

## Investigation Decided Upon

Commissioners Find Further Enquiry into Police Matters Necessary.

Detectives Send in an Interesting Report—Gambling Question Again.

Constable Clayards Makes an Explanation—Sergeant Walker's Protest.

The vague insinuations so often heard in connection with the administration of police affairs in this city, and the innuendoes frequently levelled against members of the force which is charged with the enforcement of law here, are likely to be probed to the bottom as the result of the action of the Board of Police Commissioners at their meeting last night. Their determination to sift the matter to the bottom was largely the result of statements made in the communication of Officer Clayards in reply to a demand from the board for an explanation of his conduct in the Julia Lacoste case, toward his superior officer. In stating his case, Constable Clayards incidentally made the charge that not only had Sergt. Walker been intemperate but that his insubordination had long been known to Chief Sheppard, in spite of the latter's statement that he knew nothing of the matter. This was a grave charge which the commissioners felt they could not pass over silently, and at the suggestion of Solicitor Bradburn, the investigation upon which they decided will be a very exhaustive and complete one, and be sufficiently comprehensive in fact to satisfy the public demand for a general "sifting" of matters in the department.

Another subject which engaged the attention of the board was a rather extraordinary communication from one two detectives of the force, who wrote, without the formality of communicating through the chief, recommending, advising and remonstrating with the board. The assurance of Chief Sheppard that he had asked the detectives to write to the commissioners probably saved them from a sharp reprimand.

Then there was a letter from Sergt. Walker in which he asked for an itemization of the charges leading to his dismissal, and reflecting upon the probity of the head of the department by saying that he had never been asked for his resignation. The members decided that all that would be necessary would be to assure the ex-officer that he had served the right to dismiss any member of the force who was regarded as inefficient at any time without going through the disagreeable details of substantiating charges.

There were present at last night's meeting His Worship the Mayor, Commissioners Brydon and McMicking, the city solicitor, chief of police and clerk.

Before proceeding with the regular business of the meeting the chief said that the following paragraph from the morning paper which he characterized as unfair:

"Another matter claiming attention in connection with city police affairs is ex-Constable Abel's position. He has been known for weeks for the important charges to prefer in connection with police direction, but receiving no invitation from the commissioners to present these charges before that body, he has by advice gone to the Attorney-General, with whom he had an interview several days ago. The result will be looked for with interest."

"I wish to say," said the mayor, "that Officer Abel never applied to me or to any other commissioner with any charge against members of the police force. Had he done so he would have been requested to put these charges in writing and they would have then been investigated. It is not the business of the commissioners to run around and hunt up every one who has a charge to make. This paragraph infers that it is."

The minutes were then read and approved, after which, in reply to inquiry from the chairman, the chief said that the new man had passed the medical examination. Only one new uniform, however, would be required.

Sergt. Walker wrote saying that as it had appeared in the newspapers that he had been asked to resign before being discharged, he wished to say that such was not the case. Had he been he would have asked for the charges. He had no opportunity to ask for these, being simply discharged without previously being asked to resign. He now asked for a copy of the charges that he might have an opportunity of defending himself.

Mr. McMicking said there was a statement in the letter that he had not been asked to resign. Was this correct?

The chief replied that it was not. He had asked him to resign and had informed him that if he did so, one month's salary would be allowed him. He had refused to accede to this request.

The mayor observed that in the opinion of the board the services of any constable were no longer desired, he might be discharged without any charge being preferred.

Mr. McMicking then moved that the communication be received and filed and that ex-Sergt. Walker be informed that the commissioners decline to give any reasons for dispensing with his services. The chief's report was then read as follows:

Victoria, November 1, 1899. Gentlemen—I beg most respectfully to submit my report for the past month for the consideration of your honorable body. Constable Abbott was laid up for four teen days, suffering from bronchitis. He is now convalescent.

The men's uniforms are getting very shabby, and I propose issuing new ones this week.

My detectives will put in a full report of what they have done during the past

few months, which I think will prove highly satisfactory to you.

I should like you to appoint two more detectives, so that two could be on duty in the day time and two at night. Indeed, it is essential in my opinion that the force should be augmented for the proper detection and prevention of crime.

I have notified Constable Clayards to report in writing to your honorable body the reason why he went against his superior officer in the late police court trial of Julie Lacoste. I might state that during the twenty-five years I have been connected with the police department of the city of Victoria I have never seen an officer act against another.

I think from the way he gave his evidence and otherwise that his conduct must have been actuated by malice or some other cause inconsistent with his duty as an officer.

I have a number of cases brought before the police court.

I have the honor to be, gentlemen, your obedient servant,

HENRY W. SHEPPARD, Chief of City Police.

The mayor observed that there was also a communication from the detectives and one from Officer Clayards, which he thought would disabuse the minds of the commissioners of the impression that he was actuated by malice.

The mayor inquired if the detectives acted as constables, that is did they make arrests the same as a man on a beat. The chief replied affirmatively and added that they often had to spend considerable money to catch their men. When acting as a detective he had spent as high as \$50 to catch one man. Two detectives he thought would be better than two additional constables. He added to the necessity of harbor police and to the fact that the metropolitan police of London recovered only 30 per cent. of the goods annually stolen, while his men had recovered 80 per cent. The report was laid on the table.

The communication of the detectives was then read as follows:

Victoria, B. C., October 30, 1899. Gentlemen—We, the undersigned, most respectfully beg to submit the following report for your consideration.

We would respectfully call the attention of your honorable body to the report of the proceedings at the meeting of the police commissioners as reported in the Daily Colonist, Sunday, October 29, 1899, and would say with regard to that part referring to gambling, that until the 25th of September ult., there was no illegal gambling outside of the several clubs, but since then, our time having been so fully taken up with other affairs of a more serious nature, and being unable to give proper attention to this work, we are in a position to say what has been done in that line.

In this connection we might mention a game which has been running openly in the "Savoy," which we endeavored to suppress some months ago, and to which we consulted the city solicitor, Mr. Bradburn, who after giving careful consideration, gave it as his opinion that the game, as played, was lawful, a fact which was communicated to his worship, the mayor, at that time. Should your honorable body so wish, we will take action against these people.

Referring to a particular case mentioned by Commissioner Brydon, we would submit that when we visited the place on the 27th inst., and found the place deserted, also we might say, as to gambling, we have always kept the place closed.

Referring to his worship the mayor's remarks as to disguises, we would respectfully state that we have adopted other means, neither are they used by any detective department in this or any other country, in cases where it is not advisable in the interest of justice that we should be known, we have no objection to being known.

We would also point out to your honorable body the urgent need of a contingency or emergency fund, which would enable us to leave the city on short notice can have their expenses advanced, thus doing away with the inconvenience of having to borrow money for this purpose, our salaries not being large enough to permit of these expenditures.

In conclusion, we would also call to the notice of your honorable body the effecting effects of the remarks expressed at your meeting when taking into consideration the manner in which we were treated, and the fact that we have recovered during the past three years over \$100,000 worth of stolen property, or 30 per cent. of all reported, which we think is not a bad showing for a detective department composed of only two men, and besides attending to all communications, private and public inquiries, criminals wanted in other cities, and various other matters, but we can always refer with pride to the high compliments paid us by Mr. Justice Walker and other judges of the Supreme court for our creditable work.

We have the honor to be, gentlemen, your most obedient servant,

THOS. PALMER, G. M. PERDUE, G. M. PERDUE, G. M. PERDUE.

P. S.—We would also suggest the appointment of two other detectives to assist us in our duties, and to keep us employed during the best part of the day and night.

P. and G. M. P. In explanation of the reference to himself in the foregoing, Mr. Bradburn said that Officer Perdure had put a hypothetical case before him, and upon the case, as represented by his officer, he had found his opinion, in the opinion he was not sufficient evidence to bring them within the criminal code. He didn't say it was lawful, but the case stated to him would not come within the code. There was no evidence of gain to the proprietor.

The mayor observed that the detectives had no reason to be discouraged at the remarks expressed at the previous meeting of the commissioners. In asking questions he had not been animated by a desire to find fault, but to elicit in-

## Bright's Disease

Threatened Mr. Jennings' Life—Physicians Gave Him Up—Dr. Chase's Kidney-Liver Pills Cured Him.

Mr. Richard Jennings, a farmer, living in Goderich Township, Ontario, states: "About three years ago I was taken down with Bright's disease of the kidneys, and to give up all work, and placed myself in the care of the family physician, and to some months a consultation was deemed necessary, and I was told I could not live. In short, I was in a desperate condition. Chase's Kidney-Liver Pills. The first pill gave relief, the first box produced a decided change, the second box cured me of the use of them, I improved in health, until I am taking the heavy share of work on the farm. So, to you can see what I suffered previous to using these pills, and how I have recovered from it."

Dr. Chase's Kidney-Liver Pills, one pill a dose, 25 cents a box, at all dealers, or Dr. Chase & Co., Toronto.

Chase's Catarrh Cure, 25 cents a box, for all cases of Catarrh of the bladder, lymphitis, gonorrhea, and other diseases, at all dealers, or Dr. Chase & Co., Toronto.

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formation. Personally, he believed the two detectives to be trustworthy, reliable and efficient men.

Mr. McMicking said it was a subject of some regret that the city solicitor did not understand the game referred to (blackjack). Was the solicitor aware that the game was played with a bank?

The Mayor—Oh! Do they do that? That is a different thing.

Mr. McMicking—What do they play for, if not for money?

The mayor thought that perhaps they only played for drinks, etc., and wanted to know if his brother commissioner was positive about playing for money. The latter said he was—that he had been told so by parties who had watched the game.

The Mayor—Will these parties come up and give evidence? Ah! That's the point!

Mr. Brydon—I don't think that is the point at all. The police should do that work without being told to. The solicitor has given his opinion only on a case stated as he thinks myself that the communication from the detectives is uncalculated for. The questions put at the last meeting of the board were for the purpose of eliciting information for which we have a perfect right to ask. The solicitor is an offended tone, as though we had no right to ask for this information, and the reference to Justice Martin has nothing to do with the case at all.

The Mayor—Did you ask the detectives to send in a report, Chief?

Chief Sheppard—Yes, I did.

Mr. McMicking—We had a perfect right to ask these questions. If any part of the force is defective, it is partly the fault of the commissioners, for if this board fails to give that oversight which they should, and which I believe this board is attempting to do, it will naturally become inefficient for lack of management. Inquiries such as these led to discoveries not otherwise made. Detectives claimed to have received 80 per cent. of stolen goods during the past year. He didn't doubt their statement. It would be of much more interest to the commissioners if they could show some concrete case where they had unearthed crime. It seemed to him that there were opportunities to do so, and that they had been under consideration.

The Mayor replied that there had been a resolution on the books calling on the police to enforce the law against gambling for some time.

Mr. McMicking said a resolution was not on the law. The law was there—let it be enforced. He was satisfied the law was being broken day after day, and night after night, by both Chinese and whites. What influence was at work to cause this? He didn't know.

Chief Sheppard—Do you mean to say the law was not broken before you ever came to this country?

Mr. McMicking—Perhaps it was.

The Mayor—Order, chief, order!

Chief Sheppard—I beg your pardon.

Continuing, Mr. McMicking said that detectives, instead of being discouraged, should regard this oversight as helpful. If anything would be discouraging it would be to leave them to themselves, ineffective, and would like to see action taken in regard to the house in question.

Mr. Brydon objected to the expression in the letter, "Should your board so direct we will take action again." Such a remark would be to suggest that they were a detective force, and that it was not the business of the commissioners to direct the detectives to carry out the law.

The Mayor—It is not our business to instruct them in a particular case. The law is there for their guidance.

Mr. Brydon made the remark that it was unnecessary to mention the name of the man in connection with the affair. It was not necessary for anyone to make a recommendation for the execution of the law of the department.

On motion, the communication was received and filed.

A Noisy Saloon.

The Mayor—Chief, I must once more draw your attention to the noise that are constantly going on in a saloon on Government street. I have spoken about this once before, and I am informed that the noises are now so bad that tenants are leaving adjoining houses.

Chief—Yes, yes, your worship, I know.

The Mayor—If your men can't see that these houses are kept orderly, we will have to get men who will.

Chief—Now your worship is speaking too strong to Joseph Mr. Bradburn, whom I would trust my life with, and told him to investigate, and he informs me that there is no cause for complaint.

The Mayor—Well, I will tell you this that a gentleman came into my place a business a short time ago with his grip in his hand, and said he was leaving an adjoining hotel because he could not sleep on account of the noises proceeding from this place all night long. I know also of a lady leaving the same place for the same reason. Further conversation developed the fact that the mayor and the chief were referring to two different places.

Chief—It is unfortunate that the loud shocks are not closed down, as the license commissioners have the power to do.

Mr. McMicking also thought that this was a matter that should be brought to the attention of the license commissioners.

The Mayor—The commissioners cannot take action in any case without some information before them.

Mr. McMicking—Do not the licensing commissioners ask if these houses are conducted in an orderly manner?

The Mayor—Only when a transfer of license is taking place.

Clayards's Explanation.

The following letter was then submitted to the clerk from Officer Clayards in reply to the request of the board:

Victoria, Nov. 1, 1899. Gentlemen—In response to an order received from H. W. Sheppard, chief of police, I desire to make the following statement. I was in possession of my attitude towards my superior officer, Mr. Sergt. Walker vs. Julia Lacoste, tried in witness box by Sergt. Walker as a witness for the prosecution, I being the constable who was called upon to give evidence. The course of my examination by Mr. Higgins, I was not satisfied with the way I was compelled to answer, and did not feel that I was doing justice to myself or my duty. I have been in the police force four years and seven months, and have a complaint having been preferred against

me, and claim to have discharged my duties faithfully.

I sat in the court and heard Sergt. Walker make statements which I knew to be untrue, and when I was placed in the witness box to support those statements I declined to do so. It can be shown by other witnesses besides myself that the woman Lacoste has not resided in Victoria for two years, and has not occupied any other house on Chatham street, as sworn by Sergt. Walker. He was also untruthful when he swore that he had never been inside that particular house, when I knew for a fact that he had been there on several occasions.

It was unfortunate in having been called to No. 11 Chatham street by the woman, who, in the midst of hysterical tears and sobs, told me of the man she alleged to be Sergt. Walker. He was also untruthful when he swore that he had never been inside that particular house, when I knew for a fact that he had been there on several occasions.

As a matter of fact, the chief has long been aware of the sergeant's shortcomings. The sergeant's conduct in the Lacoste case, as shown by the evidence, was a disgrace to the police department, and I am sure that the chief is well aware of this.

I submit to your honorable body that I acted throughout in accordance with the strict rules of my duty, and within the limits of truth, my only offence being in allowing my temper to get the best of me, on being accused of giving untruthful testimony, and which I believe that the highest recommendations from my superior officers for good conduct and ability.

I have the honor to be, gentlemen, your obedient servant,

W. H. CLAYARDS.

Mr. McMicking thought the letter was an admission of a breach of discipline on the part of the officer involved. The commissioners wouldn't suppose that Constable Clayards's character was in great danger in the matter mentioned, and it was a matter of regret that he had not been seen fit to report through the proper channels. There may have been some aggravation—no doubt there was—but Clayards had undoubtedly been guilty of insubordination. This was an aspect of the case that the board could not pass unnoticed.

The Mayor—In what respect, Mr. McMicking, was he guilty of insubordination?

Mr. McMicking—In attempting to thwart the course of justice in order to defeat his superior officer. In attempting to run contrary to his superior officer in court. That was not the time or place to rectify any matter pending between himself and his superior officer. He had access to the proper channels for putting things right, but he stated that he had lost faith in them.

The Mayor—I cannot take the same view of the matter. I think it would have been better for him to have refused to enter the box as a witness, but when he had entered the box and was placed on oath and found he could not support his superior nor corroborate his statements, which he says were not true, it was certainly not his fault. He could hardly be called insubordinate because his statements contradicted those of a superior officer whom he alleges was not telling the truth. If he merely refused to do on cross-examination, it was evidence of insubordination, unless there was something behind it all.

Chief Sheppard—He wasn't called as a witness. He came there purposely for the defence. Before he went into the case, he asked him if he could help in the case. He went into the box. He had no right to answer the questions put by Mr. Higgins as my learned friend (indicating Mr. Bradburn) knows. If there was anything wrong the proper place to take it was before the commissioners.

He came there masked. What did he do after that? He went to the woman's house on Douglas street with a "pimp," and interviewed her there. Never in all my life have I known a constable who knew a house to be one of prostitution go into the box and say it was an orderly house. No matter what speech there was between him and the sergeant he had access to your honorable body.

Mr. McMicking—The character of Constable Clayards in no danger. I read the proceedings in no danger. I believe it is the duty of a commissioner to avail himself of information no matter from what quarter it may come.

He gave, apart from a disagreement between himself and his superior officer, the case did not call for it, and the ends of justice from the police department's standpoint did not call for it.

The Mayor—Clayards's letter relieves him of any charge of insubordination. The chief's statement puts another face on the matter.

Mr. McMicking—Clayards in his letter says that the insubordination of Walker both on and off duty was well-known, and was known to the chief. Were you

aware of that? (turning to the latter).

The Chief—No I was not.

The Mayor—Were you aware of Walker's insubordination, chief?

The Chief—No your worship. No one gave me a written report. Of course he was before you in February.

The Mayor—In March.

The Chief—Yes in March, and he was also reprimanded once when Mr. Teague was mayor.

Mr. Brydon said that the board could not pass over the statement that the chief knew of the insubordination of Walker. It would have to be investigated. If his statement is founded on facts, it places the chief in a very unenviable position. He did not agree with the position Clayards had taken in stating that the board was unable or unwilling to look into his complaints. The board must investigate his statements and find out whether they were based on facts or whether they were untrue. He had accused the chief of a serious breach of his duties. He says the chief did not report irregularities on Walker's part though known to him. If this is a fact we must know it.

The Mayor—I feel very much the same. This statement is too serious to be passed unnoticed.

Commissioner Brydon—We must know the truth in the matter. The statement, the chief says Clayards gave his evidence with malice. We must know the chief's authority for that statement, or whether he had such.

The Mayor—In reading the evidence of Clayards there was a suggestion of malice.

Commissioner Brydon—He states that he told the truth and the whole truth. I admire the conduct of any man who will stand by the truth under all circumstances.

Here Mr. Bradburn remarked that it would be very dangerous for the commissioners to enter upon a partial inquiry. If they were going to enter upon an investigation it must be thorough. It was possible that Clayards had been actuated in his charges against the chief by malice. The solicitor said he had seen Clayards with his own eyes instructing the counsel for the defence.

They would have to sit as a commission and receive any evidence that offered. Mr. McMicking drew a distinction between the two sections of the letter. In one he made his reply to the board; in the other he preferred charges against the chief. Mr. Brydon on the other hand regarded the latter as explanatory of the former.

Commissioner McMicking thought Clayards might be reprimanded and the other matter come up on its own merits. He was willing even to go so far as to say that Clayards possibly had cause for feeling aggrieved. But the commissioner could not understand circumstances which would justify one officer in attempting to get even with another in court. A reprimand would satisfy the ends of justice in that particular.

The Mayor thought that a full inquiry would be necessary to satisfy the public, but Commissioner McMicking was skeptical about even such an investigation satisfying them.

The Mayor urged that if any investigation were decided upon it should proceed without delay. It was impossible to say what ramifications it would take.

Commissioner Brydon finally moved that both reports be laid on the table for further consideration. Another meeting to be devoted to investigation purposes will be held early in the week, possibly Tuesday night.

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The fac-simile signature of **Dr. J. C. Fitch**

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A PAINLESS METHOD OF TREATMENT.

Dr. J. C. Fitch has a new and reliable method of curing all cancers and tumors, without the use of any knife or cautery. It is a simple and painless process, and the patient can go about his usual duties during the treatment. The cure is permanent, and the patient is free from all danger of recurrence.

John Moody, a young man living three miles north of Carman, Man., accidentally shot himself yesterday. He was taking a shotgun to shoot some chickens when it caught in something and went off, the charge lodging in his jaw.

Palpitation of the heart, nervousness, tremblings, nervous headache, cold hands, feet, pain in the back and other forms of weakness are relieved by Carter's Little Liver Pills, made specially for the blood, nerve and complexion.

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**LAW INTELLIGENCE.**

An argument on an application under the Quiet Titles Act is being heard by Mr. Justice Drake today. The property in dispute is the Teutonia saloon premises, claimed by Mr. Baumgartner and Ralph Borthwick, H. D. Helmcken, Q. C., and W. C. Moresby for Mrs. Baumgartner and J. P. Wall for Mr. Borthwick. In *Reid v. Arthur*, an application is being made to quash a conviction under the Health Act. The conviction is about two years old, and a recognition for security for costs which the defendant claims was filed cannot now be found. Mr. Justice Martin this morning adjourned the application until tomorrow. R. Cassidy appears for the defendant.

**OTTAWA NOTES.**

(Special to the Times.)

Ottawa, Nov. 10.—John Bain, private secretary of the minister of customs, left last evening to join Hon. W. Patterson at Nelson, B. C.

Mr. Chapman, of Montreal, has been in the city on business with the public works department, with a view of the government adopting the wireless telegraph system between the Labrador coast and the island of Belle Isle, where the Scotsman was wrecked. The system may also be extended to Sable Island.

**AN INTERESTING CASE.**

Mr. W. C. Phyllis, proprietor Bodega Hotel, 36 Wellington street east, Toronto, says: "While living in Chicago I was in a terrible shape with itching and bleeding piles. I tried every kind of treatment, but nothing would do me any good. I was in a terrible state of mind, and was burnt and tortured in various ways by these treatments to no avail. Besides spending a mint of money to no purpose. Since coming to Toronto, I learned of Dr. Chase's Ointment. I used but one box and have not been troubled with piles in any shape or form since."

**MUST PAY UP.**

Barcelona, Nov. 10.—The merchants here continue to refuse to pay their taxes and the government is about to send the batallion Numanca expected to arrive here on Monday next.

**CARTER'S LITTLE LIVER PILLS.**

**CURE SICK HEADACHE.**

Headache, yet Carter's Little Liver Pills are equally