IORE SETTLERS FOR THE BARR COLONY.

WO THOUSAND ARE EXPECTED IN SPRING

Farmer Caught in Snowstorm and Frozen to Death Near His Home -Eastern Notes.

(Associated Press.)

eg, Jan. 18.-Thos. Tweed, preent of Medicine Hat Board of Trade, received the following letter from Wm. White, second vice-president of C. P. R., in reply to a resolution of ratulation sent to him by the board: have received your telegram signed courself and Mr. C. R. Mitchell, sec-ry of the Medicine Hat Board of tendering me the congratulations board on my new position. Will kindly convey to members of the rd of trade my deep appreciation of r congratulations. It is a source of great satisfaction to me to know my appointment is meeting with r and approval by so many of my s and business acquaintances. The thwest is developing very rapidly, the Canadian Pacific can do more the Northwest than any other railcompany or interest. The success he Canadian Pacific railway means success of the Northwest and vice , and I regret to find that the pubsome extent have been drifting from the company. It will be my in the administration of the affairs e company to pursue a policy that give the Northwest reasonable ties, as without these the successful ment of the country will be re-I have no light task, as you well imagine, before me, but I am ful that if I can surround myself a proper organization to bring results that will be beneficial to lie and the company, and in so I trust that I will still retain good will of the public and the re and confidence of the employees of

company. Wishing yourself and the there of the board of trade a happy prosperous New Year." For Barr Colony. immigration commissioner here eived word of the coming Britishers early in the spring for

Barr colony. Agent Retiring.

E. Whitney, general passenger t of the Great Northern railway, aul, will retire shortly to go in and business, being succeeded by C. tone, the present assistant.

Sergeant III. rol Sergeant Robertson, of the force, formerly well known in nto as an athlete, is seriously ill brain fever.

residence of the late Captain Johnson, at Keewatin, with the old effects, were destroyed by fire orning. There was a small insur-

Miss M. Van Horne Dead: ntreal, Jan. 18 .- Miss Mary Van e, youngest sister of Sir William rne, died here to-day.

Warehouse on Fire. e broke out in the warehouse of and, Swift & Co., wholesale hat-Recolette, about 4 this morning, ire is right in the centre of the wholesale trade of the city, and the board of trade.

Hockey at Montreal urday night the Ottawas defeated real hockey team by 6 to 3. The ec Victorias, of Montreal, beat Que-

Conservative Candidate. don, Jan. 18.-The Conservatives turday chose Peter Elson as canfor the House of Commons for

North Oxford Contest dstock, Jan. 18.-The Conservaof North Oxford on Saturday nom-Robt. Butler as candidate in the ction for the legislature. It will traight contest, D. R. Ross, Libohibitionist, having announced rement from the contest.

Attacked by Pigs. dge, Jan. 18 .- Thomas Millan. of township, on Friday night, about left his house to feed pigs. eturn and a nephew went in He found the body lying in the vith the pigs devouring it. His vas badly mangled. It is supposed an, who was subject to fainting fell into the pen and was attacked

e pigs.

anto, Jan. 18.-A. F. Ames has rethe membership and chairmanship Ontario government's Temiskam

John Charlton's Condition. Wm. A. Charlton, Speaker of the legislature, and brother of Hon. rlton, says he saw the latter last and found him much better than he He recently received a letter his brother signed by himself which d no signs of mental trouble. The considers the alarming reports of her's condition to be greatly ex-

Accepts Position. Jas. Mills, of Guelph, president of tario Agricultural College, has aca seat on the railway commission,

him by Sir Wilfrid Laurier.

Sudden Death. kville, Jan. 18 .- Dr. J. B. Murphy. adent of Brockville insane asylum. iddenly yesterday of heart failure

Is' Sons Wanted with knowledge of farm in an office, 860 a month with advancement; smployment; must be honest and reliable. offices of the association are being established ovince. Apply at once giving full partic

JAMES DUNSMUIR STILL ON STAND

CROSS-EXAMINATION WAS RESUMED TO-DAY

Occupied the Whole of This Morning's Proceedings - Was Closely Questioned.

(From Friday's Daily.)

When the will case was resumed yeserday afternoon the examination of Alexander couldn't manage the San Francisco business because of mental aid that it was unsafe to allow Alexer to sign cheques. He had discussed er's drinking tendencies with his The Czar litigation was settled Alexander's instigation. Witness ted to fight the matter. Alexander always exercised the control in the manent of the business. He knew gave way to him. There was no change his mother wasn't entitled to Alexin that respect from the earlier years ander's interest. If she was, witness the last year of their association. The statements that during the last few years of Alexander's life he was ble to talk coherently were untrue. Alexander was always able to express himself properly. Witness considered him a very able business man. The John L. Howard coal deal was in Messrs. Wilson & Wilson for services in nnection with the agreement between Mrs. Alexander Dunsmuir and himself. This closed the examination in chief their name.

Mr. Duff asked permission to defer the cross-examination of the witness until certain letter-press copies of yearly statements of the San Francisco busiwhich defendant's counsel had wired for, arrived. Sir Hibbert Tupper joined in the re-

uest which was vigorously opposed by Ir. Davis, who failed to see how these tatements were very material. His Lordship thought that the crossexamination of the witness should pro-ceed, with the exception of that part bearing on the statements. Ultimately, however, on application of Mr. Duff the ross-examination was deferred until to-

morrow (to-day.) Sir Hibbert Tupper applied for permission to cross-examine the witness after Mr. Duff had finished, and urged an authority, Mr. Davis held that the after Mr. Duff had finished, and urged an authority, Mr. Davis held that the authority quoted by Sir Hibbert really disproved his contention. The issue in Hopper vs. Dunsmuir and the intervening plaintiff's proceeding was the same; fine question of the validity of Alexander Dunsmuir's will. For that reason he contended Sir Hibbert was not entitled to cross-examine the witness if other to cross-examine the witness if other to cross-examine the witness if other the same footing as other dealers. Counsel: "That is while your mother was sole proprietor of R. Dunsmuir & Sons, you, as manager, of the business, sold to yourself and Alexander in 'Frisco for 50 cents less than to others. Then as soon as you became proprietors of R. Dunsmuir & Sons and your mother to cross-examine the witness if other the same footing as other dealers.

Counsel: "That is while your mother was sole proprietor of R. Dunsmuir & Sons, you, as manager, of the business, sold to yourself and Alexander in 'Frisco for 50 cents less than to others. Then as soon as you became proprietors of R. Dunsmuir & Sons and your mother was sole proprietor of R. Dunsmuir & Sons and your mother was sole proprietor of R. Dunsmuir & Sons and your mother was sole proprietor of R. Dunsmuir & Sons and your mother than the proposal of witness of the matter, were and the proposal of witness of the matter, were and the proposal of witness of the matter. They both talkas soon as you became proprietors of R. Dunsmuir & Sons and your mother was sole proprietor of R. Dunsmuir & Sons and your mother was sole proprietor of R. Dunsmuir & Sons and your mother was sole proprietors of the business.

The discussed the agreement for his brother. He discussed the matter with Alexander, and the proposal of witness of the matter. They both talkas you as manager, of the business.

Sons, you, as manager of the business.
Sons, you, as manager of the business.
Sons, you, as manager of the business.
Sons, you, as manager of the business.
Sons, you as manager of the business.
Sons, you counsel did so. His Lordship said he yould give his decision on the matters

o-morrow (to-day.) eedings were resumed this norning His Lordship ruled that Sir Hibbert Tupper was entitled to cross-examine Mr. Dunsmuir after Mr. Duff

afternoon. The cross-examination by Mr. Duff was then continued. Witness said that on the death of his brother the whole of property, mines, railroad, Victoria holdings became his mother's. Alexander and witness had been partners of their father in the San Francisco between 1889 when his father died, and 1896 when the 'Frisco firm of R. Dunsnuir Sons & Company was incorporated. his mother received profits. Alexander usiness. He took what he wanted. His mother understood the agreement entered nto by her in 1896 when the R. Dunsmuir Sons Company was incorporated, which she was to receive their stock either himself or Alexander predeeased her. Witness had no salary, no nder and witness purchased their

other's interest in the business for After his father's death witness was esident of the Union Colliery Commy and vice-president of the E. & N. oad Company. His brother was lent of the railway company and rer of the Union Colliery Company. former got \$500 a month in the E. and witness a like amount in the ed from San Francisco from 89 to 1896 were unaccompanied by nts. They were sent by cheque ed at the disposal of R. Duns-& Sons: Witness would inform ther, but gave her no monthly ents. The R. Dunsmuir & Sons' count was entirely in witness's at that his mother received three dollars since 1889. His mother assessments from the Union and E. & N. railway for what supplies, etc. He didn't know at the time of his father's death. have amounted to a million dolen his mother assigned her stock sed from his mother included the ne to R. Dunsmuir & Sons from lway company and Union Colliery His mother received interest E. & N. indebtedness, but none principal. The latter passed to

Mr. Duff pressed the witness closely as to the time of this conversation, but the Union Colliery Company's the incorporation of the San sco firm witness received a share profits. Witness was not anxious execution of the agreement of until a certain thing happened." Wallace was not dependent upon xander did not marry Mrs. Wal-

g his mother's displeasure. Witness

and his brother when his mother

over her stock. The same ap-

her than he did for fear of ex-mother's displeasure. Witness his brother wanted witness to make for Witness got

the agreement of 1896. His mother wanted it drawn because she said: "She was afraid that woman would step in" hadn't long to live. He did not consult from the latter died his shares would become the latter died his settlement that Mrs. Dunsmuir hadn't long to live. He did not consult brown that latter died his settlement that Mrs. Dunsmuir hadn't long to live. He did not consult brown the latter died his shares would become the latter died his shares would be latter died his shares the property of his mother. It wasn't | did not give the subject a thought.

in October, 1899, he would not dispute

In 1900 witness was in San Francisco in March, May, September, and to- will be executed after his brother's wards the latter end of November. In death to ascertain whether he had made March he gave Wilson & Wilson instructions regarding the probate of the will. James Dunsmuir by Mr. Davis was con- He couldn't remember discussing provistinued. He said he never stated that ion of Mrs. Alexander Dunsmuir in March. Messrs. Wilson & Wilson pressed for an agreement in September. They may have asked for one as early as ty. Such a statement would be He denied that he had ever \$2,000 a month. Wilson & Wilson then asked for \$25,000 per year for Mrs. San Francisco, and he did not want to Dunsmuir. He didn't think they pressed embarrass himself if attacks were subfor half the profits of the California sequently made. business until September. Witness told Mrs. Dunsmuir that he had already executed an agreement by which his mother was to receive Alexander's interest in the event of the latter's death. re about it than witness, who always He thought he told Mrs. Dunsmuir that

would have given it to her. The agreement with his mother in 1899 included the San Francisco property. He admitted having told Mr. Pooley before this agreement was executed that Alexander and he owned the stock in the San Francisco business. Counsel then asked why the agree-October, 1899. Witness never paid ment by which he and Alexander purchased his mother's interests specifically mentioned the San Francisco business Witness insisted that the stock was in

> When witness was in 'Frisco in May, 1900, he gave instructions increasing the price of coal. Witness did not furnish statements to Wilson & Wilson when the question of profits was discussed. He told them nothing about the increase in price. This increase wiped out a certain extent of the profits of the R. Dunsmuir Sons Company.

R. Dunsmuir & Sons, of Victoria, bought the coal from the Wellington Colliery Company for \$3 per ton, and sold it to the R. Dunsmuir Sons Com-pany, of San Francisco. When his mother was the sole proprietor R. Dunsmuir & Sons of Victoria sold to the R Dunsmuir Sons Company in San Francisco at \$3. It was after he and his the price was raised to the San Fran-

claimed half the profits of the California business the profits were transferred to

object was to place all the dealers on one

(From Saturday's Daily.)

On the resumption of the cross-examination of James Dunsmuir in the case of Hopper vs. Dansmuir, yesterday afternoon, the witness said that when his brother Alexander returned from Europe in 1895 he spoke to him (witness) about Mrs. Wallace. Alexander asked witness to allow her 1,000 per month if he died, received no salary for managing the and witness promised to do this, and try mother's consent to the marriage. The latter, however, said she would rather see Alexander dead than married to Mrs. Wallace. In October. 1899, while witness and Alexander were looking at the Sam Leandro house the atter said that if anything happened to rrangement regarding the profits, but him the San Leandro property was to book what he required. In 1899 Alex. go to Mrs. Wallace and witness was to give her \$1,000 a month. Alexander wanted his interests, however, to remain \$410,000, giving a mortgage on the in the Dunsmuir family. He and witness frequently discussed the matter and the danger of the Pacific Improvement Company getting control. Witness was unable to fix the dates of these conversations. In 1898, when he came from San Francisco, Alexander said he was going to have Mr. Pooley make out his

He wouldn't have it done in San Francisco because wills were broken so Colliery Company. The profits easily there. He didn't say what the will would contain, nor at that time anything about provision for Mrs. Wallace He had another conversation with wit ness about the disposition of the perty when he gave the latter the will. Witness did not know of his knowledge that the will was being executed by Alexander when he was here in 1898. All he knew was what his brother told Alexander handed him the will about October 7th, on the day before e went away. Witness received it from him at Craigdarroch, where he was stay er had advanced during his life- ing during his visit. It was placed in a safe, where it remained until December 1899, when witness gave it to Mr. Pooley to have it copied—the copy becoming the will of 1899. The original was returned to the safe, where it remained until a few days after Christmas of that year, when he (witness) returned from San Francisco. In his office he took it from his pocket and said: "Here is Alexander's will." He also took the will of 1898 from the safe and said: "The old one is no good. I'll tear it up." Mr. Pooley, however, advised him to keep it.

> vitness was unable to say how long after October, 1898. The latter had promised about it sometimes. to go, but got under the influence of liquor and was with difficulty induced ber 29th, 1893, was produced, stating to leave. Witness went to the club after | that he was not satisfied with Taylor, him. The next morning, when they that witness was going down in a short reached Vancouver, Alexander was all time, and would close on Taylor if he

visited Alexander and Mrs. Wallace at Mrs. Dunsmuir, witness said he didn't perty of J. D. Taylor when he went firms, when Mr. Davis objected on the might have said that if he continued to 1899. The question of the transfer of her to maintain the San Leandro place. the property did not affect the date of He afterwards considered that \$25,000 the marriage. Alexander then knew nothing about the arrangements.

Witness instructed Mr. Pooley to draw

Alexander and by her."

for the protection of witness.

and his brother had arranged that in the When Alexander and witness bought event of witness's death his property and his brother had arranged that in the their mother out they secured all her in-would be left to Alexander in trust for terests. The agreement of 1896 was for-witness's children. Before his brother's gotten and witness was surprised when death he had never executed a will. Mr. Pooley showed it to him. This was in June or July of 1900. If Mr. Pooley no provision for Mrs. Dunsmuir. He had said he told witness of this agreement objected to giving Mrs. Dunsmuir an agreement in writing.

Counsel then proceeded to cross-exmine the witness closely regarding the any provision for Mrs. Dunsmuir, to mplement the oral promise he gave her. Mr. Davis objected and the objection was sustained.

Continuing, the witness said he refused to give Mrs. Dunsmuir an agreement in writing until he was sure of his position and that of his brother, because so many attempts were made to break wills in An adjournment was then taken until

To-Day's Proceedings.

Upon resuming the trial to-day Mr. Davis produced Dr. Thorn's blotter, which he had had sent up from San Francisco. The cross-examination of James Duns-

muir was then continued under Mr. Duff. Witness said that he was informed that from the books the change in the price of coal took place August 1st, 1900. t was talked over about May or March. When coal was shipped to San Franisco in vessels owned by R. Dunsmuir & Sons, the cost of shipping was charged to R. Dunsmuir & Sons Company when hipped by the Wellington or Bristol. The profit on the freight was not claimed Alexander Dunsmuir or witness before Mrs. Dunsmuir's share was purchased in the business. These profits went to Mrs. Dunsmuir.

Witness regarded Alexander Dunsmuir as the paramount authority in connection with the business of R. Dunsmuir & Sons and R. Dunsmuir & Sons Com pany. Alexander was not a practical ining man, but he was a busin The question of opening up the Extension mine was discussed together by them. The opinion of witness prevailed in the matter. Witness knew no other large undertaking in connection with the business except the proposal to build a railway for the Victoria Lumber Company during the last five years of the life of Alexander Dunsmui

Witness admitted that the negotiations brother had bought their mother out that for the purchase of the property from cisco firm—in 1900. This placed 'Frisco 1890. He signed the agreement for his their mother were conducted by him in

Witness signed the agreement in his brother's name before that. With respect to the price it was always under-Witness denied that this was so. The stood that his mother was to turn the bject was to place all the dealers on one property over to Alexander and witness with the provision that a certain amount After some further cross-examination of interest was to be paid to the sisters. am adjournment was taken until this Witness had Alexander's power of attorney, and Alexander had his.

Witness could not recall any great change in the policy of the business in Victoria or San Francisco from 1894 to In 1894 witness during his 1899. brother's absence in Europe raised the price of coal from \$3 to \$3.50. When is brother returned the price was re-

Asked for instances of the exercise of aramount authority by Alexander, witess recited the change in the price of oal, and the disagreeing with the proposal to build a road info the Victoria Lumber Company's timber.

Witness said that it would have been

efter sometimes if he had taken Alexander's advice. Asked for an example, vitness said that of going into politics. Alexander advised him against it, and old him "they were only wanting to pull

"You didn't think so," asked Mr. Duff. Witness said: "I know it now."
Alexander Dunsmuir was absent at ne time of the building of the bunkers, and so was not consulted in that work at

Witness seldom wrote to Alexander uring his absence. He wrote a few times, however. Alexander replied, but vitness had not the replies now. Letters were produced by Mr. Duff, which witness said was in his handwrit-

Mr. Davis wanted to know why the etters were not produced before.

Mr. Duff asked why under the notice produce these letters were not includ-

Mr. Davis thought that was unreason able, as the letters had passed out of his Mr. Duff held that it was the practice Ontario that under a notice to produce ich documents should be mentioned. Witness said that he had forgotten about writing about these bunkers, but

he letters in 1895 showed he had. Witness wrote in February, 1895, adising Alexander to keep him (witness) dvising that some system be adoptedhat there should be a system in every-

nd J. D. Taylor, of Oakland, A leter written by witness on Novem-

Alexander was proposing to make a wild in 1898 that he said: "Now, Jim, if anything happens to me I want Mrs. Wallace to get \$1,000 a month." Witness was now clear on the sub-said that he was now clear on the sub-said that size of the creationt of 1899. The first transfer was the Culon college of the creationt of 1899. The lifst transfer was the Culon college of the witness.

His Lordship said that Sir Hibbert's mother had always promised that these should go to Alexander and himself. This was frequently discussed with their mother. The arrangement was that these should go to Alexander and himself. The arrangement was that these should go to Alexander and himself. The arrangement was that these should go to Alexander and himself. The arrangement was the culon college of the witness.

In October, 1899, Alexander instruct-

ed witness to see Mr. Pooley and get a confine his cro copy of the will of 1898. At the new ject at issue. said she should make \$8,000 a year out of the estate, and she should not get one position that they intended to get married Canada, the French Liberal organ, says

witnesses said it was after dinner On the train between New York and

San Francisco in discussing matters with Mrs. Wallace witness told of Alexander saying that she was to get \$1,000 a month. Witness said he did not think it was enough, and said he would give \$2,000 a month. He did not say he ould give \$25,000 a year for life. Reading from the examination for discovery the statement that witness had

He had made a mistake. It was Wilson & Wilson that got him to give her \$25,000. Witness would not consent to an agreement as suggested by Wilson & Wilson, who wished it. He could not recall

made that he would allow her \$25,000

year, witness said this was incorrect.

when the question of half the profits going to Mrs. Dunsmuir came up. Witness did not want to make an agreement to give Mrs. Dunsmuir a certain sum because he feared it might expose him to other claims in California. Mrs. Dunsmuir said she could trust witnever gave this cause of his objecting to giving of an agreement to Mrs. Dunsnir or anyone else. Alexander had told him that they could not break a will British Columbia, but he did not know what they could do in California. These were his only reasons for not giv-

ing the agreement.

The court then adjourned until 10.30 Monday morning. (From Monday's Daily.

L. P. Duff, K. C., continued his crossexamination of James Dunsmuir when the The witness said he first heard of this suit before he went to the Old Country in 1902, when he was told of it by Mr Helme ken. After his return from England he went, to San Francisco and consulted Messrs. Wilson & Wilson, attorneys. He asked them to look after the case gown lawyer and they recommended Mr. Thorn. Wilson & Wilson declined to act for witness because they had been Mrs. Dunsmuir's attorneys. He didn't remember the Wilsons ever suggesting to him that the will might be attacked. Neither was any such suggestion made to him by Mrs. Alex. Dunsmuir. He never apprehended that she yould contest the will. All she wanted was the agreement. The first he heard of a possibility of a contest was when it was ported here that his sisters would attack

the will. In December, 1899, when witness went t see his brother at San Leandro he had the copy of the will Mr. Posley had made. He showed it to his brother and the latter read it and said: "Keep it until we are mar-

Witness remembered the execution of the will. He did not agree with Mr. Lowe's evidence in this regard. He thought it was

This closed Mr. Duff's cross-examination of the witness. Sir Hibbert Tupper then began his. In reply to his questions, witness said

James Harvey was his nephew. Neither witness nor his brother ever engaged J. Harvey to go to California to report on oil. The latter never spoke to witness about oil. Witness never knew that Alexander nised Harvey a position in California From conversations with his brother, witness knew Alexander wouldn't have James Harvey in the San Francisco office. He denied that he prevented Alexander from employing him. If his brother wanted to

Sir Hibbert was proceeding to crossexamine the witness as to the circumstances surrounding the interruption of ais irse with his mother when E. Davis, K. C., deprecated this line of examination. These painful family shouldn't be dragged into court. Quite a spirited argument between counsel

sued. Continuing, Sir Hibbert asked: "Now, isn't it true that after you got all you could from your mother you hever went to see her again?' Mr. Davis objected to this question as it

on his mother was that he was told that

After the settlement of 1899 witness re-

for \$1,350, but his mother wouldn't do it. ping, receiver of wrecks and collector of Milne, who resides in Buffalo; James always satisfactory. At one time Mr. After that "they" wanted him to take over cu always satisfactory. At one time Mr. Taylor owed a large sum, and witness was somewhat afraid about it. Alexander Dunsmuir knew it was all right. When Alexander Dunsmuir went to When Alexander Dunsmuir went to in regard to the Colonist shares, and was connection with the Behring Sea sealing Mexico witness took charge, and got security for the amount. He did not ment of 1896 for Alexander's shares. Wit-The witness denied that he was instrumental in getting Alexander to leave in it in 1893. He did talk with his mother sole proprietor of R. Dunsmuir & Sons because it in 1893. sole proprietor of R. Dunsmuir & Sons before 1899. Witness had an average memory.

Counsel—"What are you best on—dates,

Counsel—"What are you b incidents or conversations?

Witness—"I'm not very good in making than the deceased, and on all controver-

lid not pay up.

Question the witness regarding the business considered invaluable.

Witness got a mortgage on the prorelations between the Victoria and 'Frisco The late Alexander Roland Milne was dence, and 2.30 from St. John's church.

ject, and could not recall any mention may be important by and by but not at of it.

The purpose of testing the er's when their mother died, ample provi-Witness recalled that when the will witness's memory, however, counsel could slon to be made for the sisters. The change was handed him Alexander said: "Everything is yours, Jim, keep it and put it in Sir Hibbert said he wanted to ask the to the head.

house in San Leandro Alexander said:
"This place is to be Mrs. Wallace's. She cussed with his mother the question of The court then is to get \$1,000 a month." Witness asked if this was enough, and Alexander sympathized with his brother in his desire.

ent more.

that witness allowed members of his family

thou M. E. Bernier, Minister of Inland
to visit them. Witness never told his Revenue, is to become a member of the The will of 1899 was executed in the evening. Witness thought it was before dinner. He still thought so, but other discussed and also mone.

The will of 1899 was executed in the evening. Witness thought it was before dinner. He still thought so, but other discussed and also mone.

The will of 1899 was executed in the evening. Witness thought it was before dinner, He still thought so, but other discussed and also mone.

Revenue, is to become a member of the mother that Alexander was unfit to manage the San Francisco business. He add in the cabinet by Hon. L. P. Brodeur, Speaker of the House of Committed that he and his mother discussed alexander's drinking tendencies, and also mone.

Visited Alexander and airs, wailace at Mrs. Dunsmurr, witness said he dudt perty of J. D. Laylor when he went said he Grand hotel in think \$1,000 a month was adequate for down. Taylor had a large running active relevant to the issue drink he would not be able to manage his down. The question of the transfer of her to manage his pushing a count of the transfer of her to manage his down. The question of the transfer of her to manage his down. The country time are a light of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of her to manage his down. The question of the transfer of the transfer of her to manage his down. down. Taylor had a large rules of the vandity of interest.

-the vandity of interest.

Dunsmuir's will.

Sir Hibbert contended that he had a conconducted the negotiations for the transfer conducted the negotiations for the transfer. On examination for discovery witness clusive right to press these questions, par-admitted that he thought that when ticularly as they bore on the credibility of of 1899. The first transfer was the culou

> the safe." He saw a letter in which witness how he could reconcile his own and Alexander instructed that each of the Mr. Lowe's statements. His suggestion arrangement was decided between witness sisters was to get \$50,000. The letter was that there was something "crooked" and his mother. The negotiations did not was not signed, and Alexander tore it and he wanted to put the question plump last more than hour. Witness had never His Lordship ruled that counsel must told his mother he was getting tired wait. confine his cross-examination to the suball his life and was 48 years old before he

COLLECTOR MILNE

PASSED AWAY AFTER FEW DAYS' ILLNESS

Contracted Pneumonia From Chill Thursday and Died Sunday Night.

After a brief illness, lasting only a few and Charles S. Finlayson were the only ness, but she feared consequences if anything should happen to witness. He days, Collector A. R. Milne, C. M. G., inside officers. Mr. Milne, by attention passed away at 11.30 o'clock on Sunday, to business, intelligence and knowledg tracted on Thursday last. Deceased had pointed on the resignation of Mr. Hamgone to the polls to record his vote, and having to wait about for some time Milne's promotion met with universal apcaught a chill which developed into pneu- proval, for he was regarded as a model monia, confining him to his bed on Fri- civil servant. day evening.

the son of Alexander Milne, Toronto, Ontario. He was born in Morayshire, Scotland, on December 20th, 1839, and parents emigrated to Canada, and in 1855 he entered the employ of Gage, moved and Hagaman & Company, who did a large dangerous. business in Oakville and Toronto, as dealers in grain. Mr. Milne was engaged n mercantile pursuits in Ontario till 864, when he came to the Pacific Coast. He remained for a period in Victoria, and then went to Cariboo, at that time attracting much attention, where he was engaged in the general marcantile business of Buie Bros. While in Cariboo he saw and experience the life of adventure and hardship peculiar to that region at that time. He returned to Victoria in 1874, and in 1875 entered the service of the customs house. At that time ex-Collector Hamley, the late George Frye

death resulting from an attack of pneumonia, developing from a cold con-the service until in 1890 he was ap-



THE LATE COLLECTOR MILNE, C. M. G.

mise will create a feeling of sorrow whom he had any business connection. Mr. Davis objected to this question as it was an inferential one. An answer either way involved the statement that witness had tried to get all he could.

The way involved the statement that witness had tried to get all he could.

The way involved the statement that witness there were few better known and none ranked higher in the esteem of his fellow. ranked higher in the esteem of his fel-The question was allowed on witness be low citizens than the late collector. He mained. For the last two or three years, ing permitted to make an explanation. The was a pioneer of the city and province, however, his strength has been waning ravine, as at present it is almost imposetter posted as to the ships coming, and if he did so the door would be shut in his nauts who followed the first rush to Cassiar and Cariboo.

that there should be a system in every thing, and reminding him that witness had told Jewitt to do so.

The negotiations between the company

The negotiation that the negotiati

Witness—"I'm not very good in making speeches in court."

Sir Hibbert was proceeding to cross-collector's advice was always sought and country that the deceased, and on all controversive sees bearing on this vexed question the collector's advice was always sought and considered invaluable.

The funeral will take place on Wednesday at 2.15 o'clock from the resistance of the controversive sees that the controversive sees the controversive sees that the controversive sees that

On joining the customs staff as clerk, brothers and sisters to mourn his loss, brothers and sisters to mourn his loss,

Royal Arch, and a charter member of tried it-a single puff through the blower

FOR PAST YEAR

ANNUAL REPORT OF THE MEDICAL OFFICER

Showing the Death Rate in Past Twelve Months and Causes-Sanitary Inspector's Statement.

The annual report of the medical The court then adjourned until this health officer, Dr. Robertson, shows that during the year there were reported "66 cases of diphtheria (six death) and 117 cases of scarlet fever (two deaths): whilst cases of the other exanthemata were few and far between, with a mor-

traps were accountable in many instances for local outbreaks of infectious and contagious cases; and it is strongly recommended that a house to house inspection was educated at Marshal College, Aberdeen, with a view to fitting him for a mercantile career. During his boyhood ticipated. All box drains should be removed and no more be laid, as they are

"Fortunately, during the past year extensive improvements have been made in the drainage system of the city, and it is to be hoped that this very necessary work will be still further extended dur-

ing 1904. "The maintenance of the Isolation hospital has been heavier during 1903 than during former years, but with the adoption of certain contemplated changes, the institution should be self-supporting, and I understand the council of 1904 intends

inaugurating the proposed reforms. "The new cells at the police station have proven a great boon to the force. ties for the care and treatment of unfortunate prisoners and alcoholics who cannot be admitted to the wards of our

The doctor again urges that the police be equipped with a patrol wagon. There are only two patients at the Darcy island lazaretto, both of whom are Chinese, Estimating the population of the city In his official position Mr. Milne was 11.57 per thousand for the past three at 25,000, the average death rate was Following is a detailed list of deaths

and causes in Victoria for the year:

Appendix. Gastro-Intestinal-Peritonitis. 3: acute gastriris, 1; appendicitis, 1; gastroi enter-ltis, 5; entero colitis, 2; cholera infantum, 5. Nervous Piscases—Brain tumor, 2; meningitis (all forms), 10; convulsions, 3; loesmotor ataxia, 1; epilepsy, 1. Zymotic Diseases—Diphtheria, 6; scarlet fever, 2; typhoid fever, 5. Pulmonary Diseasesnonia, 14; bronchitis, 5; atalectasts, Renal Diseases-Chroni nephritis, 5; cystic kidneys, 1; diabetes, 1; uraemia, 4; cystitis, 1. Hepatic Diseases-Rupture of liver, 1; cirrhosis, 1; empyaemia of gall bladder, 1. Circulatory Diseases-Apoplexy, including embolism, thrombosis hemorrhage, 14; heart disease, 30; aneurism, 4; arterio sclerosis, 4; patent fora ovale. 1. Other causes-Cancer, 28; still-1: senile gangrene, 1; intestinal obstruction, 4; gastric ulcer, 4; placenta previu, cerebral injury, 1; syphilis, 1; mem branous croup, 1; ptomaine poisoning, 1; empyaema, 1; murder, 1: tuberculosis, all forms, 25; senile decay, .11; Chinese (not certified), 57; septicaemia, 1; pulmonary embolism, 1; coroner's cases, causes not given, 10. Making a total of 131

The sanitary officer, James Wilson, reports that: "Four hundred and fifty-five omplaints were received during the year just closed, all of which received my careful attention; 50 nuisances no-tices have been served." He has fumigated 183 houses where scarlet fever, inhtheria, etc., have been: 45 suits of lothing were fumigated and 135 persons received disinfecting baths at the

The report goes on to say: "The dump at James Bay flats has been attended to and kept in good sanitary condition, the filthiest parts of rubbish being sent to the bottom and the cleanest being spread on top. As James Bay flats will soon be ed up, I would strongly recommend that a crematory be built for the dis-posal of all rubbish, etc.

Regular visits were paid to the Isolation and Chinese hospitals, also to all

outcher shops and fish stalls. "I made many visits through Chinaown, and can say of the latter, that though still far from canitary, it is inyears. In addition to the above duties I ve attended, under Dr. Robertson, to The news of Mr. Milne's sudden de- always courteous and affable to all with the detail work of the leper colony, and many other duties, such as removing infected patients, placarding houses, seeing that isolated houses obeyed the quaran-

tine rules, etc. 'I would recomment that a pipe drain be laid down through the Johnson street

SCEPTICS TURN BELIEVERS

AND ARE CURED. DR. AGNEW'S CATARRHAL POWDER A GREAT BLESSING.

'When I read that Dr. Agnew's Catarrhal Powder could relieve Catarrh in 10 min utes I was far from being convinced. I afforded instant relief, stopped pain over that of thousands of others and may be

Dr. Agnew's Heart Cure saves life. Pelleves in 30 minutes.