

PERRY DAVIS' PAIN-KILLER BEST REMEDY FOR RHEUMATISM, BRUISES, SCALDS, BURNS AND CUTS.

NANAIMO'S LATE SENSATION

Magistrate Planta Gives Evidence Before the Commission Yesterday.

Mr. Helmcken Appears as His Counsel—All the Evidence is Now In.

Nanaimo, Feb. 1.—The commission of enquiry re J. P. Planta opened at eight o'clock last evening. Registrar Stanton proclaimed that the commission was convened under the public enquiry act.

Mr. Helmcken rose and addressing the commissioner, said: "May I please your honor, I appear here on behalf of J. P. Planta and before the matter of the enquiry is proceeded with, there is a matter I would like to lay before your honor. I have only been acquainted with this enquiry since the arrest of Mr. Planta, but the matter I wish to speak about is in regard to his disappearance and apologize to your honor for his disobedience, and to express his deep contrition that he had not obeyed your honor's demands. The object of this commission is to make enquiry and which has been presented from going on by his absence. The object of the commission can now be proceeded with, and I hope you will treat the matter as on the day he should have appeared. I have known Mr. Planta for many years, ever since your honor first left school, it was at that time I first became acquainted with Mr. Planta. I know him as a man who stands high in this community and if any mistake has been made it was done through a good nature. The matter, as I understand the commission, on the outset Mr. Planta did not come here with professional assistance and he has the force of the enquiry on his own shoulders. The scope of the enquiry got beyond him and I find his judgment failed him at the time, and his mental balance was slightly disturbed. I have no wonder that he sought to seek relief in another sphere. He has now acknowledged his mistake and I ask your honor to accept his apology."

His honor, in replying, reminded the counsel for the witness that in a commission of this kind there were no specific charges preferred. He accepted the apology. Mr. Bodwell said at the time of Mr. Planta's disappearance it was expected that he would attend and now that he was ready he asked that the enquiry be proceeded with. Mr. Planta took the stand, the commissioner granting him the privilege of sitting down.

Mr. Bodwell opened the proceedings by referring to the notorious Ross case. Mr. Planta did not remember the date of the occurrence but thought it was in November last. He was first made acquainted with the action taken by John and Phillip Ross against him on entering the government offices. His next course was to ascertain the names of the solicitors who were handling the case and he discovered them to be Messrs. McInnes and McInnes. The case was taken out under the magistrates act, and the action was a surprise to me, but I knew as far as the act was concerned it was a fact as the returns had not been made up; it had not been done for the last twenty years. I ascertained that the summonses had not been issued and I went to Sheriff Drake and accepted the process of service. Mr. Planta then went on to tell of his visit to Messrs. McInnes in which he mentioned that he was informed by them that they were acting for a number of persons who considered themselves aggrieved through cases arising out of the administration of justice. Mr. McInnes offered to show witness what those grievances were. One client stated that they could not get their grievances aired in the courts. Witness assured them that as far as he was aware, that there was no just cause for any such action against him. The case was finally compromised by witness agreeing to pay \$350 to Mr. McInnes. It never occurred to witness at the time that it was an improper thing to do. He had a kind of contempt for the whole thing. He told Mr. McInnes to see that no one was at a loss through any mistake of his (Planta's). In regard to this Quitan action witness was informed by Mr. McInnes that his clients were determined to have Constable Gibbs removed and from his conversation witness learned that Marshall and Hoskins were to be appointed. Mr. McInnes was informed that the matter would have to stand over to the end of the year. The police commissioners would then make the appointment.

Mr. Bodwell—Were you consulting Mr. McInnes at that time as your solicitor. Mr. Planta—Not at that time, not until I gave him the check and told him to see that all persons were compensated for my mistake. They were not my general solicitors, but I think I consulted them in some cases, I liked their frankness and their push.

Mr. Bodwell—Well, they pushed you hard enough. The old story of Constable Gibbs' retirement was thrashed out again. Then followed the appointment of the magistrate and fixing of the salary by the council. Mr. Planta would only admit that he acted precipitately and unwisely in appointing the police. A lengthy discussion again followed between Mr. Bodwell and the witness in which Mr. Planta claimed that the appointment of the police commissioners was wrong and a monstrousity.

When asked by Mr. Bodwell what his reasons were for trying Henry Lawson on an indictable offence without sending the case up for trial, referred to by the criminal code in defence of his action and construed the code to justify his action. The Gordon-Elli case was dealt with again. In regard to the many cases where persons were charged under the Indian liquor act Mr. Planta said the act was very harsh and when the cases were trivial it was the practice to allow the culprit to put up bail, which was usually confiscated, and this practice was done advisedly. It was done to prevent the imposition of heavy fines. In the case of Johnson he was allowed to go on payment of \$20 as that was all he had.

In answer to the commissioner where cases had been disposed of by paying \$5 and costs and come up for judgment when called on. Mr. Planta said it was merely part of the terms and he explained several cases very minutely in order to justify the means adopted. Mr. Planta explained as to the question of salary from the council, and said his address to the council on Jan. 15th was that if the funds of the corporation were very weak he would not press for his salary at the end of the year, but he had never waived it.

Mr. Bodwell—The council made terms that you should receive the appointment on the understanding that you would not draw the salary. Mr. Planta—No. Mr. Bodwell—But Mr. A. Haslam said so. Mr. Planta—Yes, I heard him say so, but that was how he understood it. The cross-examination failed to draw from Mr. Planta a confession that the private letter to Mr. Gough was ever intended to be official, neither would he confess that he knew the council were unable to pay the salary of \$1000 a year. He requested Mr. Bodwell not to forget he was dealing with a corporation. He acknowledged receiving \$1000 some time this year but Mr. Gough bore the cost of it back again.

Mr. Bodwell—That was a strange coincidence. Mr. Planta—It is a fact just the same. Mr. Helmcken asked Mr. Planta to explain the case re dereliction of duty. Mr. Planta explained in detail as case after case came under notice. In the case of a fine imposed on James Eccles of \$200, half of this was paid away to informers, and Mr. Gough explained that if this sum was paid to him he would be unable to pay it out again to the informers. His honor here intimated he would adjourn if Mr. Planta wanted to look into the case more carefully.

Mr. Planta said he was not particular as to an adjournment. He then went on to explain why the court was held in his residence, which he contended was justified according to the circumstances. The dealing with a case over the telephone was explained. Mr. Helmcken said it was the impression of this enquiry that Mr. Planta had improperly benefited himself by this manner of administering justice. Now I ask Mr. Planta if he had done so. Mr. Planta—No, I have never, knowingly, done so.

His honor stated that all the evidence was in and the commission was practically closed. The commission was then adjourned sine die. The much talked of confession proved entirely erroneous and instead, all Mr. Planta's skill as a debater of law was brought to bear on the case, he never lost ground until the close, when he seemed to realize that his work for the last 25 years had been thrown away. He was about to talk in this strain to his honor when Mr. Helmcken reminded him that it was not necessary so he took his seat again.

It is not known if any further investigation it to be held and most likely the whole thing is now finished, until the commission reports. Nanaimo, Feb. 2.—The Nanaimo Electric tramway company have submitted a proposition to the council to construct a line between this city and Wellington. It is proposed to guarantee the interest on \$50,000 bonds at 5 per cent. for a period of ten years. The matter has been laid over.

It is now certain that the matter of the intestate estates with which Mr. Planta was connected will be straightened out. He will work in conjunction with Marshall Bray until the work is completed. It is not likely that the charge of embezzlement will be proceeded with, as it is touched that the Blakeway estate is in good order. The inquest touching the recent death of B. Bologni was proceeded with to-day, James Fitzsimmons, the manufacturer of the powder, being the chief witness. John Marco was admitted to the Nanaimo hospital yesterday, suffering from a broken arm and leg and a fractured skull. The accident was caused by the premature hoisting of a cage at the Wellington mines, which caused the overturn of a loaded box, the contents falling on Marco.

A Liberal rally will shortly be held in this city, when it is expected Mr. Wm. Marchant will be invited to address the meeting on the political issues of the day. It is probable that a convention of the Liberals of the Vancouver district will follow and a candidate selected to contest the constituency in the Liberal interest. Nanaimo, Feb. 5.—A miner named Joseph Wilson came to his death last night under peculiar circumstances. Dell Alexander, an electrician, was proceeding to his duties along No. 1 level on the Esplanade shaft, when passing by the first door he came across the body of a man lying by the rails. On examining him he found him still alive, and had him speedily conveyed to his home, but he only lived a little while. Various theories have been advanced to account for his death, one of them being that he touched the electric light wire, and being in poor health the shock had the effect of causing his death. Nearly every man working in this mine has received a shock from the wire at various times, but not to cause any harm. It is highly probable that the deceased on finding the motor gone when he quit work, hastened out on foot and that he became exhausted before he reached the shaft. The

post mortem examination will clear the matter up. The deceased leaves a wife and five children, the wife being an inmate of the Westminster insane asylum. The Peter Jensen left the wharf last night in charge of Pilot Sabiston and had not proceeded far when she struck the mud. She was floated off a little while after, but the captain decided to await the arrival of a diver to ascertain whether any injury had been done to the bottom of the vessel. The vessel is still detained.

IN THE COAL FIELDS.

Little Prospecting Being Done at Northfield.

The branch of the Miners' and Mine Laborers' Protective Association at Northfield has been broken up, owing to nearly all the miners having left the place. Those that still remain there have been affiliated with either the Wellington or the Nanaimo branches of this organization.

There is a little prospecting work being done in the Northfield mine at present. Three shifts of six hours and three men on a shift is the extent of the work. It is the intention of the company to find out the extent of the body of coal recently discovered.

COMOX.

It seems that a New York syndicate is trying to obtain control of the coal rights of about five thousand acres of Comox valley lands. Their agent is understood to reside in Vancouver. There was a meeting of a few farmers at the Courtenay house, Courtenay, last Tuesday evening to consider the matter, but after some discussion it was decided to adjourn the meeting until Tuesday night, the 20th of January. Mr. A. Heald was chairman of the meeting and Mr. Charles Bridges acted as secretary. Incidentally the question of organizing a meat and vegetable market at Union was discussed, but no action taken.

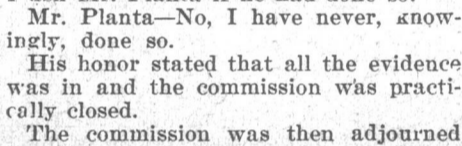
NANAIMO.

Nanaimo, Feb. 6.—The Peter Jensen was found on examination to be none the worse for his slight detention on the mud bank. Diver Llewellyn thoroughly examined all parts of the vessel. The Peter Jensen sailed for San Francisco this morning. Harbor Master Quennell has asked the government to re-survey the harbor, and it would be as well to dredge it occasionally. It is claimed that the tripod buoy has been misplaced and that is what caused the mishap.

The post mortem examination on the body of the deceased was held on Saturday morning. A meeting of the Reform club was held last evening, when a committee was selected to represent the constituency at the meeting of Liberals to be held at Victoria on Saturday next. Lieutenant-Governor Dewdney has written to the secretary of the Nanaimo Political society stating his intention to be present at the opening of the show next week.

M. COQUELIN.

The Great French Comedian.



These are the features of the Prince of French Comedians, whose "Tartuffe," which he may be said to have made his own, convulses every audience which has the delight of seeing the master portray the arch hypocrite. Respecting "Vin Mariani" he says: "Strange to say that 'Vin Mariani,' so exquisite a wine, should also be a remedy, and a delicious one at that, so pleasant to the taste and so beneficial to the entire system." And Coquelin merely states a truth which is attested by the most famous men and women of the age, by the foremost medical men, and the managers of all the great hospitals. "Vin Mariani" is indeed beneficial to the system. The weakest can digest it; the most delicate are benefited by it; the most hopeless are revived by it; and as has been often said regarding it, "It gives new life and hope." "Vin Mariani" is the great tonic-stimulant of the age, used by the great brain-workers of the world, who find that, exhausted by overwork, it refreshes, strengthens, and builds up the whole system. An album of portraits of many celebrities who have spoken highly of "Vin Mariani" will be sent to those who send their address to Lawrence A. Wilson & Co., Montreal, the Canadian Agents.

SUPPOSED BOMB CONSPIRACY.

Steel Shell filled with Black Powder Found on the Triumph.

Down on Sergeant Langley's desk at provincial police headquarters is a small conical steel shell to which a considerable amount of interest attaches at the present time. It was found stowed away in the forecastle of the sealing schooner Triumph after she got down the coast, and on first thought it looked like a bomb put there to strike death and destruction to all within reach of its power when it might be set off. It was carefully carried ashore and sent up here to the provincial police on the missionary schooner Glad Tidings. It was a complete mystery to Captain Clarence Cox where the infernal machine came from, but it is highly probable that some of the Indians stole it somewhere and carried it aboard. It is of steel, seven or eight inches long and perhaps two and a half inches in diameter. It was partly filled with black powder and the usual cap was inserted in the end. It is believed by the police that a fall or anything that would disturb the caps would explode it.

HEATH IS SUSPENDED.

Council of Public Instruction Will Hold an Inquiry Into the Case.

Neil Heath, teacher at the high school, has been suspended by the lieutenant-governor in council pending an inquiry into the charge made against him that he ridiculed the Roman Catholic doctrine of transubstantiation in teaching history on January 16th last. An inquiry will be held. Secretary Williams, of the board of school trustees, received a letter to that effect this afternoon, of which the following is a copy: "Education Office, 'Victoria, Feb. 4, 1895. 'Sir: I beg to inform you that Mr. Neil Heath was this day served with a letter, of which the following is a copy: 'Victoria, Feb. 4, 1895. 'Sir: It becomes my duty to inform you that in view of the charge against you of gross misconduct in your position of teacher in the high school—such misconduct consisting of your having brought religion into contempt when imparting instruction to the pupils of your class on the 16th ult., his honor the lieutenant-governor in council has been pleased to suspend you from the office of teacher until the matter of the complaint against you can be inquired into by the council of public instruction, and I have further to inform you that the council of public instruction will at an early date (due notice of which will be given you) proceed to a consideration of the charge against you. 'I have the honor to be, sir, 'Your obedient servant, 'S. D. POPE, 'Secretary of Public Instruction, 'Neil Heath, Esq., High School, City.' 'Education Office, Victoria. 'The pupils of Mr. Heath's division have been relieved from attendance at school until to-morrow morning. Please notify Principal Paul accordingly. 'I have the honor to be, sir, 'Your obedient servant, 'S. D. POPE, 'Superintendent of Education.' 'B. Williams, Esq., Secretary Board of Trustees, City.' NEITHER MONEY NOR FOOD. Situation at the Haddington Island Quarry Reported to be Serious.

IN THE EASTERN PROVINCES

Montreal Has Some Scandal in Connection With Her Police Force.

Subscription Being Taken Up to Contest Hon. Mr. Harty's Election.

Montreal, Feb. 2.—Sir Mackenzie Bowell, who arrived in this city yesterday morning from Toronto, was kept busy receiving a constant stream of local Conservatives, among whom were noticed numerous leading manufacturers. After dining at the St. James' club this evening he left for Quebec. He returns to Ottawa on Sunday afternoon. He is expected to be somewhat troubled with the irritation of the throat which was so pronounced during his recent visit to Halifax.

The police investigation was given a new lease of life to-night by the unearthing of what promises to be a first-class scandal, in which Superintendent of Police Hughes is directly involved. Chairman Rainville a week ago threatened to close up the inquiry, but the committee, which is antagonistic to the work of investigation, was started to-night by the energy displayed by Lawyer J. N. Greenshields, who looks after the interests of the citizens. The scandal, which gives promise of being startling, refers to the disposition of police fines and the administration of the police benevolent fund extending over many years. Sub-Chief Kehoe was the witness whose evidence disclosed irregularities in connection with the fund, which is looked after personally by Superintendent Hughes. He stated during the sitting of the committee that the policemen contributed voluntarily to the fund, but afterwards declared publicly that any man who refused would be dismissed.

Toronto, Feb. 2.—There is a third case of smallpox at Guelph, the patient being the three year old daughter of William Macdonald, dry goods merchant. The little one had been isolated with the daughter of Principal James Mills, of the Ontario agricultural college, where the first case, that of a student, was discovered.

Kingston, Feb. 2.—J. H. Metcalf and Major Drury, of A battery, are candidates for the wardenship of Kingston penitentiary, which is expected to become vacant by the superannuation of the present incumbent. A subscription is to be taken up here to defray the cost of protesting Hon. Mr. Harty's election. Many Conservatives are opposed to such action, and the scheme may never be carried into effect.

Ingersoll, Feb. 2.—General Booth was given an enthusiastic reception here this afternoon. He was entertained by Mr. McKay, M. P. After delivering an address he left for Woodstock. Belleville, Feb. 2.—The Reformers of East Hastings met to-day at Belleville and decided to support Mr. Ballan, the Patron candidate for the commons. Ottawa, Feb. 2.—Moss, Q. C., and B. B. Osler, Q. C., have been retained by Waters to defend him when his case next comes up. All the newspapers here say that the harsh treatment of Waters shows something behind it. Stonewall, Man., Feb. 1.—Fire started this morning in the Villa hotel at 8 o'clock. The proprietor and other inmates had only time to save themselves. Two dwellings and a lawyer's office in the same block were also burned. The estimated loss is about \$8000; small insurance.

Toronto, Feb. 1.—The Toronto Telegram gives an interview with Hon. Mr. McMillan, treasurer of Manitoba, this evening, in which he predicts the defeat of Minister Daly. He says Boyd will have difficulty in keeping his seat and Manitoba will go Liberal. NAVAL NOTES. H. M. S. Wild Swan in Collision With the Steamer Madeira. H. M. S. Temeraire, battleship, at Devonport, is to have her six four inch breech loading guns replaced by a similar number of the new type of twenty-five pounder quick firing guns. It is expected that the vessel will then be sent to one of the foreign stations as a guard ship. She was extensively refitted at Devonport at a cost of \$25,017 about two years ago, and it was then supposed she was to be sent as a guard ship to Esquimalt. Since then she has been lying in the fleet reserve. H. M. S. Wild Swan arrived at St. Vincent January 13th, and left the next day for Montevideo. On January 8th the steamer Madeira, while at anchor in the harbor of Grand Canary, was in collision with H. M. S. Wild Swan, and sustained damages estimated at from \$300 to \$400. The result of the accident in the case of the Wild Swan is not known. The damage to the Madeira is all above deck. H. M. S. Wild Swan, under command of Commander Marvey Napier, is on her way to the Pacific station to relieve H. M. S. Champion. H. M. S. Pheasant will not leave on her cruise until the latter part of next week. No word has been received from H. M. S. Nymphe, which was expected to arrive in Esquimalt about January 25th. It was rumored that she was ordered to Panama instead of Esquimalt, and according to admiralty telegrams it seems to be the case.

NEWFOUNDLAND GOVERNMENT. Sir William Whiteway Called Upon to Form a Cabinet. St. Johns, Nfld., Feb. 1.—Newfoundland's provisional cabinet, headed by D. J. Greene, after being in office but little more than a month, resigned to-day. The resigning ministers advised Governor O'Brien to ask ex-Premier Whiteway to form a cabinet. Sir William Whiteway this afternoon consented to resume the premiership and will undertake to have his cabinet ready to-morrow. It is understood that he will re-install in office as many as possible of those who like himself, suffered political penalties at the hands of the courts. A majority of the Whitewayite caucus oppose Newfoundland entering the Canadian confederation, and a royal commission is likely to be accepted. London, Feb. 1.—The Daily News will say to-morrow in a leader on Newfoundland affairs: "Sir William Whiteway was notoriously a victim of the violence of party feeling. His faults were chargeable to bad political customs rather than to any individual dishonesty. His return to power is a signal proof of the general sense of his ability and exceptional knowledge of public affairs."

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