## The Weeking Times

Victoria, Friday, February 9, 1864.

The government organ in order to put Mr. Kitchen in the wrong, classifies Messrs. Wilson, Horne, Punch and Kellie as government supporters. These gentlemen may be government supporters now, but they classed themselves independents at the time of the elections, and they were so classed by the Colonist. In its issue of June 4, 1890, that paper gives a list of the candidates, and in that Punch (Ind.)," and "James M. Kellie These gentlemen undoubtedly came before the electors as "Independ-Some Colonistic sophistry is emeral election, but that will not go down. avowedly supporting the government. It falsehoods. About the classification of the Times for stating that the government protestation was paid. Then came Prof. since the Colonist would hardly have call- its aid in the dirty and disreputable game. There is peculiar impudence shown by believe that the scheme has the slightset the Colonist in now placing Mr. Wilson's chance of success. name among the government's friends, for a few days before the election it spoke of him as follows: "If Mr. Wilson were not an opponent, if there was a spark of reality in his professed friendship for the government, he would never have placed himself in the position of, ital is kept out of the mining camps of by any possibility, doing harm to the the province owing to the heavy duty on cause he professes to espouse." We machinery from the United States. A need comment on this no further than to further point, applicable to the Kootenay quote the old adage: "Liars have need of country, but more particularly to this long memories." There are other incidents of Mr. Wilson's campaign which all copper ores, matte, etc., will be placed it is interesting to recall, as showing at on the free list. All of the large copper least how very high an opinion Mr. Wilson entertained for the present premier, and how warmly Mr. Davie reciprocated. is down grade into the United States, A few days before the election Mr. Wilson, at a meeting called by himself, spoke

"Criticizing Mr. Davie's acts, Mr. Wilson said that two measures had been in- triffing cost per ton. This would lose to troduced by him (Mr. Davie) which were the province the advantage of large reof no use. One, the small debits act, duction works, and the consequent in which had not been a success at all, and crease in population, as well as the the other an act of which a bench of five wealth derived from the mines, the projudges could make nothing of."

meeting, and thereat Mr. Davie thus paid except the money expended in the actual his respects to Mr. Wilson, as per Colo-

"Last night Mr. Wilson had upon this "Last night Mr. Wilson had upon this platform referred to certain legislation of this (Mr. Davic's). It was strange that his district are owned by Americans. This is not due to any predilection on the tude, when only a few weeks back he had part of the Yankee for Canadian investhe should have assumed his present attibeen willing to become a government can ments, but to the fact that the "snaps" didate and take the government platform. Regarding the small dects are he (Mr. Withstood. Davie) would say that it had been introduced four years ago at the request of worked well outside of the city, but the costs ten times as much as the mine and appointment of county court judges hav- its development. If an American can ing rendered the act unnecessary, the handle this ore as cheaply in the United government concluded to When, however, this became known num- chinery and all other supplies and at the erous petitions came from Vancouver and same time avoid the numerous petty fees Nanarmo that it be not repealed. As to and dues exacted on this side of the the county court act, Mr. Wilson had line, he will most assuredly put his masaid that it had been differently interpreted by five judges. But all this had of his own government, and puts the arisen out of a deed which Mr. Wilson most money in his pocket. himself had prepared and out of a transaction he had managed.

Wilson-That is false. Mr. Davie-It is the fact, nevertheless: not that any fault was to be found with use Canadian machinery, or find a ma-Mr. Wilson's work, but it was just as chine that the collector will not say:unfair to blame the darughtsman of the act for causing the litigation as it would Mr. Willson for drawing the deed and superintending the business under which the trouble had arisen."

The gentleman whom we are now askernment had apparently a very poor opin- pay duty on it.' ion of the attorney-general's veracity, as well as his ability. His reply to Mr. Davie's mean attack was as follows:

"Mr. C. Wilson said that during the canvass he had shown no hostility to either party. When Mr. Davie had last night challenged him to attack any measures of the government which he (Mr. Wilson) disapproved, he singled out two measures of Mr. Theodore Davie's; they were not government measures, but they emanated from Mr. Theo Davie himself who declared that litigation in connection with one bill had been due to his (Mr. Wilson's) own action. A baser or meaner slander had never been uttered against any man. Mr. Davie had not only attacked him as a man but as a lawyer. He had said that the litigation had arisen out of a case in his office, but in this case Mr. Davie was associated with him, because he had drafted the law that was concerned. It only contained five lines, but had been before five judges, and not

one of them could tell what it meant.' It may be noted that Mr. Wilson's opinion of the present head of the government was about the same as that the Colonist entertained and expressed at a later period, and to which it would probably still be adhering if an unfortunate combination of circumstness had not compelled it to choose between independence and self-respect on the one hand and bread-and-butter on the other. We may close with a remark offered by Mr. Wilson at the same meeting in reference to the men who composed the real government ticket, and whom the Colonist most vigorously supported: "They were at loggerheads in business, and outside of this question of the straight ticket could not agree in politics. If elected they would be found each pulling his

## own way and for his own interests." A WRETCHED GAME.

Within the last few months Premier Davie has paid at least two visits to Chilliwack, once when the fair was held and more recently to address a political met in the Good Templars' hall last go south with the Victorians.

meeting. If we mistake not he was ban- night. The business was private, but a PROVINCIAL LEGISLATURE, members themselves in a blank form. paper belonging to the attorned queted on both occasions by a few faithful admirers. Yet the people of Chilliwack, we are now told, have found it necessary to "send a delegation of sturdy yeomen to the capital to represent the wants of the district to the government." These wants, we are further told, "are a railway, dykes, public roads and a court house." Then the information is added that the delegation was made necessary because the people "do not see that Mr. Kitchen has done anything to get any of these things for them." And is it possible that Mr. Davie made his two visits to the district without being told what the wants of the district were? list appears the names "Chas. Wilson Nobody is quite so blind as to be unable (Ind.)," "J. W. Horne (Ind.)," "James If he was told, why should it be necessary to send a delegation to tell him again? to see through the game. The premier and the few faithful at Chilliwack have simply planned the delegation scheme for ployed in the endeavor to show that the effect. They would like to have the elecorder in council attacked refers to the tors entertain the idea that if only Mr. present time, not to the time of the gen- Kitchen were defeated and a government supporter put in his place the district the California Sun Marine Co. The statement objected to refers to "can- would have its needs properly attended didates avowedly supporting the govern- to. The morality of this sort of political Magistrate Planta yesterday, in which ment" at the time of the election, not to intrigue is quite on a par with the momembers of the house who are now rality of the confidence man and the op. Dr. Onequi and his wife arrived here a erator who gets money on false preis hardly possible to get the government tences. The government organ the other out of the trouble by suggesting fresh day had the impudence to find fault with and demanded \$50, which after much the gentlemen named when they were pursued this very line of tactics, and to-"candidates" there need be no doubt, day it has the greater impudence to lend ed them independents if they were really | We should be sorry to hold so poor an his colleague had paid his tax sent his avowed supporters of the government. opinion of the people of Chilliwack as to wife as a detective and discovered that he

MINING MACHINERY.

To the Editor:-An article from the pen of Capt. R. C. Adams, of Montreal, appearing in the Toronto Empire, and copied by papers throughout the Dominion calls attention to the fact that capsection, occurs to me, viz:--Should the Wilson bill pass the American congress, properties in this district lie near the boundary line, and in every instance it where good water powers are available and ore could be treated at a moderate cost. This ore could be removed to reduction works, so situated, by gravity tramways, and short electric lines, at a duct of which would all be shipped away Next evening there was a government and nothing to show for it on this side work in the mines. The Canadian people do not seem to care about the advancement of the mining interest, and are too much of a temptation to be

copper are aware that the machinery board of trade of Victoria. It had for requeing it to merchantable product abolish it. States and save the high duties on machinery where it is under the protection

Of course the customs official says that mining machinery not manufactured in this country can be admitted free of duty, but find the mining man who will "Well, I can't say that a machine just like this is manufactured in Canada, but they make a quartz-mill down in Nova Scotia, and as the quartz-mill is intended to get the metal from the ore and this matting-furnace is also intended to regard as a "supporter" of the gov- ed to do something of that sort, you must

To place obstacles in the way of the ecupiry's development is surely a shortsighted policy, and it is to be hoped the government will see the necessity of admitting machinery for mining purposes free, at least until our people wake up and cease to make evrything on the pattern their grand-fathers used.

PROSPECTOR. Boundary Creek, Jan. 24.

NANAIMO. Theodore Nanaimo, Feb. 6.-Hon. Davie having intimated that provision will be made in the estimates to erect suitable government buildings in Nanaimo has created a little enthusiasm among those who are generally conceded to be his supporters in this city. It does not necessarily follow that a candidate seeking election as a supporter of the Davie government will be elected. The residents of the city of Nanaimo were never better prepared for an election than they are at the present.

Mr. Ralph Smith delivered an eloquent address to the miners at their meeting last evening on the "Ballot Box" sys-

The firm of Kitchen & Waterhouse has dissolved partnership, and in future all business will be transacted by the The board of underwriters claim that

the insurance in Nanaimo risks are lower than they are anywheree in the province, the highest rate being five per The Nanaimo Hornets have completed arrangements for a match with a team

from H.M.S. Pheasant when the war vessel again visits the harbor. The miner's Association appear to be onfident that they will win at the coming provincial election and are working hard to obtain a victory. The pile driving for Johnson's new

wharf is to be undertaken some time next week and Contractor McClellan of Vancouver will push the work forward as rapidly as possible.

Nanaimo, Feb. 7.-The grand council of the Royal Templars of Temperance

public meeting will be held in the Y. M

A. rooms this evening. Robert Cusack was lodged in jail yes terday for ill-using his wife, and also for damaging her household property. The dance given by the infantry company last night was a grand success. It will be the means of bringing in many

new recruits. Daniel Hicks was tried before Judge Harrison yesterday for the larceny of a \$50 bill from Thomas Cook of Welling-Acquitted.

A public meeting has been called by the M. & M. L. P. A. for Saturday night to discuss provincial politics. An invitation has been extended to the provincial members and to Hon. Theodore Davie. Nanaimo, Feb. 8.-Mr. A. Haslum chartered the steamer Brunette yesterday, and in company with Captain Christensen, sr., left about 2 o'clock for Camp bell river, where they will endeavor to ascertain the fate of the steamer Estelle N. McDougall, brother-in-law to Mr. Haslam, was on board. The former only recently became interested in the ves sel by purchasing a half interest, and at that time she was valued at \$20,000. The Estelle is insured for \$15,000 in

An amusing case was brought before one fakir attempted to expose another, few days ago and hung out their shingle with the words "Life Reader" on it. A little later the city clerk called around Cozens, a graduate of the New York Phrenological Institute, and accordingly he hung out his sign as a phrenologist. The doctor being anxious to ascertain if had not and the result was that the professor was called to court. The evidence of both parties amused the loungers around the court room, and the magistrate decided to reserve judgment until

Friday afternoon. The Nanaimo fire department intend to ask the city council to take charge of the apparatus as for a long time those who have taken charge of it have done so without being remunerated.

SPORTING INTELLIGENCE.

Matters of Interest Going Foward in the Sporting World. FOOTBALL. VICTORIA V. WESTMINSTER. The Victoria and Westmenster football

teams will play at Queen's park, West minster, on Saturday. The teams are: Victoria-H. Petthierew, back; A. D. Crease, F. Smith and J. Foulkes, three-White, half-backs; H. F. M. Jones (captain), W. H. Langley, J. Fraser, F. Wollaston, E. A. C. Gilbson, P. Hibben, G. Westminster-Rev. P. Woods, back; E. O. Malins, A. Malins and A. N. H. T. Tovey and T. Neville, half-backs; statements were endorsed.

practice at the hill this afternoon. VICTORIA V. NANAIMO.

Withstood.

People familiar with the handling of M. Duffie; half-backs, W. Waison, M. Wilson's candidature that the minister of Forester, C. Bamford; centre, R. Thomps finance was elected. He had no doubt son: right: wing: Adam Thompson. York. Victoria-Boyd, Skene, Glen, Done polls. aldson Blackburn A Goward Rae Will son, B. Goward, Peden, G. Goward and A. N. Other. The Victorias practiced

> THE RING. CORBETT IN DEMAND.

The Cincinnati and Baltimore baseball clubs are bidding for Jim Corbett's services during the season. Each offers more than \$10,000. The Falls Athletic club of Spokane has bid \$45,000 for the Corbett-Jackson

SKATING.

THE CHAMPIONSHIP RACES. Montreal, Feb. 3.-The attendance at the annual championship races of the Canadian skating association, held here to day, is something enormous. The ice is in splendid condition and fast time is exnected The fast men present are the Donoghues (Joe and Jim), Norseng, Johnson and Davidson, of Minneapolis and St. Paul respectively, H. Hulse, Toronto, and McCulloch, of Winnipeg. The weather is mild, but not mild enough to spoil the ice. A light snow fell during the early morning, but this has been cleared off the track. Yesterday surveyors went over the track and found it to be exactly quarter of a mile.

In the 220 yards, in heats, McCulloch, Davidson and Irwin competed. The first heat was won by H. Davidson of St. Mr. Horne was elected as an independ-Paul in 21.15. The second heat, J. S. ent. But he must do that gentleman son, Minneapolis and J. F. Donoghue, Newburg, was won by Johnson, with Joe Donoghue and Davidson, Norseng not. skating, was won by Johnson, Joe Donoghue second, twelve yards behind; time, The race may be skated over. One mile-First, Johnson, 3.3; second

Joe Donoghue; third, McCulloch; fourth, Norseng; no time. Five mile race Joe Donoghue first 16.11; McCulloch second, Johnson third, Norseng fourth. Johnson was leading, but he fell.

> LACROSSE. TO VISIT 'FRISCO.

have been made with the managers of knew that he could not be elected as a the California Midwinter fair, and it is government supporter, nor could one be now probable that the Victoria team will play a series of matches in San Francis | ment was unfair, unjust and unscrupuco during the early part of May. Secre- lous. Nothing could be fairer than the tary Drury, who has been in communical argument of the member for New Westtion with the managers of the fair, says minster. The government had not disthe arrangements will no doubt be completed. One of the mainland teams will dependents. The figures in the Parlia-

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same figures as did Mr. Croft. None of those mentioned would challenge the statement that they ran as government supporters. The members for Nanaimo are given more votes than they received, so the total vote polled for independents and opposition is only 9093. What the ferred to were those who avowedly support the government now, no matter whether they ran as independents or not. Those who are still independents received a large number of government votes. They were not elected to oppose the government's general policy. I'he main trouble in the independent ranks was that one man wanted to be everything. The result would be the same at the next It was not because the government brought in good measures that. they were supported, but because the penple wanted to be preserved from the op-Mr. Brown read a report of what the

minister of finance said in Montreal about him. Mr. Wilson could not be called an avowed supporter of the government. He was zn independent can-The attorney-general claimed Messrs. Horne and Punch as government supporters. They were certainly elected as independents. The statement in the order-in-council was unfair and inisleading. The argument was the number of votes polled at the general election, not the number of votes received by those who are now supporters of the government. Mr. Horne said himself that he had been an independent and le did not see how the attorney-general could deny it. Mr. Punch was nominated at an independent convention, and he was elected on the platform of the independent party. Mr. Punch had been requested to resign because he had changed his The premier said he (Mr. Brown) could not be elected in opposition to the government. But he did not say that the late premier had spent a great deal of time trying to defeat him in Westthe order-in-council were false and misleading.

Hon. Col. Baker said a lot of time had been wasted over a trivial matter. Mr. Horne had said that he had came out as an independent supporter of the

Mr. Brown-He did not.

Hon. Col. Baker-We might argue for ever if the opposition continue to say that two members were independents when those gentlemen said they were not. Hon. Mr. Beaven said he thought that he had shown beyond controversy that the quarter backs; C. W. Ward and R. A. statement in the order-in-council was incorrect. He did not believe the meinber for Cowichan had made the calculation made in his amendment, as that gentleman was usually correct in his figures. L. Sidey, D. O'Sullivan and J. O'Reilly, The member for Cowichan was trying make the house endorse an untruthful statement. It would be an everlasting Other, three-quarter backs; A. Graeme, stigma to the legislature if the false R. B. Lister (captain, W. Alison, P. McLe ment claim a majority for government Forin, W. Morseby, C. Leamy, G. C. candidates, but if the votes of Messrs. Hodge, F. Kelly and W. C. Welark, for Horne and Punch were placed where they should be, the majority was in fa-The Victoria team will hold their final vor of the opponents. It was well known that Mr. Wilson was rejected as a government candidate, so he came out as an The Victoria Association football team independent, and at every meeting he will go to Nanaimo on Saturday to play held, he was followed by the attorneythe Rangers. The teams are: Nanaimo general who denounced his candidacy. Why that the minister of finance felt bad and Henderson. Mr. Horne had acknowleft wing. Norton Reilly and N. when he found himself at the foot of the

> came to speak of Mr. Brown in Montreal. He was asked if "Winchester" Brown went to the house in a cowboy suit with a Winchester. Mr. Wilson, he claimed, split up the government votes in Victoria city. He had spoken strongly in favor of the government. Mr. Sword said the independents were

Hon. Mr. Turner explained how

not pledged to either party. He knew one candidate who said he preferred the then leader of the government to the leader of the opposition but he did not go a cent on the present premier. The house would be doing wrong to endorse what was certainly an inaccurate statement. Hon. Mr. Beaven asked for the amend-

ment. Reading it, he said the figures been changed. Mr. Speaker ordered that the amendnent be left as it was when it was handed him.

Dr. Milne said it was evident that very different results could be obtained by the manipulation of the figures. Mr. Wilson had been driven into the ranks of opposition by the premier to steal opposition It was evident that the indevotes. pendents and opposition received more votes than the government candidates. Mr. Forster said the government would like to say that the independents were avowed supporters of the government. He ead from campaign speeches to show that

Johnson of Minneapolis, J. A. Donoghue the justice of saying that he had last of Newburg, N. Y., D. Brown of Mon-treal, was won by J. S. Johnson. Time, an independent. In one of Mr. Horne's an independent. In one of Mr. Horne's 21 3-5. The third heat between Joseph speeches he criticized the government Donoghue, Newburg, Harry Hulse, To- pretty severely. Could that man have ronto, A. R. Marshall, Montreal, was been an avowed supporter of the govwon by Joseph Donoghue in 21 2-5. ernment. Mr. Punch announced in his Hulse was second. Hulse was only two address that he was an independent and feet behind Donoghue. The final behad not denied it. Mr. Kellie did tween Harry Davidson, St. Paul, John not agree with the government policy and Keith and Cotton-9. therefore could not be an avowed supporter of the government. Dr. Walkem Newburg, was won by Johnson, with Donoghue second. Time, 20 3-5 seconds, Half mile race, to be skated in heats; first heat. Norseng, Johnson second, Hulse third, time, 1.24. Second heat, J. S. Donoghue first, H. Davidson second; time, 1.40. The final between Johnson, of the government. Dr. Walkem and creating and if he was not it showed to what low tricks the first heat. Norseng, Johnson second, few supporters. He announced in his tember address that he was opposed to the policy this hullenge. claimed 2000 votes that they were not entitled to. The independents worked for the member for West Kootenay. It was no credit to him that he had gone over to the government side.

the debate but the motion was negatived. Mr. Keith objected to the government's attempt to gag debate. The opposition did not attempt to burk discussion. The government had not attempted to disprove what the independents had said. Dr. Walkem was an independent candidate in Nanaimo district. He was an-Satisfactory financial arrangements xious for a seat in the legislature and elected now. The policy of the governproved the statements made by the inmentary Companion were given by the

Mr. Keith moved the adjournment of

handed to them.

The house adjourned at 6 o'clock until EVENING SESSION.

Mr. Keith continued the debate. The question was one between the hou. member for New Westminster district and the government. The opponents say that any state of the government had clearly shown statement in the order of the council re- that what they said was true. The independents whom the government claimed as supporters had disproved what the attorney-general had said. The government had not proved their contention, whereas the opponents of the government had done so. Even in the present position of the house the opposition repre sented 7.138 votes, while the government members represented but 5,038 votes. The opposition represented the majority of the votes, and always would do so. Dr. Watt could not believe the statement of Mr. Keith to be correct. He than usual. The estimates would

moved an amendment to the amendment. It was to strike out all the words after combine and strike out all the amendment and insert "such statement is according to fact.' Mr. Speaker did not know that Dr.

Watt's amendment was in order. Dr. Watt withdrew his amendment and Mr. Croft's amendment was put and lost. and Dr. Watt again introduced his

Hon, Mr. Beaven contended that it was out of order, which caused a long discussion on the point of order and a good deal of good-natured chaff. Mr. Speaker ruled that the amendment

was in order. Mr. Grant said the government should have admitted that they had made a mistake in the order in council. Mr. Kitchen evidently had the best end of the stick. The government represented the minority of the people of the province, and he did not think the government could deny it Although opposed to the general policy of the government, at the general election he had pledged himself to support any good measure introduced by the government. He could not be an out-and-out minster city. The statements made in partizan. A member should be entirely unflettered and be able to vote as his conscience prompted him. The government had made a mistake in this case, as they had done at other times.

Mr. Hall supported the amendment. Hon. Mr. Davie made another speech, quoting more figures. He said the opposition had made but one point, the attitude of Dr. Walkem, who received 154 votes at the general election. Giving Dr. Walkem to the opposition, the government had still a majority of 1,041. The members for Westminster district could not have been elected if they had opposed

the government. Mr. Kitchen rose to close the debate. He said he had been forced to bring up the question, as the attorney-general had made statements which needed explanation. There were other statements that were equally as false. The avolwed supporters of the government received 8.177 votes and the independents and opposition 11,403 votes, without counting Mr. Keith, of Nanaimo city, who was elected by cclamation. Mr. Kellie for two sessions did not avowedly support the government. Mr. Farwell in his address said he was not a supporter of the government or opposition. Mr. Haskins, who received 25 votes, he would give to the government. It had been proved that Dr. Walkem ran as an independent, as also did Mr. Punch. It could be seen by the World, a government paper, that the government candidates for Westminster the shorthand writer's notes of the judg-district were Messrs. Robson, Kirkland ment, but, we gather, no more. Again dged that he ran as an independent. and the member for Victoria had shown that Mr. Wilson was an independent candidate. The Colonist put Mr. Carey down The Westminster as an oppositionist. district papers showed that Herring and Sinclair were not avowed supporters of the government, but were opposition and independent. Giving the government Messrs. Horne, Punch and Kellie the returns showed 9,042 votes for the government and 10,178 for the independents and opposition. Taking the argument of Dr. Watt and counting the votes for the highest candidate gave the opposition 4.524 and the government 2.946: Taking the house as it stands, 21 government supporters and 11 opposition and independents, the government represented 5.124 voters and the opposition 7.171 voters. In face of this the attorney general day after day got up in the house and said his government represented the people. He was fired of hearing that contention. There was a very good reason why Mr. Robson should head the poll in Westminster district. He was leader of the government and premier, and consequently had an advantage. He asked the ratepayers to send two solid government men to the house, but they did not. Then at a bye-election the government supporter was snowed under by Mr. Sword. As the attorney-general had left the room he would close the debate. If the house defeated his resolution they would be upholding the government for making false statements. The whole order in council was full of misstatements.

the amendment was out of order. The amendment was passed on the following division: Yeas-Davie, Pooley, Baker, Vernon, Oberts, Stoddart, Hunter, Booth, Rogers, Hall, Anderson, Adams, Watt, Punch, Smith, Kellie and Horne-17. Navs-Messrs. Semlin. Beaven.

Hon. Mr. Beaven again contended that

Kenzie, Sword, Kitchen, Brown, Forster, The motion as amended was then put and carried on the same division.

"That whereas a copy of a report of the executive council, dated the 2nd September, which report has been laid before this house and forwarded to His Excellency the Governor-General, it is stated that 'the number of votes actually polled at the general election for candidates avowedly supporting the government was equal to the number of votes polled for both opposition and independents combined,' be it resolved, that in the opinion of this house the statement was according to fact."

Hon. Mr. Davie moved that the house adjourn until Thursday. Mr. Brown objected. The house had already been in session for three weeks, and not enough business had been transacted for an ordinary meeting of a city council. The last two days spent in nailing a falsehood, however, had not been wasted. There was no need of adjourning over Wednesday.

be brought down. Mr. Kitchen rose to a question of privilege. In the World it was said that a

was found under his (Mr. K hands at Maple Ridge. He read the lowing letter from the chairman of meeting:

Mr. Thos. E. Kitchen, M.P.P. Dear Sir-I have just received respecting statements bout what occurred at the stracted any of Mr. Davie's e missing paper of Mr. Mr. Davie on the tab by Mr. Davie on the table other papers in front of me with them, so that when Mr for it it was not readily fo examining most of the papers i mongst them.

Respecting the copy of Public for year 1892-3, there was one on in front of Mr. McLagan, who po show that the revenue of ? amongst. them

minster district had fallen ing the last year JOHN LAITY Chairman of

Hon. Mr. Davie said the busine the house was in a more advanced of the date on which the redist bill would be brought down and the turns asked for would be brought d in due time. The Nakusp & Slocan way legislation will also be brought down in due time.

Hon. Mr. Beaven said an order had been passed for the Nakusp & Slo railway papers, and the attorney-ge r no one else could hold them back Hon. Mr. Davie-The papers w brought down in due time and no so The Victoria, Vancouver & New We ninster railway bill was introduced. The house adjourned at 10.20 until Thursday.

## LAW INTELLIGENCE.

Mr. Justice Crease to-day delivered the udgment of the divisional court. sisting of himself and Mr. Justice Me. Creight, on the appeal from the order of Mr. Justice Walkem refusing to fix a day of trial of Gabriel v Mesher, as fol-"After considering the arguments and

authorities dwellt on by counsel on both sides, we consider that a divisional court cannot alter the judgment of another divisional court given on the 21st of February, 1893, however much disposed wa should be to do so. Mr. A. McPhillips cited cases in support of his content that Mr. Justice Walkem should have fixed the day for the holding of the new trial, though the payment of the cost of the motion for a new trial, as required had not been made. We do not think h could have done this without in substance reversing the order of the divisional count, and that his refusal was quit right. Mr. A. McPhillips' cases (Com mercial Bank v. Graham, 4 Grant, 419: Mitchell v. Strattton, 28 Grant, p. 80; 2 Bligh, 160 and 2 Dr. and W., 424) mere ly show that a court will not carry an erroneous decree; but they garefully point out the distinction between that and altering such decree. There is an other way by which we think the plaintiff can and ought to have relief. seems that Mr. Justice Drake made an order by which the costs the plaintiff was to pay as a condition precedent to his obtaining a new trial included the costs of the shorthand writer's notes. We do not think that appendix M to the rule CXVII. Warrants this Showthand writers notes cannot be considered ejusdem generis with the expenses for maps, plans, etc., especially as the court of appeal in essary, for the stenographer was bound to furnish them gratis to the court; and lastly, they would have if at all, by the judge at the trial, that is, by the trial judge, at all events: and following the analogy of certifying for costs (see Anchbold's Practice in the old editions). This is material, for another judge would not have been in a position to certify. We think, therefore, and order that where should be allowed, and we do allow, the plaintiff ten days to appeal from Mr. Justice Drake's order as the costs of the motion for a new trial herein, and further that the costs of this

Mr. Justice Crease delivered his judgment to-day in the Minnie case, tried in the exchequer court before him on the 22nd day of January, 1894! The judgment is a lengthy one and is severe it its treatment of the evidence adduced by the deficultants, holding that no reliance can be placed on Captain Morhouse's account of the cirucmstances surrounding the seizure. It also comments on the unsatisfactory state of the ship's log. Ac cording to the act under which the action brought the defendants have the onus placed on them of showing that the Minnie when seized was not engaged in seal ing, and this the learned judge held they had not shown. The captain's statement that the boats were down for the purpose of washing the decks could have been cor roborated, were it true, by some of the men, but it was a significant fact that not one of the 23 or 24 men composing the crew was brought forward. court decreed the condemnation of the schooner and everything on board. The question as to the proportion in which the proceeds shall be distributed is reserved for further consideration. No costs.

appeal be in the discretion of the divis-

ional court which shall hear the appeal

from the order of Mr. Justice Drake.

Railway Smashup in France. Paris, Feb. 7.-A train from Paris was erailed at Compiegne last night, and is reported that seven persons were killed and twenty or thinty more or less in jured.

## See that horse?



glossy coat and feels in good enough condition to win the "DERBY"

smooth and

response to a question of privaled with the last two days spent in nailing a falsehood, however, had not been wasted. There was no need of adjourning over Wednesday.

It fenews the system, enriches the blood and gives nature a fair chance, is also an unfailing eradicator of bots and worms. It is just as good for cattle as for horses. Try a 50c. package if your horses or cattle are not thriving. For a spavin, curb, ringbone, or splint, use Dick's Blister, 50c.—Pick's Liniment for sprains, swellings, bruises, etc., 25c.—Dick's Ohnment, for seratches old sores, saddle galls, etc., 25c., mailed on receipt of price. DICK & CO , P.O. Box 489 Montreal,

MEW INSOLV

EXTRACTS FROM

It will Apply to Tr Partneoships and Trading Companie Working the Act.

Ottawa, Jan. 31.-1 ernment intends subi ment next session an solvency. A draft bil prepared. It is called Act of 1894." The provide when the bi

ation. Clause 3 provides means a trader with the act in reference ceedings are being ta means those to who debted; (c) "Court" n connection with the tors in the Province perior Court in Mani Queen's Bench and i Ontario a High Cou in the other provinces west the Supreme and in connection ceedings "Court" Court in Ontario, Ner Scotia, Prince Edwar toba and British Colu Court in Quebec and the Territories having district where in pre taken under this act.

Then follows the me "District," "Clerk of which are already we Part 1 of the act is tion and non-applicat ders include trading unincorporated tradi trader may carry on self or as an agent or or partly in one class other. The act shall te apply to farmers, laborers or workmen saving-banks, compan which the "Winding to railway, telegraph panies; to a member sociation not coming act shall apply to trac repeal of the Insolven before the coming int act, have made any for the benefit of the preference or priority, the act with refe shall apply to any a charge made by any Part 2 of the bil

ceedings from act of charge debtor." A ecomes insolvent if I liabilities either by c his creditors to comp show a statement of suspends payment , of insolvency; absconds, estate; assigns; permi remain unsatisfied, or glects to obey a decre for the payment of n If a debtor comm vency the court may creditor make an or the estate. The state ition have to be veri of the creditor or the same. Proof of be required and if the a receiving order is m that the debtor is I debts the petition ma no reasonable ground proceedings then the nulcted in damages.

No petition can be d of the court. Upon the making of no creditor shall remedy against the n respect of any de this act. The court appoint an official rec ceiver.

Official receivers wi order-in-council, but selected from memb senators, or the civil Bonds of not less th more than \$20,000 w the official receiver. by department of sta the benefit of the tates shall come into or districts with a 100,000 inhabitants t may be appointed. no receiver through

the sheriff will act. The receiving order official receiver there the appointment of liquidator. Property ure by virtue of prov not rest in the officisalary owned by the date of insolvency or the insolvent as trus the court the receiver ceedings necessary for the estate. Clause 18 provides shall publish in the at least one newspar notice of the insolv week from the date der the debtor shall receiver with a states bilities and the name his creditors together and specific account which he attributes as to the deficiency of his liabilities. If the so he may be impriso A meeting of the called within ten day ing order has been court extends the ti

required to attend the subject to exami by the meeting this e under oath. The cre meeting shall appoint estate who will requi No official receiver ed with him can act liquidator must give pointment by publishi gazette and at lea Upon the appointmen the official receiver everything to him so

regard to the estate

quidator. The official