian before they competed in that great three mile race, as reports from Austin stated that Peterson was strong favorite and should win, barring accidents. It would certainly have been a great feather in Peterson's cap if he had defeated the champion of the world in the principal event of the regat ta; but as Gaudaur proved his title to premier position, Peterson's name will drop out of date until such time as he Albion cricket club in the match against can properly claim championship honors. sporting people of America and of Eng-

ATHLETICS.

THE COLLEGE CONTESTS. New York, May 28.—The nineteenth contest of the Intercollegiate Athletic Association was held at Berkeley Oval on Saturday, and resulted, as had been generally expected, in favor of Yale. Harvard and the University of Pennsylshe appeared with everything except a vania fought hard for second place, the portion of the mast carried away, has former winning finally at the end of the been taken and forwarded to Captain games. Union and Wesleyan, the col-Kirk, her owner, who is at present in leges of the city of New York, and Am-London. The newspaper articles telling herst each won a single event. The other of her work in the regatta have also been points scattered. Princeton was weak forging forwarded to him. It is understood that not winning a single point, and only in \$1400. her rig will be changed so that she can one case getting a man into the finals. arry more sail. She, with the other Vic. There were 700 entries for the fourteen toria yachts, will go to Whatcom on July | contests. Three intercollegiate records 4, and will very likely make an interest- were broken and one was equalled. The ing showing there. There is a wonderful two mile bicycle record was reduced interest taken in yachting in the North- from 5.28 to 5.18 1-5, and the mile run vest and the sport is booming.

Was set at 4 minutes 2 4-5 seconds. In putting the 16 pound shot the distance too big for Class D she has been de was increased from 41 feet 1-8 inch to clared disqualified and the Plunger which was second has been awarded their onds was equalled. The conditions of built the first business block in the town of throwing the 16 pound hammer have been so changed since last year that no first lodges of Oddfellows in the state.

LACROSSE. ditions to-day, however, a record of 123 a very pretty badge. It consists of a feet 5 inches was established. The record of under the old conditions was 112 in the centre. The design of the letter V or the centre of the design of the letter V or the centre of the letter V or the centre of the letter V or the centre of the letter V or the let

23.30	Summaries of points:
288	Yale 4 8 1 37
ij	Harvard 3 2 5 24
10	Pennsylvania 3 1 31-4 201-4
i	Amherst 1 0 0 5
3	New York 1 0 0 5
	Union 1 0 0 5
ä	Wesleyan T 0 0 5
a	Williams 0 1 0 2
9	Columbia 0 0 21-4 21-4
200	Swarthmore 0 0 1
1	Brown 0 0 1-4 1-4
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ă	

STANFORD'S NINE San Francisco, May 29,-It has been

definitely settled that Stanford Universit baseball nine will tour through the northwest during the coming month, playing games in Portland with the M. A. A. C. Seattle, Tacoma, Everett, Spokane and other places. They will visit Victoria and probably play an exhibition game.

ON HER HUSBAND'S GRAVE. A Woman's Grief-Sandow Wins His Law Suit.

San Francisco, May 31.—In the suit brought by Eugene Sandow to restrain Irving Montgomery from using his (Sandow's) name, and also for \$20,000 damages, Judge Slack this morning rendered a decision in favor of the plaintiff with sess the amount.

Los Angeles, May 31.—The widow i his grave in the Evergre tery this morning and shot herself through the head, falling dead on the mound. Since her husband was buried the woman, who is only about thirty years of age, spent most of her time at the grave. Last night she put her house in order and this morning secured her three year old daughter in her bed. She then went to the cemetery and shot herself. She left a letter explaining that she had no desire to live since the death of her husband.

Ottawa News. Ottawa, May 31 .- Mr. Charlton's Sabbath observance bill was killed yesterday by the committee rising without reporting progress.

Sir John Thompson announced important changes in the Dominion franchise The new hill will accept the proact. vincial basis of representation, the result being that manhood suffrage in federal elections will prevail in Ontario. In British Columbia and Prince Edward island the provincial voters' lists will be taken as the basis for the preparation of the Dominion list. Colonel Prior will again interrogate

the government respecting the employ-ment of Chinese on the Esquimalt forti-

American.

Washington, D. C., May 29 .- The report of the senate select committee investigating the sugar trust was made to the senate this morning. The committee states that it overruled the objections of Judge Diettenhofer, Edwards' counsel, and insisted upon an answer to ques Referring to the testimony of John

Shriver, a correspondent of the New York Mail and Express, the committee say that in response to direct questions he declined to give the name of either the congressman or the wire manufacturers to whom he referred in his news dispatches. In the opinion of the committee each of the questions put to each of the witnesses was a proper question, and each of the witnesses is in contempt of the senate and merits to be dealt with for his misconduct. Wherefore the committee request that the president of the senate certify to each witness' aforesaid failure to testify and his aforesaid refusal to answer, and all facts herein, under the seal of the senate to the United of Columbia, to the end that each of the said witnesses may be proceeded against in the manner and form provided by law. No reference was made to the case of

Henry Walker, correspondent of the New York Daily American. Washington, D. C., May 29.-After the amendment to the Hawaiian resolutiontable, the tariff bill was taken up. Pef- to be dealt with several cases of a grave

Texas, and states that had it not been for sickness he would have won more tariff and resume consideration of Hain determining that they should be sifted honors. It seems strange, however, that wait. The motion was defeated, the Re-

Record of the Day's Events in the Golden State.

DAHOMAN AMAZONS FOR THE FAIR

Prince Behanzin Accompanies the Band -They've Fought the French-Death of an Old Friend of President Lincoin-The Loss of the Sealing Schoon-

San Francisco, May 29.-Information has just been received here that Assistant Secretary of the Treasury Hamlin's visit to this port has been indefinitely postponed. He started a few doys ago for the coast, but received a telegram while at Chicago from Secretary Carlisle, requesting his immediate return to Washington.

Fresno, Cal., May 29.-Professor W. . Sanders, who is accused of the murder of William Wootton, has pleaded not guilty to indictment charging him with King, proprietor of the Bay View. forging Wootton's name to a draft for tied the stolen goods as his and Con-

Fairfield, Cal., May 29 .- "Captain" Wood and eighty other industrials who raided ranches near Vacaville recently, driving out the Chinese and Jananese em ployees, were this morning acquitted of the charge of riot. The jury was out ten

A. W. Dranch, a pioneer who came to California in 1847, died at San Luis Obisowing \$27,000, mostly to local firms. As-

sets estimated at \$20,000. Fresno, Cal., May 29.—General Barker's army is still here with no apparent intention of moving. Their demands for food are not liberally complied with, and the leaders are very indignant, saying the only decent treatment they have met with since coming here has been from the Chinese who have furnished considerable supplies. The action of the latter, how ever, was on account of fear of the army San Francisco, May 29.-Directors Me Donald, Jenkins, Graves and Montgomery pleaded not guilty to the charge of embezzlement, and their trial was set

for July 9th.

Argument on motion for a new trial in the case of the convicted Emerald sanuggling gang is being heard in the U. S. district court to-day. Dr. Geo. W. Leek, a well known tist and brother of the Dr. J. J. Leek It appears that they took the two ani who was mixed up in the recent mysteri-

ous death of Alice Aldersley, was arrested to-day by postal authorities at the instance of Dr. Walsh, who charges Leek with opening his letters. The penalty in case of conviction is one year's imprisonment and a fine of \$500. One of the pioneers of California is guilty, with a strong recommendation to Wong Yip Hong, who came from Hong Kong in a sailing vessel in 1844. Los Angeles, Cal., May 26.—On mo-

tion of Deputy District Attorney Conkin, information charging Comstock, Fitz- Gregory for the defence. simmons and Thorne with the first train robbery at Roscoe has been dismissed. costs. The matter of damages was re- The reason for this move is because of to-day they returned true bills in the the death of Len. Harris, which will cases of Regina v. Hailey, Whittall and the death of Len. Harris, which will cases of Regina v. Hailey, Whittall and the first case rather. doubtful. Conklin is confident that he any porvision had been made as to conhas a good case on the second robbery. Isac F. Moody, doorkeeper at the Los San Francisco, May 26.—News has hospitals, jail, etc. His lordship said Angeles theatre, who dropped dead from been received here that the sealing the question was new to him, and he heart disease at the theatre a week ago, schooner Charlotte, from Victoria, has would direct them to the deputy attor ben lost in the Japan Sea. No particulars have been received, but it is supposed she was caught in a terrible typhoon which nearly wrecked the George W.

Peabody, and in which the schooner Mascot was overturned and her crew sent to the bottom. Rev. Dr. Gray, a well known Baptist minister, died in this city last night, aged 60. Deceased at the comm ment of the 29th congress was elected chaplain of the United States senate. In this position he gained prominence and ence. He was a personal friend of

President Lincoln, Dr. Gray was chap-

lain when the president was assassinat-

A band of about forty Dahomans has arrived here from New Orleans to at-tend the Midwinter fair. Among them are some Amazons who fought in the recent war with the French in Dahomey; also Prince Behanzin, son of the lately dethroned king of that name. The troop will form a Dahoman village at the

San Francisco, May 26.—Thomas E. Bowen was sent to state prison to-day for life for the murder of Margarita Boneman, a dissolute woman, several months ago.

Federal officials in this city have re ceived orders from Secretary Carlisle of the treasury to send all advertisements for government supplies to the California Democrat for publication. Several goverament advertisements have already appeared in the columns of the papers named, in accordance with instructions which have created a little surprise. The Democrat is published in the German language.

LAW INTELLIGENCE.

Opening of the Spring Assizes McNulty's Case Called.

spring assizes opened this morning with Mr. Justice Crease presiding. The grand jury, consisting of M. Baker, George Bishop, James Burns, Robert Erskine, Thomas Futcher, George Glover, Andrew Gray, Anton Henderson, Robert Jamieson, John Jones, J. B. Lovell, John Kinsman, Richard Maynard, Joseph E. Phillips, Samuel T. Styles, Henry Waller and Ridgway Wilson, with Mr. Glover as foreman, were first called and sworn.

The following is the list of cases on the calendar: Regina vs. Carruthers. manslaughter; Regina vs. Mitchell, in cest: Regina vs. Gaylor, Irvine vs. Walker, arson; Regina vs. Irvine and Silvia, had not been brought over on a warrant horse stealing; Regina vs. Redgrave, assault; Regina vs. Whittall and Reid, false pretences; Regina vs. Wallila, concealing birth of child: Regina vs. Smith. removing land mark; Regina vs. Mc-Nulty, Gilmore and Dutton, receiving stolen goods; Regina vs. Hailey, burg-

Gaudaur, who arrived at Austin several publicans and Populists voting in the code allowed prisoners to testify in their weeks later than the Pacific coast chamative. own behalf it was often a benefit to a day at Vancouver.

man to have his case tried. Any twelve of them could send it to the petit j Each case was then referred brief directions given by his lordshi said that after they had determi the indictments they were at turn their attention to abating nuisances such as gambling such other matters as might b before their notice. The hospitals and fairs connected with the administ

of justice were also under the scope their report and any suggestions made him would be dealt with in the proper The Jury then retired. Mr. A. G. Smith the deputy attorney-general, who will conduct the crown cases, then suggested an

adjournment, which was taken until two

o'clock. At the re-opening of the court at two o'clock the grand jury returned a true bill in William McNulty's case, which was at once proceeded with. was at once proceeded with. A jury was then empanelled and sworn. Mc. Nulty is undefended. On or about the 20th of April last the Bay View saloon was entered and several bottles of liquor and a quantity of cigars stolen therefrom. Shortly af ter, the prisoner's cabin on Herald street was searched and a bottle of whiskey and several cigars were found there. The prisoner was then in bed drunk. Joseph

stable Palmer told the story of the arrest The Victoria & Sidney Railway Co. and Elford & Smith arbitration is going on to-day. C. H. Hayward is the arbi trator appointed by Elford & Smith, A Jack by the company, and B. W. Pearse is the umpire. The company require 25 feet through the owners' brickyard for the use of their railway, for which they offered \$780, which was refused. While only 25 feet is actually required for the work, the owners say it will take nearly 70 feet, which cannot be used by them for the purpose for which they require it The land is brick clay, and if they it away the roadbed will drop. H. B Smith, of Keefer & Smith, who prepared the plans of the land, explained them and gave evidence of the injury likely to

Hon. A. N. Richards, Q. C., and E. E. Wootton appear for Elford & Smith and E. V. Bodwell for the company.

be done.

In Regina v. McNulty the jury yester. day afternoon returned a verdict of not guilty. Gilmore and Dutton were then tried on a similar charge. In their case the evidence was much stronger and they

The boy Irving and the halfbreed boy Silvia were the next on the list. They were charged with stealing on the 27th of January last two horses from the ladian reserve, the property of John Matte mals and rode out to Saanich, where they stayed four days and then returned to town. On the way in, somewhere about Stevens' hotel, one horse fell and broke a leg. The defence was that the boys thought the horses belonged to their uncle. The jury returned a verdict of

mercy T. R. Mitchell is now being tried. Robert Cassidy and the deputy attorneygeneral appear for the crown and F. B.

The grand jury found no bill in the case of Regina v. Wallela, and at noon veyances to take the jury out to the ney-general. Mr. Smith told them make the best arrangement they could.

At the opening of the assize court before Mr. Justice Crease the case of Healey was called. This man was charged with the burglary of a house on Blanchard street, occupied by several young men of this city. The facts, as appears from the opening address for the crown by Mr. Cassidy, are as follows: "Mr. Patterson, one of the occupants of the house, was awakened by a noise about 4:20 on the morning of the 19th instant, just in time to see and partly recognize a man hurriedly leaving his room. Upon awakening the other lodgers and after careful search it was discovered that Mr. Morphy's watch and papers, as well as what money Mr. Patterson him-self had in his pockets, were missing. One of the coins taken from the latter happened to be a very rare English Ju-bilee shilling, and it was through it that the prisoner was arrested. They at once sed and left the premises in search of the man, and after some search they saw the prisoner, who at once feigned drunkenness and afterwards was seen to go to the Vancouver hotel, in which place he was arrested by Sergeant Levin. The witnesses called so far to prove these facts were Messrs. Patterson, Howard, Morphy and Mulcahey. During the trial some amusement was afforded by an article in a previous issue of the Times referred to the gentlemen robbed as young detectives being produced. It is only fair to add that Mr. Morphy, who is a barrister of this city, expressly disclaimed any pretensions to being a sleuth hound of the law.

F. B. Gregory, of Belyea & Gregory, appears on behalf of the prisoner.

MR. COTTON'S CASE.

Released on Habeas Corpus He is Imme diately Re-arrested.

New Westminster, May 30 .- F. C. Cotton. M.P., was released from fail this afternoon on habeas corpus proceedings. Later-Mr. Cotton has been re-arrested on a fresh warrant. From Thursday's Daily.

New Westminster, May 31.-Application was made in the supreme court yesterday for the release by writ of habeas corpus of F. C. Cotton, M. P. P., before Justices McCreight, Walkem and Bole. The ground taken was that Mr. Cotton issued by Judge Drake. After argument the court adjourned until three o'clock, when Justice Walkem delivered the judgment of the court releasing Mr. Cotton on the ground that the omission to issue a warrant was fatal. Justices McCreight and Bole concurred. Mr. Cotton was released at four o'clock and immediately re-arrested on a fresh warrant, signed by Justice Walkem, based on Judge Drake's order, Mr. Wilson applied to the judges to hear his appeal which was fixed for ten o'clock on FriA NOTABLE

Preparations for a ing Forward

Chilcats to Enterta Guests Durin ing Mo.

One of the greatest ever held on the Paci take place at Klakwan up the Chilcat river, thousand Indians will them will be the abori erent tribes, including Takus, the powerful and the Sticks.

The potlatch will the opening of the ber last for the entire me chiefs of the several ent, and while it w dancing and general e for adjucation. In ac dancing, which will good portion of the ti to the music of their there are to be India and dialogues before These are in accord

toms long prevalent a Auke and other tribe The finest and rich including much that squaws years to make Klakwan, where th te be held, is the n

village in the territo several hundred Chil not a white man nor It is the Chilcats w potlatch, and the other most part guests an tained without expens cats get through they The news of the g

siderable money and there has been great the Indians for some here a day or two ago of Tlaska, who is a hotel. Mr. Sylvester Sitka Herald and the He says the potlate much interest that residents of Juneau to take a trip up the village to see it. "It will be the bi kind ever known up

expected to be so," of Alaska, who is last year \$15,000 to but this will be a big They will give away sents before they get Old Shualeen gav blankets and other a among the Indians. caused much money in plates. I was p remember the passir silver dollars. As the each Indian dipped in They were welcome a lasted. It was the tration of practical osity I ever beheld. barbarians of these need any examples anybody. Not even of our civilized section points. When they good time they has wealthy chief or trib a tribe less fortuna fishing they disper thing the Indians ne with the greatest

> good will. "The chief, Shuale potlatch last year, wi one, as will the vario sub-chiefs. "There will also men. It is not expec will take on the cha dances. However, t known in Alaska o the authorities at Wa trouble, and occasi

things, also, that the

at such times distrib

Alaska and elsewhere "This is the old sha of the Auks. It will readers of the paper he caused the death men, and that the Ur war Pinto was disp him, and hold him un could be made. The o the search that was b and he went forty mi and stayed for a wh Jack Dalton, the expl est blew over. I saw and he told me that man had been stoppi death of the old wor over at the potlatch. reached in regard to that it will be settled when there is dissat cases, by a gift of bl

"The case in quer which the medicine m treat an Indian who him in the usual way with wild incantation he didn't get any b Indian was going to help him any, and no caste, and being desir responsibility, he chi woman in the tribe Indian. She was the several ways and st several ways and confess she was a witched the sick man confess, and being o finally died.

"It is a common this to select some person usually some old ma few or no relations, her with bewitching usually answers as a to cure. Under puni tion they sometime witches. In some cas pot work. I knew an ilized one, not long with being a witch. that the shaman had port, and he at once went to the shaman's "He told him what

the shaman said it was an, and own up that y a hole through you." haste to reconsider it. blankets. He said th