

The government organ in order to put Mr. Kitchen in the wrong, classifies Messrs. Wilson, Horn, Punch and Keble as government supporters. These gentlemen may be government supporters now, but they classed themselves independent at the time of the election, 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 list appears the names "Chas. Wilson (Ind.)," "J. W. Horn (Ind.)," "James Punch (Ind.)," and "James M. Keble (Ind.)." These gentlemen undoubtedly came before the electors as "Independents." Some of the sophistry is employed in the endeavor to show that the order in council attacked refers to the present time, not to the time of the general election, but that will not go down. The statement objected to refers to "candidates avowedly supporting the government" at the time of the election, not to members of the house who are now avowedly supporting the government. It is hardly possible to get the government out of the trouble by suggesting fresh falsehoods. About the classification of the gentlemen named when they were "candidates" there need be no doubt, since the Colonist would hardly have called them independents if they were really avowed supporters of the government. There is peculiar impudence shown by the Colonist in now placing Mr. Wilson's 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, by any possibility, doing harm to the cause he professes to espouse." We need comment on this no further than to quote the old adage: "Lies have need of long memories." There are other incidents of Mr. Wilson's campaign which it is interesting to recall, as showing at least how very high an opinion Mr. Wilson entertained for the present premier, and how warmly Mr. Davie reciprocated. A few days before the election Mr. Wilson, at a meeting called by himself, spoke thus: "Criticizing Mr. Davie's acts, Mr. Wilson said that two measures had been introduced by him (Mr. Davie) which were of no use. One, the small debts act, which had not been successful at all, and the other an act which a bench of five judges could make nothing of."

Next evening there was a government meeting, and thereat Mr. Davie thus paid his respects to Mr. Wilson, as per Colonist report: "Last night Mr. Wilson had upon this platform referred to certain legislation of his (Mr. Davie) which he said he should have assumed his present attitude, when only a few weeks back he had been willing to become a government candidate and take the government platform. Regarding the small debts act, Mr. Davie would not say much, as it had been introduced four years ago at the request of the board of trade of Victoria. It had worked well outside of the city, but the appointment of county court judges having rendered the act unnecessary, the government concluded to abolish it. When, however, this became known numerous petitions came from Vancouver and Nanaimo that it be not repealed. As to the county court judges, Mr. Wilson had said that it had been differently interpreted by five judges. But all this had arisen out of a deed which Mr. Wilson himself had prepared and out of a transaction he had managed."

Mr. Wilson—"That is false."  
Mr. Davie—"It is the fact, nevertheless; not that any fault was to be found with Mr. Wilson's work, but it was just as unfair to blame the draftsman of the act for causing the judges as it would be to blame Mr. Wilson for drawing the deed and superintending the business under which the trouble had arisen."

The gentleman whom we are now asked to regard as a "supporter" of the government had apparently a very poor opinion 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 caucus he had shown no hostility to either party. When Mr. Davie had last night challenged him to attack any measure of the government which he (Mr. Wilson) disapproved, he singled out two measures of Mr. Theodor Davie's, they were not government measures, but they emanated from Mr. Theodor Davie himself, who declared that litigation in connection with one bill had been due to his (Mr. Wilson's) own action. A better or meaner slander never been uttered by 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 circumstances had not compelled it to choose between independence and self-respect on the one hand and head-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 puffing his own way and for his own interests."

A WRETHED 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

meeting. If we mistake not he was banqueted 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 it is possible that Mr. Davie made his two visits to the district without being told what the wants of the district were? Nobody is quite so blind as to be unable 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 effect. They would like to have the electors entertain the idea that if only Mr. Kitchen were defeated and a government supporter put in his place the district would have its needs properly attended to. The morality of this sort of political intrigue is quite on a par with the morality of the confidence man and the operator who gets money on false pretences. The government organ the other day had the impudence to find fault with the Times for stating that the government pursued this very line of tactics, and today it has the greater impudence to lead its aid in the dirty and disreputable game. We should be sorry to hold so poor an opinion of the people of Chilliwack as to believe that the scheme has the slightest chance of success.

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 capital is kept out of the mining camps of the province owing to the heavy duty on machinery from the United States. At another point, applicable to the Kootenay country, but more particularly to this section, occurs to me, viz:—Should the Wilson bill pass the American congress, and copper, zinc, nickel, etc., will be placed on the free list, as well as the large properties in this district lie near the boundary line, and in every instance it is down grade into the United States, 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 trifling cost per ton. This would lose to the province the advantage of large reduction works, and the consequent increase in the value of the property, and the wealth derived from the mines, the product of which would all be shipped away and nothing to show for it on this side except the money expended in the actual work in the mines. The Canadian people do not seem to care about the advancement of the mining interest, and in the majority of cases the property in this district are owned by Americans. This is not due to any predilection on the part of the Yankee for Canadian investments, but to the fact that the snags are too much of a temptation to be resisted.

People familiar with the handling of copper are aware that the machinery for reducing it to merchantable product costs ten times as much as the mine and its development. If an American can handle this ore as cheaply in the United States and save the high duties on machinery, and all other supplies, at the same time avoid the numerous petty fees and dues exacted on this side of the line, he will naturally put his machinery where it is under the protection of his own government, and puts the most money in his pocket.

Of course the customs official says that mining machinery not manufactured in this country is not admitted free of duty, but find the mining man who will use Canadian machinery, or find a machine that the collector will not say:—"Well, I can't say that a machine just like this is manufactured in Canada, Norway, Scotland, and as it is not made in this country, I will not let it pass." To place obstacles in the way of the development of a 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 everything on the pattern their grand-fathers used.

PROSPECTOR.  
Boundary Creek, Jan. 25.  
NANAIMO.  
Nanaimo, Feb. 6.—Hon. Theodor 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" system. The firm of Kitchen & Waterhouse has dissolved partnership, and in future all business will be transacted by the former.

The board of underwriters claim that the insurance in Nanaimo risks are lower than they are anywhere in the province, the highest rate being five per cent.

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 confident 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 met in the Good Templars' hall last

night. The business was private, but a public meeting will be held in the Y. M. C. A. rooms this evening.

Robert Cusack was lodged in jail yesterday 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 more recruits.

Daniel Hicks was tried before Judge Harrison yesterday for the larceny of a \$50 bill from Thomas Cook of Wellington. 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. Haslam chartered the steamer Brunette yesterday, and will sail on Saturday. The former of the vessel was on board. The former of the vessel was on board. The former of the vessel was on board.

SPORTING INTELLIGENCE.  
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THE CHAMPIONSHIP RACES.  
Montreal, Feb. 3.—The attendance at the annual championship races of the Canadian skating association, held here today, is something enormous. The ice is in splendid condition and fast time is expected. The first heat was won by Donoghue (Joe and Jim) Noreng, Johnson and Davidson, of Minneapolis and St. Paul respectively. H. Hulse, Toronto, and McCulloch, of Winnipeg. The weather is mild, but not much snow has fallen yet. 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 a quarter of a mile.

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PROVINCIAL LEGISLATURE.  
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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 statement in the order of the council referred to were those who avowedly supported the government, no matter whether they ran as independents or not. Those who are still independents received a large number of government votes.

Mr. Brown read a report of what the minister of finance said in Montreal. He stated that the government had called an avowed supporter of the government. He was an independent candidate. The attorney-general claimed Messrs. Horn and Punch as government supporters. They were certainly elected as independents. The statement in the order-in-council was unfair and misleading. The argument was the number of votes polled at the general election, not the number of votes received by the government. Mr. Horn said himself that he had been an independent and he did not see how the attorney-general could deny it. Mr. Punch was nominated at the election as an independent, and he was elected on the platform of the independent party. Mr. Punch had been requested to resign because he had changed his politics. The premier said (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 Westminster city. The statements made in the order-in-council were false and misleading.

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members themselves in a blank form handed to them.  
The house adjourned at 6 o'clock until eight.

EVENING SESSION.  
Mr. Keith continued the debate. The question was one between the hon. member for New Westminster district and the government. The opponents of the government had clearly shown 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 represented 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.

Mr. Brown read a report of what the minister of finance said in Montreal. He stated that the government had called an avowed supporter of the government. He was an independent candidate. The attorney-general claimed Messrs. Horn and Punch as government supporters. They were certainly elected as independents. The statement in the order-in-council was unfair and misleading. The argument was the number of votes polled at the general election, not the number of votes received by the government. Mr. Horn said himself that he had been an independent and he did not see how the attorney-general could deny it. Mr. Punch was nominated at the election as an independent, and he was elected on the platform of the independent party. Mr. Punch had been requested to resign because he had changed his politics. The premier said (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 Westminster city. The statements made in the order-in-council were false and misleading.

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paper belonging to the attorney-general was found under the table (Mr. Kitchen hands at Maple Ridge. He read the following letter from the chairman of the meeting: Hammond, February 1, 1894. Dear Sir:—I have just received the respecting statements made in the report about what occurred at the public meeting held at Maple Ridge last month, and I say that my statements saying that you had abstracted any of Mr. Davie's papers, and other papers in front of me and gone away with them, so that when Mr. Davie inquired if it was not readily found, but after examining most of the papers it was found among them.

Respecting the copy of Public Accounts for year 1893, there was one on the table in front of Mr. McLagan, who pointed it out to show that Mr. Davie had fallen considerably from the high position he occupied in the eyes of the public. Yours respectfully, JOHN LAITY, Chairman of Meeting.

Hon. Mr. Davie said the business of the house was in a more advanced position than usual. The estimates would probably be brought down and the returns laid on the table in due time. The Nakusp & Soan railway legislation will also be brought down in due time.

Hon. Mr. Beaven said an order had been passed for the Nakusp & Soan railway papers, and the attorney-general or no one else could hold them but Mr. Davie. The papers will be brought down in due time and no sooner. The Victoria, Vancouver & New Westminster railway bill was introduced. The house adjourned at 10.20 on Thursday.

LAW INTELLIGENCE.  
Mr. Justice Crease to-day delivered judgment of the divisional court, consisting of himself and Mr. Justice McCreight, on the appeal from the order of Mr. Justice Walkem refusing to fix a day of trial of Gabriel v. Mesher, as follows: "After considering the arguments and authorities dwelt 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 we should be to do so. Mr. A. McPhillips cited cases in support of his contention that Mr. Justice Walkem should have fixed the day for the holding of a new trial, though the payment of the costs of the motion for a new trial, as required, had not been made. We do not think he could have done so without in substance reversing the order of the divisional court, and that his refusal was quite right. Mr. A. McPhillips' cases (Commercial Bank v. Graham, 4 Grant, 410; Mitchell v. Strathorn, 23 Grant, p. 30; 2 Bligh, 180 and 2 D. and W., 424) may show that a court will not carry out an erroneous decree; but they entirely point out the distinction between that and altering such decree. There is another way by which we think the plaintiff can and ought to have relief. It seems that Mr. Justice Drake made an order by which the costs of the plaintiff were to be paid as a condition precedent to his obtaining a new trial. We think that the order of the shorthand writer is correct. We do not think that appendix M to the rules xvii. warrants this. Shorthand writers' notes cannot be considered evidence against the plaintiff, with the expense for misprints, and so the order of the divisional court in England 41 City, 41, 492-3, O. A. allow the shorthand writer's notes of the judgment, but we gather, no more. Again these notes could not be considered necessary for the purposes of the motion to furnish them gratis to the court; and lastly, they would have to be viewed, if at all, by the judge at the trial, and, by the trial judge, at all events; and following the analogy of certifying for errors (see Ansell's case 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 there shall be allowed, and the plaintiff do allow, the costs of the appeal from Mr. Justice Drake's order as to the costs of the motion for a new trial herein, and further that the costs of this appeal be in the discretion of the divisional court, which shall have regard to the order of Mr. Justice Drake."

Mr. Justice Crease delivered his judgment to-day in the Mimie case, tried in the exchequer court before him on the 22nd day of January, 1894. The judgment is a lengthy one, and is given in its treatment of the evidence adduced by the defendants, holding that no relief can be placed on Captain Morhouse's account than \$200,000, and that the satisfactory state of the ship's log, according to the act under which the action is brought, the defendants have the onus placed on them of showing that the Mimie was not engaged in trading in seal, 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 corrected by the crew 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. The court decreed the condemnation of the schooner and everything on board. The question as to the expenses in which the proceeds shall be distributed is reserved for further consideration. No costs.

See that horse?  
He has a good coat and is in good condition to win the "DERBY" and so would any horse in his own class.  
DICK'S BLOOD PURIFIER.  
It treats the system, enriches the blood and gives nature full chance to do its unending eradicator of boils and worms. It is not a drug for cattle or for horses. It is a 50c package for your horse or cattle are not thriving. For a spavin, curb, ringbone, splint, or Dick's Blood 50c—Dick's Liniment for sprains, swellings, bruises, etc. 25c—Dick's Ointment for scratches, cuts, sores, and all other ailments. Sold on receipt of price.  
DICK & CO., P. O. Box 438 Montreal.

MEW INSOLV  
To be Submitted to  
Session  
EXTRACTS FROM THE  
It will Apply to  
Partnerships and  
Trading Companies  
Working the Act.

Ottawa, Jan. 31.—The government intends submit itself or next session an act of insolvency. A draft bill prepared. It is called "The