DRAWING TO A CLOSE.

All the Evidence in the Case of Regina vs. Nichol is Now In.

Mr. Davis Opens the Argument for the Defence—To Continue This Morning.

When the trial of Regina vs. Nichol was called in the assize court yesterday before Chief Justice McColl and a special jury, Mr. Cassidy renewed his objection to the admission of the evidence taken on commission. He contended that while the order for the commission authorized the examination of the witnesses on interrogatories and viva voce on the subject matter thereof, or on the answers thereto, Mr. Martelli, who acted as counsel for the defence on the commission, deliberately threw over the interrogatories, stating that he did not intend to put them, and proceeded to examine the witnesses on the subject matter without putting the interrogatories. This he had no right to do, as he was bound strictly by the terms of the order, and under these terms the interrogatories should have been administered, and as the attention of the prosecution had been directed to these questions, it was unfair that they should not have been put. There was all the more objection to this course the counsel for the defence had taken in as an attempt was made before the sending out of the commission to alter the order so as to do away with that part requiring the examination on interrogatories, the court refusing to amend the order. Counsel cited Page vs. Williamson, 1 C. B., in support of his contention.

Mr. Davis contended that according to the order for the commission the interrogatories could either be administered or the examination proceed on the subject matter of the interrogatories.

The Chief Justice overruled the objection and allowed the evidence to be put in. He held that non-compliance with the rules of the order did not make the whole evidence void. He could not imagine what injustice could be done the plaintiffs by the admission of the evidence. The commissioners had offered the plaintiffs an adjournment, when the question of administering the interrogatories came up which they had refused to accept. He therefore overruled the objection.

Mr. Langley then commenced to read the evidence taken before the commissioners, the first witness being Chester Masters, one of the directors of the company.

There was a long argument, during which the jury retired, as to whether the prospectuses of the companies should be admitted. Mr. Wilson contended that they should not as the plaintiffs were not responsible for the issuance of the prospectuses or the matter contained in them. There must be something shown connecting them with the prospectuses before they were admitted.

The Chief Justice held that all directors were prima facie responsible for all that was done in their names.

Mr. Cassidy was about to take part in the argument when the Chief Justice said he would decline to hear two counsel as to the admissibility of evidence. It was contrary to practice.

There was a somewhat long argument on this point, the Chief Justice finally consenting as a matter of indulgence to hear both counsel if Mr. Wilson would say that his case would be prejudiced if Mr. Cassidy was not heard.

However, they had said all they wished to and Mr. Davis stated his side of the question, which was to the effect that the evidence would show that the plaintiffs were directors of the companies and that they received shares and directors' fees.

The Chief Justice decided that the burden of proof was on the plaintiffs to show that they were not connected with the companies in the way suggested.

The prospectuses having been put in, Mr. Langley went on with the reading of the evidence which showed that the plaintiffs held shares in the Klondike & Columbia Gold Fields Corporation and subsidiary companies, and that like the other directors and members of the advisory boards they had been paid. The evidence of Mr. Masters went to show that after the issuance of one of the prospectuses the plaintiffs cabled to London asking that their names be not used.

It was proposed by the defence to put in evidence the British papers commenting on the companies as well as those containing the advertisements.

Mr. Cassidy objected. The defendant could not justify himself by pointing to articles that might be just as libelous as the one complained of. That was no defence and no evidence under a plea of justification. As to the advertisements, he contended that they were not relevent. The plaintiffs did not complain because it had been said that they were connected with the companies but that they were charged with having accepted bribes, prostituting their offices and divulging government secrets. The defendant now wanted to get away from the question and say that all he meant in the article was that they were connected with companies and that the fact had been advertised.

Mr. Davis said that besides justification they had the defence that the article was fair comment and that the writer had reason to believe that what he wrote was true, and the papers were evidence of that. The defence were at liberty to show by the advertisements that the plaintiffs allowed their names to be bandied about in circus poster style as alleged and that reference having been made in the article complained of to the comments in the London papers, they were also admissible.

The Chief Justice admitted the papers containing the advertisements, but not those containing the comments, remarking that the plea of reasonable belief had passed away when the plea of justification was put in.

Mr. Davis tendered the balance of the article published in the Province, but which was omitted from the indictment.

Mr. S. Y. Wootton, registrar of joint stock companies, was called. Neither the British Columbia New Finds Gold Fields, Limited; the Dawson City, Klondike & Dominion Corporation, nor the New Golden Twins Company of Ontario were licensed to do business in British Columbia. The Klondike & Columbia Gold Fields Company was registered to do business in the province.

Mr. Davis in closing for the defence first referred at some length to the law of libel. They set up two defences, he said, one of justification, which had to be set up by a special plea. This defence did not waive the right to any defence that might be raised under a plea of not guilty. From the code he quoted that a man was not guilty of libel who believed what he published to be reasonably true. If it turned out that the facts set out were true or the writer reasonably believed them to be true and that the comment was fair comment, there was no libel. They could confine themselves to the first plea that the facts were true, but the defence was not bound to prove that. It would be sufficient to prove that the writer believed the facts to be true. It would have been a different thing had the article referred to men in private life. It would not then be fair comment but referring to men in public life it was fair comment. The law of libel had been greatly relaxed in recent years, since newspapers had been recognized to be published in the public interest. Should it be shown that the writer wrote the article out of spite he should be sent to gaol. He contended that the writer believed the truth of what he had published, and that he honestly published it for the benefit of the public. The jury must consider whether the facts as they presented themselves to the writer justified the publication of the article in question, it being assumed that he did not know Messrs. Turner and Pooley. There was nothing to show that the article was written out of spite, in fact the kindly reference to Mr. Turner's business integrity at the conclusion of the article showed that the reference was to his public and not to his private actions. There was no doubt that the writer had reasonable foundation for the article. He was prepared to justify the article without appealing to party prejudices, and went on to quote that public men were subject to comment and read at length from articles commenting on the actions of public men which had been held not to be libellous.

Continuing, Mr. Davis said it was not unusual for ministers of the crown to be directors of companies and he had shown by the article that the action of Messrs. Turner and Pooley had been commented on by the London press. He read from the prospectuses and said that Messrs. Turner and Pooley were responsible for what they contained. He commented at length on the reference in the prospectuses to the names and positions of the plaintiffs and also to the advertisements in the London papers and was about to take up the article which is charged to be libellous, when it was decided to adjourn until 11 this morning.

NEGLECTED FISHERY WEALTH.

How the Sturgeon of the Pacific Coast May Be Made to Yield Fortunes.

Special to The Mail and Empire.

Ottawa, Jan. 24.—It is astonishing how much some newspaper editors, who are supposed to be more than usually well informed, have yet to learn of the resources of their own country. Quite recently the editor of the Winnipeg Free Press went into ecstacies over the marketing of a consignment of Canadian caviare in London. The shipment had gone from the Lake of the Woods district, but the editor did not seem to be aware of the fact that the caviare industry had been a flourishing one in the vicinity of Winnipeg for many years. The trade and navigation returns to not give, under a separate heading, the exports of caviare, but according to the reports in possession of the department of fisheries, several hundred kegs have been sent from Rat Portage during the past two or three years. Profesor Prince, commissioner of fisheries, takes great interest in the sturgeon fishing industry, and he says that Canadian sturgeon, from the roe of which caviare is made, take first place in the market on account of their rich edible qualities. A few years ago it was the custom of the Northwest, and especially in British Columbia, to look upon the sturgeon as of little value as a food fish. As long ago as 1852 Professor Owen, an eminent authority, publicly drew attention to the value of the sturgeon, and at the time of the great exhibition in London he brought the matter to the attention of the commissioner from Canada.

WHERE STURGEON ARE FOUND.

The sturgeon are found all over the Dominion; in St. John river, N. B., in the St. Lawrence, in Hudson's Bay, and in all the great lakes of Ontario, Manitoba, and in certain waters of the Northwest. The Pacifit sturgeon, especially those of the Fraser river, are of immense size, but those most valuable for caviare are the sturgeon of the Lake of the Woods and Western Ontario. The Canadian caviare is hardly inferior to the celebrated Russian product, and is greatly superior to much that is produced in the United States and other countries. The demand is great, and the supply comparatively limited, hence, wherever sturgeon occur there has been a tendency, during the last eight or ten years, to carry on extensive fishing. The Columbia river abounded in sturgeon ten years ago. At that time a regular sturgeon fishery began, and nearly 1,000,000 pounds of dressed fresh and pickled sturgeon were shipped away, having a value of $15,000. In 1892 nearly 3,000,000 pounds were obtained, valued at $41,000. After a few seasons the supply failed, as it has done in the Sacramento and other Western rivers, and the United States firms engaged in the industry attempted to follow the same course in British Columbia, but the Canadian fishery laws prevented it. Last year the Fraser river sturgeon exceeded $20,000 in value.

THE CAVIARE INDUSTRY.

Caviare is one of the most valuable of fish products, being considered by epicures as a great delicacy. Canada supplies, and has done for many years, a greater quantity than any other country, and much of the valuable Russian caviare is really the product of the Dominion. For about twenty years United States buyers have sought the raw material, which is the nearly ripe eggs of the sturgeon, but within the last eight or ten years many Canadian fish firms have handled the raw material and converted it, by process of cleaning, salting and pressing, into the dark plastic substance, rather like brambleberry jam in appearance, called caviare. The story of the Canadian sturgeon fisheries is the same in every province. At first indifference as to the value of the fish, and then an inordinate desire to capture everything in the shape of sturgeon, when its market value was realized, was followed by the decline, and in some cases total cessation, of the industry. Manitoba and Western Ontario (Lake of the Woods) have for many years been the great headquarters for the caviare and smoked sturgeon industry; but so far back as 1880 United States buyers began to urge the St. John river (N. B.) fishermen to obtain all the sturgeon they could. These New York buyers, it is said, had encouraged in the rivers of Florida the pursuit of the sturgeon fishery to such an extent that they were rapidly cleaned out. The St. John river sturgeon fishery did not last more than six years. At its height as many as 200 sturgeon were often taken in a single haul, and the leaping of the fish was a common sight as far up the river as Fredericton. Then for a period of eight or ten years the total prohibition of the fishery was carried out. The demand for sturgeon has continued to increase, and with the decay of great fisheries like the sturgeon fisheries of the Delaware river and bay, and the smaller fisheries on the Potomac, Hudson, Kenebec, etc., United States merchants have had to rely on supplies from Canada. Canadian fishermen rapidly learned the high value of a fish which hitherto they had treated with contempt. On all the great lakes, but especially in Lake Huron and the St. Clair waters, sturgeon fishing has been actively pursued; but the best caviare, and, in some respects, the best sturgeon, have been shipped for many years from the waters of Manitoba and from the Lake of the Woods. On Lake of the Woods alone there were last year between 200 and 300 large pound nets set in the limited area which lies within United States territory. In the Canadian part the number ran from 30 to 60. Nearly 1,000,000 pounds weight of sturgeon was shipped from these nets in 1895, all of which passed through Rat Portage en route to the United States. Several firms at Rat Portage have employed experts to manufacture caviare, and this has for some years been done at Selkirk, Manitoba, the flesh of the sturgeon being frozen, pickled, smoked and in some instances canned like salmon. Canned smoked sturgeon is superior to salmon. In one-pound cans it sells wholesale for $2.50 per dozen, whereas Pacific salmon realize only $1.25 to $1.50 per dozen.

It is on the Pacific Coast that the sturgeon exceed all others for size and number. Whereas sturgeon 40, 50, up to 100 pounds are considered large in inland and Atlantic waters, there are specimens taken in the Fraser river at times weighing from 800 to 1,000 pounds. In the British Columbia board of trade report, 1896, the opinion of the Dominion commissioner of fisheries is recorded as follows: "The sturgeon which is so plentiful in British Columbia afford a fishery which is capable of development on a large scale. Professor Prince stated that the sturgeon found here are finer than those in Russian waters, and he saw no reason why this province should not compete with Russia in the several products of such an industry."

VICTORIANS AT DAWSON.

Letter Received Giving Information About Several Young Men From This City.

Mail received through the arrival of the steamer Alki from the North on the Sound on Monday contained many letters from Victorians at Dawson. Writing from there under date of December 9, Charles Bush, late engineer of the Victoria fire department, says:

"No mail since beginning of September. Dave Henry prospected Independence and Moosehide creeks and will go to Ballarat creek next week. We have two men on a claim on Laura creek. If it pans out well the men receive six hundred dollars and fifty feet of the claim. Independence and Moosehide claims are not showing up well. Sulphur and Dominion will give large returns. A great many miners are going out on the ice. R. Chadwick struck it rich on a lay. Weather cold, 56 below zero during November and 15 below to-day. Fires almost daily in Dawson which are suppressed by a steam fire engine and two chemical engines."

TRAILS IMPASSABLE.

Twenty Feet of Snow Reported Between Log Cabin and Bennett Lake.

Parties Reach Skagway from Tagish—Gold Found on Sucker Lake.

A letter from Skagway, dated January 27, received here yesterday, says that that town was experiencing a temporary "boom" through the arrival of the Cutch, City of Seattle, Danube, Dirigo and three boats from Juneau, all crowded with freight and passengers for Atlin and Dawson. "Such a delivery of humanity, so unexpectedly," to quote the words of the writer, "just simply raised prices to boom figures. Hotels doubled rates and drinks sold for 25 cents or five for a dollar. The Americans here are furious over the Alien bill and threaten all kinds of retaliation." Speaking of the evils of the present law, the writer says it would be a desirable change to abolish all agency privileges. Continuing, the letter reads: "Brownlee's party, eleven in number, has just left for Atlin. They go by train, which is eleven miles only from Skagway. From parties who are returning every hour, we learn that the track and trail between the end of the track to Bennett is completely blocked with railway supplies, miners' outfits and general merchandise and supplies for Dawson and Atlin, the snow being reported to be twenty feet in depth this entire distance. Only dog trains and snow shoes can be used to get through. There is no trail from Log Cabin to Atlin except by what is known as the 'Fan Tail,' and owing to the great depth of snow and thin ice over Lake Atlin no horses or heavy freight can possibly be moved. I think Brownlee will do well if he reaches Atlin City by the middle of March.

"There is a great many people, too, between Atlin and Dawson. A great many are leaving Skagway to avoid the extortionate charge for living.

"A man who made his way out from Atlin City told me that everything was at a standstill at Atlin, a couple of hundred fellows sitting around in the huts trying to sell imaginary claims at from $5 to $500."

In a second letter dated January 28 the same writer says "he had just spent an hour talking with Messrs. Carman and Lilly of Vancouver, who had just arrived from Teslin lake where they left on January 4, coming straight through the Atlin district. They were in the employ of the Dewdney outfit all summer between Glenora and Teslin, and, having heard of a pass through the mountains near the head of Teslin lake, concluded to come to Skagway. They found a camp of men at Sucker lake, a tributary of which runs into Surprise lake in the Atlin district. Gold was there found and the discoverers were wintering there to commence work early in the spring. At the head of Surprise lake they also found a camp of six men wintering. They came down Surprise to Pine and Atlin Cities and at different points found camps of men wintering, and everything, even the mountain sides, stakes and re-staked. Pine creek had been staked off several times and in fact hardly a spot could be found that had not been staked. The police had given notice to discontinue all building in Atlin and Pine creek towns. A person named Vaughan was at Atlin and has a number of men staking out claims for some big Vancouver company. He claimed to have staked 200 claims. Both shores of Atlin are staked for a mile or more back. Mr. Carman said he left William McCulloch of Victoria at Atlin. The latter also went through from the Stikine and is coming out to Skagway."

A PURE GRAPE CREAM OF TARTAR POWDER

DR. PRICE'S CREAM BAKING POWDER

Awarded Highest Honors, World's Fair Gold Medal, Midwinter Fair.

AN ALDERMAN RESIGNS

Mr. Joseph Phillips Tenders His Resignation as Alderman for Centre Ward.

Council Endorse Their Previous Action Re the Dismissal of Engineer Wilmot.

Mr. Joseph E. Phillips, elected alderman for Centre Ward at the recent municipal elections, yesterday tendered his resignation asa member of the city council. It is understood that he took this step on it being pointed out to him that he was not qualified.

The resignation came up at last evening's meeting of the council, and it was accepted and the seat declared vacant. Nominations will be held on Saturday, and the election, if any, on the following Thursday, the same day as the ratepayers vote on the Market Hall Fire By-Law. Mr. W. W. Northcott was appointed returning officer.

The council last evening also again had under consideration the matter of the dimissal of City Engineer Wilmot, endorsing their previous decision. The engineer wrote as follows:

Victoria, Feb. 6, 1899.

To His Worship the Mayor and Board of Aldermen:

Gentlemen,—I have the honor to acknowledge the receipt of a communication from Mr. Dowler C.M.C., embodying a resolution passed by the council on January 30 to the effect that no alderman made any remarks at the previous meeting of the council which were intended to injure Mr. Wilmot from a professional standpoint.

I do not consider that the resolution referred to is an answer to my request to have damaging insinuations withdrawn or specific charges made, in order that I might meet them. Although it may not have been the intention of any of the aldermen to injure me from a professional standpoint, yet some of their statements in support of the motion for dismissal, as reported in the newspapers, were not in accordance with facts, and which in justice could be made only after charges had been formulated and proven.

Although it is unquestionably within the rights of the council to dispense with the services of an official, either for cause or without assigning a reason for so doing, I submit it is not consistent with the principles of justice or fairness for individual aldermen in their place at the council board to make statements reflecting on the character of an official without giving him an opportunity of defending himself.

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

E. A. WILMOT,
City Engineer.

This letter was laid on the table pending the consideration of a motion to reconsider the resolution dismissing Mr. Wilmot. In returning the resolution for reconsideration Mayor Redfern read the following explanation:

Victoria, B. C., Feb. 6, 1899.

To the Municipal Council of the City of Victoria:

Gentlemen,—On January 23 the council passed a resolution to dismiss the engineer. No reasons were given, nor were any cause shown why he should be dismissed.

While the Municipal Clauses Act gives the council the power to dismiss at their pleasure any officer of the corporation, I do not think it is in the interest of the municipal service, nor is it just and fair to any official that he should after six years of service be summarily dismissed without any cause being shown why such dismissal is desirable or necessary.

In the present instance the engineer is a most important witness in certain lawsuits pending against the corporation, and if he be dismissed from his present position, and should remove beyond the jurisdiction of British Columbia it would seriously embarrass the corporation in defending those suits, and might result in causing a heavy financial loss to the city.

Since the passing of the resolution a petition signed by a number of ratepayers and property owners representing property to the value of $1,872,835 has been presented to the council, asking them to reconsider the resolution, which petition the council ordered to be received and filed.

In view of all the circumstances connected with the case, I consider it my duty to return the resolution to you for reconsideration, with the recommendation that the following condition be appended thereto:

"That the action contemplated in the aforesaid resolution be deferred until such time as good and sufficient reasons be shown and placed on record why such dismissal should be summarily carried out."

CHAS. E. REDFERN,
Mayor.

February 6, 1899.

It was moved by Ald. Hayward, seconded by Ald. Williams, that the dismissal be deferred until good and sufficient reasons be shown why the engineer dismissal should be summarily carried out

Ald. Langley said when the matter first came up he was in favor of giving Mr. Wilmot a hearing. Provided Mr. Wilmot asked for one. He would now agree to it, provided without a lawyer, meeting the aldermen on an equal footing.

The resolution was put and lost, Mayor Redfern and Ald. Williams and Hayward voting for it; Ald. Langley declining to vote, and the others voting against it.

Ald. Brydon then moved, and it was seconded, that the original motion be again passed.

Ald. Hayward moved in amendment, and it was seconded by Ald. Williams, that the matter be deferred until the conclusion of the suit brought by the water works contractors against the city.

Ald. Langley wanted to know when the suit was likely to come up.

The city solicitor said it had been put off until the return of Mr. Taylor.

The amendment was defeated and the original motion carried.

The deputy provincial secretary acknowledged the receipt of the communication from the city council of Seattle in regard to the Placer Mining Act. Received and filed.

The estimates of the board of school trustees for the year were received and laid on the table.

Messrs. Drake, Jackson & Helmcken, on behalf of the Hudson's Bay Company, asked for the necessary license for the use of the street under the sidewalk in front of their premises, permission for which was granted years ago, but the letter lost.

Mayor Redfern explained that the permission had been granted in 1883, but, strange to say, the correspondence on both sides had been lost.

The license will be issued.

Mr. J. Ellis, of Penticton, wrote offering to donate a coyote and a bald-headed eagle to the park. After some discussion it was decided not to accept the gift, although Mr. Ellis will be thanked for his offer.

Mr. A. T. Goward, local manager of the British Columbia Electric Railway, wrote that it was the intention of the company to start a fifteen-minute service to Esquimalt, to do which it would be necessary to put in a switch on Work street. He therefore asked that the engineer be instructed to furnish the lines of the work.

Ald. Williams said the people of Victoria would be glad to hear of a five-cent service to Esquimalt. If not forced to grant the request for the street lines he would vote against it.

The request for the street lines was granted.

Mr. John Brown, of Victoria Crescent, complained of a poor supply of water.

It was pointed out that the poor supply was caused by people allowing their taps to run to prevent them from freezing. A penalty of $100 was provided for anyone wasting water, and it was therefore decided to refer Mr. Brown's letter to the water commissioner to report, and with the request that the by-law prohibiting the wasting of water be strictly enforced.

The market superintendent reported that the fees for January amounted to $75.10.

The city solicitor reported in respect to the petition of W. Rocket and nine other residents of Johnson street. What they desired was that the city purchase the Ellery property on upper Johnson street to widen the street. The petitioners were willing to pay the cost if other property owners contributed. Mr. Norris, the representative of the Ellery estate, was willing to sell the property at the same price as paid to Mr. Dalby, viz., $1,000, but he would not contribute to the cost. It was for the council to decide whether the work was of a sufficiently urgent nature for the council to move in the matter or to leave it until the owners were more unanimous.

In regard to the Decosmos estate roads, the engineer reported that no conveyance in discharge of arrears of taxes had yet been made by Mr. Smith to the city of Camosin street, as the latter not being 60 feet wide the city could not take it over, the law preventing it. He proposed to get over the difficulty by inserting a clause in the conveyance that the acceptance of the conveyance should not in any way bind the corporation to take over the street until the property owners on each side have contributed sufficient land to make the street of the full width. He had suggested that Mr. Smith convey so much of lots 24 and 37 as will straighten the street and make it of a uniform width of 50 feet, and Mr. Smith consented to do so on condition that the city surrender all interest in the piece of street 30 feet which passes around lot 24 to avoid the rock. This would improve the street and provide the city with rock.

The report was laid on the table for further consideration, as was one from the city engineer dealing with the same subject and to the same effect.

The city engineer reported that the sidewalks built on trestles on John street, North Chatham and east and west sides of Government streets were dangerous. This was laid on the table, as the street committee is looking into the matter.

The water commissioner reported in regard to the stoppage in the water supply last week. After the trouble was discovered and overcome, the greatest difficulty was experienced in getting the pressure up again. Under favorable circumstances the water would have taken 5½ hours to reach town, but owing to the enormous waste going on by people leaving their taps open it was late in the afternoon before any pressure could be obtained, and 28 hours before there was sufficient to allow the pump to work, the high levels all this time being without water. This trouble more than ever demonstrated the uselessness of the 16-inch main and emphasized the warning that sooner or later a system to pumping would have to replace the present system of gravitation.

The report was received and filed, the Mayor stating that there would not be a repetition of the trouble.

The Mayor's motion for calling for tenders for removing the garbage started a discussion as to whether a better bargain could be made than the city now has, and Ald. Hayward suggested that most of the more offensive matter was now taken off by the sewers and the balance could be used to advantage on the farms in the vicinity of the city.

The motion was laid over for a week.

The finance committee recommended that tenders be accepted as follows: Cement, Robert Ward & Co.; nails, McQuade & Sons; lumber, Shawnigan Lake Lumber Co.; forage, Brackman & Ker; dynamo oil, Imperial Oil Co.; castings, Albion Iron Works Co.

The report was received and adopted.

The Old Men's Home committee reported that the following tenders be accepted: Groceries, Fell & Co.; milk, Mrs. Hooper; meat, L. Goodacre; and bread, M. R. Smith & Co.

The report was adopted.

The legislative committee reported as follows in regard to proposed amendments to the Municipal Clauses and other acts:

"That we were favored to-day by the Hon. the Attorney-General with an interview with him, and a deputation of the school trustees as to the proposed amendments to the Municipal Clauses Act. When he informed us that in consequence of the session being so nearly at an end, he thought the government would probably not be able to accept many of the proposed amendments, but that with regard to the power asked for to raise further moneys for school purposes, the object of the council would be attained by asking that the words in section 139 of the act excepting the city of Victoria from the benefit of the clause be struck out, and that if the council made such a request he would advise the government to grant it. We therefore beg to suggest that a resolution to that effect be passed at the council meeting to-night and also submit for your approval further proposed amendments as to the Sunday closing of stores, as to which the Hon. Attorney-General suggested that barber shops be included in the clause; the public library and the elections act (qualifications for Mayor and aldermen).

It was explained that by striking out the words "excepting the city of Victoria" in clause 139 of the Municipal Clauses Act the council could raise 15 mills on the dollar for general purposes, 2 mills for school purposes, 1 mill for board of health and any amount required for the debt. Other cities had that power.

The recommendation of the committee in clause 1 of the report was objected to by Ald. Hayward, Williams and Kinsman, but was adopted.

Mr. F. B. Pemberton complained of the failure of the water pressure on the higher levels. Referred to the water commissioner.

Mr. William Wilson wrote offering 30 volumes of Chambers' Magazine for the library at $1 a volume. The council decided to purchase the books

The letter of Mr. H. L. Salmon re the hack stand was received and filed. Mr. Salmon to be notified that the matter will receive early attention.

Ald. Williams wanted the law providing for the removal of snow from the sidewalks enforced. It was decided to do so, and the council then adjourned.

Do not suffer from sich headache a moment longer. It is not necessary. Carter's Little Liver Pills will cure you. Dose, one little pill. Small price. Small dose, small pill.

A FATAL FALL.

Charles Whittington, an Apprentice Plumber, Killed by a Fall Off a Roof.

Charles Whittington, an apprentice plumber, while at work on the roof of a shed in Esquimalt early yesterday afternoon missed his footing and fell to the ground, sustaining injuries which caused death soon afterwards. The deceased was an employee of Andrew Sheret, a Fort street plumber, and at the time of the accident was engaged fixing some eave piping. The roof on which he was on was very slippery, being covered partly by snow. It was on a building that is in course of erection at the Canteen. As soon as the accident happened the deceased was carried to the Naval hospital where death came as stated in a very few minutes afterwards, from concussion of the brain. His remains will be removed to the city this morning and an inquest will be held during the day.

Deceased was a very popular young fellow, but 17 years of age, and a crack shot, having been a member of No. 3 company, First battalian, and a winner of several prizes at a recent battalion shoot. Besides his parents deceased leaves several brothers and sisters to mourn his loss.

MICA AXLE GREASE lightens the load—shortens the road.

Makes the wagon pull easier, helps the team. Saves wear and expense. Sold everywhere.

PICKED UP AT SEA.

A Bundle of Ship's Papers from S. S. Wheeling Found at Dodge Cove.

Seal Hunters Being Paid Last Year's Wage Rates—The Barbara Boscowitz.

A bundle of papers, marked "S.S. Wheeling," which had been picked up at Dodge's Cove arrived from the West Coast on the steamer Queen City last evening addressed to Collector of Customs Milne. The papers were found by Mr. McKenzie, the storekeeper there, and were forwarded by him to Victoria. They were picked up loose on the beach, having apparently drifted in from sea, although none are badly discolored or water stained. They include a great variety of documents and until examined would almost create feeling of alarm for the American gunboat Wheeling, which was in Esquimalt on her way North less than a month ago. Where they could have been cast overboard, however, it would be difficult to even guess, as all bear date of 1897 and 1898 and are apparently valueless. The Queen City was only up to Ahousett and experienced weather thick and cold but not windy. The Indians were doing some hunting off Ecuelet and reported seals quite plentiful but the weather unfavorable for killing them. Several schools of seal were also seen by the Queen City going up the coast. The steamer brought back as passengers J. G. Sutton and family, who leave for San Francisco next Wednesday; Messrs. R. Blewett and T. G. Tanner, of the Newanda C. & S. Co., who were up to Hayes' Camp, and A. B. Colley, W. L. Furguson and John Blain. No further news was received of the reported wreck at Quatsino.

SEALERS ON THE MOVE.

Yesterday the schooner Mary Taylor, Capt. Todd, unreefed sail for a long coast cruise and will be followed by the Ocean Belle to-morrow and later by the Ainoka, Beatrice and Umbrina. Nearly all the vessels leaving thus far are carrying white crews and paying their hunters from $2 to $3 per skin for every seal pelt secured, the wages all round being about the same as was paid last year. While one sealer crossed to the Japan coast last year it is said that none will leave the coast this year, therefore incurring less expense and less danger.

ORIENTAL LINERS DUE.

The Nippon Yusen Kaisha liner Riojun Maru, which sails for the Orient next Tuesday, will have all the cargo she can carry and will likely not call here going out. There is already in Seattle more freight than will fill her hold. Most of this is manufactured goods and consigned to Japan, being largely machinery and cotton while the flour shipments are chiefly for China. Three other liners will be leaving for the Orient this week, namely the Glenogle and Olympia, of the Northern Pacific fleet, due this week, and the Empress of China, which is due to arrive to-day.

WILL RE-ENTER SERVICE.

The contract for building the cabin work on the old steamer Barbara Boscowitz will be let to-day. It calls for much more housework on deck than the steamer formerly had and will provide considerably more passenger accommodation. As soon as the Boscowitz is once more ready for service, which will now be at no distant date she will reenter the Northern business, in which she had been continuously engaged since pioneer days up till the time of her wreck a few months ago. Her machinery was found to be little, if any injured, by its submersion then, but is notwithstanding being all taken apart and cleaned.

BURNED TO THE WATER.

Fire Totally Destroyed a Victorian's Steamer on Dog Lake Last Monday.

A. L. Brownlie, late chief engineer on the steamer Islander, received very discouraging news from Dog Lake yesterday in a telegram announcing the total loss by fire of a steamboat he had built less than thirteen months ago. The vessel plied between Dog lake and Aberdeen and during the summer months did a very fine business. For the last few weeks she had been laid up, but in the spring a bigger business than ever was expected. The purser and engineer were left in charge and, the telegram states, that the former, who had been doing some cooking aboard, had just gone ashore to where the latter was working at some blacksmithing when the fire occurred, the steamer being one mass of flames on their return. She was a stern wheeler about 100 feet long and a very trim looking little vessel. The loss, which it is feared includes the ruination of much of the machinery, though partially covered by insurance, is particularly hard inasmuch as it was Mr. Brownlie's first steamboat venture at least since coming to British Columbia. He has not yet decided whether he will rebuild.

Makes People Well

Paine's Celery Compound the Chosen Medicine of all Classes in our Dominion

The reputation of Paine's Celery Compound extends from day to day. Those who stand in need of the healing and recuperative powers of nature's health restorer are advised to use it by those who have been made well and strong. In the house, on the street, and where people congregate, Paine's Celery Compound is ever recommended and kindly words spoken in its favor. In this way the popularity of the great medicine is made enduring, and its immense sales stir the envy of the ordinary patent medicine proprietor and the jealous minded doctor.

The wealthiest families of the land, the best and most observant people in our cities and towns, and the common-sense people in our agricultural districts, place Paine's Celery Compound far above all other known remedies.

The past and present history of Paine's Celery Compound is one grand continued story of sick people made well—of fathers, mothers, sons and daughters restored to perfect health.

Competent medical authorities declare that Paine's Celery Compound is the one great medicine for rundown and physically weak people. When the vital forces are low and the nervous organism shattered, then it is that the marvellous medicine manifests its wondrous healing virtues. Weakness, depression, tired feelings, languor, digestive troubles, headache, rheumatism and neuralgia are quickly banished owing to the nourishment that Paine's Celery Compound imparts to brain, nerves and tissue. It is the great everyday home medicine for all classes of our population.

A Wrong Idea of Dyspepsia

Throws All the Blame on the Stomach—The Real Seat of the Trouble is the Intestines—The Permanent Cure is Dr. Chase's Kidney-Liver Pills.

It is an old idea long since exploded that digestion is confined to the stomach. No modern scientist denies that by far the greater part of the digestion and the more difficult part takes place in the intestines. This explains why dyspepsia is never really cured by preparations which merely aid stomach digestion and act only on the stomach.

Dr. Chase's Kidney-Liver Pills act directly on the kidneys, liver and bowels. They give new tone and vigor to the intestines and make them capable of digesting the substances on which the stomach has no effect.

Stomach treatment may do well enough for a slight attack of indigestion or dyspepsia, but if you have chronic indigestion or dyspepsia of a severe nature you can profit by the experience of scores of thousands who have been permanently cured by using Dr. Chase's Kidney-Liver Pills. One pill a dose. 25 cents a box. At all dealers.

For la grippe, bronchitis, coughs and colds no treatment can rival the use of Dr. Chase's Syrup of Linseed and Turpentine. 35 cents a large bottle.

CURRENT COMMENT

TRAIL'S COMPLAINT.

Of all the ills inflicted upon a long-suffering people, the postal facilities for Trail and adjacent towns beat the band. The arrival of mails is about as irregular and unreliable as anything could be, and until the Kootenay towns join in a common protest to the department, we may not expect a remedy.—Trail Creek News.

MARTINISM.

The Speaker of the British Columbia legislature has decided that a member has no protection against such a wordy assault as "Fighting Joe Martin" made on Mr. Ellison. The law protects members from the public, not from each other. The entry of Mr. Martin on the political stage has created conditions the founders of parliamentary institutions did not anticipate.—Montreal Gazette.

"THE YELLOW PERIL."

"Liar" seems to have been the mildest of the terms applied by Hon. Joseph Martin, attorney-general of British Columbia, to Mr. Ellison in the course of a discussion in the halls of the legislature. The other terms were evidently not such as a telegraph company transmits or a newspaper prints. The public man who applied the term "yellow" to this champion of Billingsgate must have heard him speaking. His language is very yellow.—Montreal Gazette.

MUNICIPAL ECONOMY.

By the village council of Alvinston, Ont., the following resolution has been carried: "That A. J. Trolley be appointed chief constable, truant officer, undertaker of cemetery, overseer of highways, janitor, sanitary inspector, tree inspector, cleaning streets and crossings, cutting weeds, collector of poll tax and dog tax, ringing curfew bell, and cleaning snow opposite fire hall, at a salary of $10."

There is no sinecure in this; nor is the remuneration at all extortionate.—Hamilton Spectator.

MR. HUME'S OFFENCE.

It appears that the violation of the law for which Mr. Hume resigned his seat in the legislature was that some government employees paid their board at the Hume hotel at Nelson. We have been looking for a reason or excuse for the action of the Semlin government in inserting a clause in the East Kootenay railroad bill which exempts government officials from paying railroad fares, and think now we have found it. While they are at it, they had better exempt government officials and employees from paying their board or their tailor or their doctor, but for goodness sake let them pay their subscriptions to the newspapers, if it will keep the craft out of the legislature.—Rossland Record.

MR. BOSTOCK TOUCHED UP.

The postal service in Kootenay is not good, and never has been good. In the earlier days, Post Office Inspector Fletcher got all the blame. It was supposed that he had the authority to establish new mail routes and increase the service on established routes on demand being made by the people. Such suppositions were wrong. Post Office Inspector Fletcher may be a slow-moving official, but he can neither establish a new route nor increase the service on an established route. He can not do anything that requires an expenditure of money without first getting such authority from the post office department at Ottawa. On several occasions he has ordered mail routes changed and service increased, but was always censured for doing so by the department. A year ago the board of trade of Nelson asked that a mail route be established between the steamboat landing at the foot of Kootenay lake and Fort Steele, a distance of 100 miles. A delegation from Nelson and Kaslo afterwards went to Ottawa and brought the matter directly to the attention of the postmaster-general himself. The route has not yet been established, notwithstanding the fact that there is now regular railway and steamboat service along the route, and notwithstanding the fact that the company operating the railway and steamboats is ready and willing to undertake the carrying of mails as soon as requested to do so by the post office department. The trouble is, Kootenay has not got a forceful man to look after her interests in the Dominion house; a man that would let the postmaster-general understand that the people of Kootenay were counted in the Dominion census and that they contribute more than their share of expenses of the Dominion government.—Nelson Tribune.

"That Miss Blimber to whom you just introduced me seems to have some funny ways."

"Yes, she has."

"A moment ago I saw her holding young Sprinnins' hand, and her lips were moving as if she was counting something."

"Yes, I noticed that."

"A moment later she put her hand to old Mr. Rogers' forehead and then gave it two or three gentle pats."

"Yes, I saw that, too."

"And right after that I saw her backing little Willie Jones up in the corner, and he was sticking out his tongue at her. What in the world is the matter with the girl?"

"It's easily explained. She was an amateur hospital nurse, you know, and can't get over the habit."—Cleveland Plain Dealer.

Deseronto, Ont., Feb. 6.—Wm. Battrick, millwright, was accidentally killed to-day at the chemical works.

FORTY-SECOND

GREAT GOLDEN

Noted Mining Opera Visions of Extensive C in the Yukon

If Ottawa Gives Concess British Capital Wil Low Grade Grav

Commissioner Ogilvie Heartily Endorse the About to Be Unf

From Our Own Correspondent Vancouver, Feb. 10.—At cial hotel this morning the respondent interviewed Jos vray, a "citizen of the wo gentleman expressed it whe he hailed from Mr. McG over the ice from Dawson, Victoria yesterday. He wa route, and most of the t mometer was 50 below zero a young man who arrived steamer, stated that Mr. was over 70 years of age, b his younger companions in Mr. McGillivray, in the next 60 days will probably talked of man in Canada with the Klondike country gigantic mining scheme on ture of which, being a can from Inverness, he will no the bare announcement is portance, as Joseph McGi ing operations are world- moved from Henrysville, California in 1850 and has on a large scale in Calif Spain, Australia and Briti while his son, J. D. McGil man whom the New York H