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REPAIRING PROMPTLY AT- TENDED TO.

Sign of the Mammoth Watch

CALGARY, ALBA.

THAT PEPPERMINT AGAIN.

Examination Resumed.
Thursday May 8, 1884.

The Court opened this morning at eleven
o'clock.

Sergeant Danne was recalled by the Court.
Mr. Bleeker objected.

Major Dowling said that the Court had a
perfect right to recall the witness. Mr. Bleeker
said the examination had closed and he asked
that his objection be noted. The Court
assented.

Major Dowling—How often have you
been to Mr. Beaupre's place of business at 14th
sidling?

Sergeant Danne—Six or seven times.

The Court.—Whenever you were there
did you see anybody there?

Sergeant Danne. Yes, halfbreeds and
Indians.

Dr. Kennedy sworn.—He produced a
certificate from himself.

The Court then produced a bottle of the
peppermint and asked if that was the bot-
tle.

He said he thought it was. Had examined
the bottle. Witness was satisfied that the
extract of peppermint contained 90 per cent
of alcohol, and that it was intoxicating.

Cross-Examined by Mr. Bleeker.
Was a medical practitioner. Had prac-
ticed six years. Had examined other extracts
before, could not say that he had examined
extract of peppermint or not. Had examined
them probably four or five times. Witness
had made a regular test of the bottle sub-
mitted and had sent it back to Major Dowling
with his report.

Mr. Bleeker said that the particular bottle
examined had not been identified.

The Court stated that if Mr. Bleeker was
not satisfied with the bottle he would have
another tested. Witness testified that the
test he used was that he weighed a certain
quantity of it. He weighed a dram. That
was the approximate way of getting at the
specific gravity of it. Witness had come to
the conclusion from the fact that there was
fifty per cent of alcohol in it. Witness was
positive of this. There was no danger of his
being mistaken.

He had based his report on the test and on
the specific gravity. The liquid contained
peppermint dissolved in alcohol. There
might be some other trifling impurities in it.
A point having arisen as to the identifi-
cation of the bottle examined by Dr. Ken-
nedy. Major Dowling said he would have
to adjourn the case. Mr. Bleeker would not
admit the bottle because it had not been
sworn positively to.

The Court was accordingly adjourned un-
til three o'clock.

The Court resumed business at three o'clock
in the afternoon.

Mr. Bleeker asked if an appeal would be
allowed.

The Court said that nothing was allowed
until it appeared in the Gazette. The Court
asked if Mr. Bleeker would accept one of the
samples now.

Mr. Bleeker said he would if they had
arrived at the same result.

Dr. Kennedy's cross-examination was con-
tinued. He said that if he made a mistake in
the first the second would aid him. If he
found the specific gravity much lighter than
water he would determine that it contained
alcohol. In any case he would distinguish
by the taste. Witness said he had made
other tests. He soaked a slip of litmus paper
in the liquid and immediately ignited it and
the paper burnt readily. That was a proof
that it contained over 50 per cent of alcohol. That
was proof given in the United States dispensary.
Witness could not say that that test
was conclusive. It was a recognized test
of alcohol. If the paper thus soaked burns slowly
it contained 70 per cent of alcohol, if it
contained 65 or so it would not burn at all.
The liquid burned with a pale bluish flame.
That proved that it contained upwards of
eighty per cent of alcohol. The extract was
similar to what he had seen before. Had not
used any of it in his house so far as he knew.
Did not know it was used in his house for
pastry. Had some essence in the stores.
Knew it was quite an article of commerce.
Did not know the defendant at Fort Walsh
nor anything about the occurrence some time
ago.

Dr. Neville J. Lindsay was called and
sworn. He saw that he had got a bottle of
the extract to analyze, but he had left it in
office.

Mr. Bleeker said he would produce the
bottle and wished to go with the evidence.
Major Dowling said he ruled there and he
would adjourn the case until eleven o'clock
the next morning.

Friday morning.
Court resumed. Dr. Lindsay produced the
bottle the contents of which he had analyzed.
He said that all essences contained alcohol in
large quantities. The specimen produced
was a genuine article of
commerce made after the regular formula.
There was a large quantity of oil of pepper-
mint. There were 3 to 5 parts of alcohol to
one of peppermint in it. It required that to
make it a good essence.

It required a certain quantity of alcohol to
cut the oil. It required fifty doses of pepper-
mint to get one drop of alcohol. Witness
thought the oil in the peppermint in this
case was good. In his opinion it was too
good to be shipped up here as an intoxicant.

Witness understood that these essences
were in general use in the country but he had
never purchased any.

To the Court. The essence was certainly
intoxicating if it was drunk enough.
By Mr. Bleeker. Peppermint is intoxicating
is the same way?

Witness said he did not know. Bay rum
was intoxicating. All tinctures and drugs
contained more or less alcohol.

Mr. Bleeker asked if the Court was pre-
pared to take Beaupre's evidence.

The Court said no; it refused. Mr. B.
asked if the Court would listen to argument
in the matter.

He wished to put in as evidence that the
extract was in general use in the country.

The Court said if Mr. Bleeker would pre-
sent any statements or papers they would be
attached to the proceedings.

The Court then addressed the defend at as
follows:

In this case there was evidence offered.
There was a sworn information against you,
and there was evidence offered that you were
trading at 14th sidling and that you also
traded with Indians. There was the evidence
of Sergeant Danne that on 5 or 6 occasions
there were Indians in your store. Of course
if you had that extract there for improper
purpose, that is for the purpose of sale to the
white men, the gravity of the situation was
more than the simple fact that it furnished
an opportunity of being sold to the Indians.
The matter appears to me of such a serious
nature, that I do not wish to do you an in-
justice, and at the same time not in any way
to impair the administration of justice I have
decided to suspend my judgment until I
have an opportunity of submitting it to the
stipendiary magistrate. The Court will open
here on the 15th May or in all probability
seven days after that, and I now adjourn
the case until the next sitting of the Court.
If you want to put anything in you may do
so. You understand exactly now our situa-
tion. Here we have living at the Black foot
crossing two thousand Indians, and here is
this man trading, I do not go into the ques-
tion of whether he has been selling to the
Indians, I do not go into that. If I were
satisfied that this man had been selling this
extract I would serve him the same as I did
Ferland.

Mr. Bleeker said if he would be allowed to
go into the whole of the evidence he could
show that other houses were selling this ex-
tract.

Major Dowling.—I will submit the whole
case to Col. McLeod.

The defendant was then informed that he
would have to appear again when his Attor-
ney should advise and the court then adjourned.

Northwest Legislation
The last issue of the Regina LEADER that
has come to hand contains the following.
We reproduce it because it will be found of
interest.

"Last evening the Act to amend the North
west Territories Act 1880, which had come
down from the Senate passed in the House
of Commons, with some new amendments not
considered in the Senate. The Act as it
came down from the Senate dealt entirely
with North-west registrars and registry dis-
tricts. Now it was expected that some of
the more popular issues in the North-west
would have been dealt with. It was well
known that two months ago a deputation
consisting of the Mayor of Regina and Mr. N. F.
Davin came down here asking for the action
of the Government to ameliorate their con-
dition. The planks of that delegation were
the restoration of the end of the divi-
sion to Regina, the creation of an appeal
from the decision of magistrates unlearned in
the law. The removal of doubts respecting
the power of municipal bodies formed under
Acts of the North-west council to impose and
collect taxes, construction of a railway north
of Regina and representation for the Terri-
tories. The delegation met Mr. Stephen who
with the result that Mr. Stephen undertook
to build the line north at some future day,
and in regard to all other matter, things were
worse than in status quo because the Depart-
ment of Justice had declared itself against
appeals and declared there was no doubt as to
the powers of councils to impose taxes. The
Mayor of Regina left after a few days and Mr.
Davin remained to see if he could accomplish
something.

The question about the powers of a council
to impose taxes is this; As Mr. Mills de-
clared on Thursday night it is a well estab-
lished doctrine that only an elected body can
impose taxes in a free country. Now the
North-west council is partly a nominated
body, and its powers are strictly limited by
the wording of the Order in Council which
called it into being. Now by Order-in-Coun-
cil of 1883 there is authority given to enable
certain persons to form themselves in bodies
corporate but nothing is said about receiving
money for municipal purposes. It might
fairly be contended that the endowment of
power to call municipalities into existence
implies that without such endowment would
be futile. Still there was a doubt, and when
the Bill was leaving the Senate, Mr. Davin
prepared a clause removing the doubt which
the Premier adopted.

As to appeals, from all we gather from
persons connected with the North-west, they
were urgently needed. In looking over the
North-west Territories Gazette there some
two hundred magistrates. All the officers of
the Mounted Police, with hardly an excep-
tion, are magistrates. In every small village
the leading man is a magistrate. Most of
these magistrates are wholly ignorant of law
—with hardly an idea of differences—the dif-
ference on which the liberty of the subject
depends—between what is and what is not
evidence. Under these circumstances, cases
of oppression in some perhaps in all cases un-
intentional, occurred. The delegates found
much unwillingness to give appeals and the
reasons for refusing them sound plausible—
the narrowness of the country—danger of deat-
ing the benefit of rapid justice and the like.
But Mr. Davin kept at the matter and with
the result that on Thursday night Sir John
Macdonald embodied a clause giving an ap-
pel from magistrates unlearned in the law,
to one or other of the stipendiary magis-
trates.

FORTY ROD.

ALCOHOL ACROBATS

Major Dowling on the Track.

This was a case against the defendants
John McMannis and Geo. H. Hay, for
having liquor illegally in their possession,
Mr. Bleeker appeared for the defendants.

One witness was examined through an
interpreter who testified to having seen the
defendants or one of them with a sack con-
taining a bag of whiskey or at least he
judged, so from the smell, for he had not the
privilege of a taste. His smell appeared to
be very keen, for although he was twelve
feet away from the defendants he could smell
the liquor on him. After the examination of
one witness the case was adjourned until to-
day at 11 o'clock. The whole settlement
appeared to be rather peculiar ideas upon
theological matters. He believed if he took
a false oath he would die and that would be
the end of his punishment, after that he
would go to the happy hunting grounds like
all other good red men. There seems to be
room for the labor of the missionaries in this
quarter.

Sportsman's Column.
THE PROTECTION OF SPORT.—The reintroduction
in Parliament by Mr. Anderson, of
his bill to suppress pigeon shooting in Eng-
land, and the remarks it brought forth from
some of those who support Mr. Anderson,
having given the impression that the attempt
to stop pigeon shooting is but the avast coun-
ter to sportsman's branches of sport, a meet-
ing was called, and a very powerful
association has been formed with the object
which its name designates—"The National
Sports Protection and Defense Society." It
is well to have taken prompt action in the
matter. Not only in England, but in America
there is springing up a class, small it is true
but energetic in the determination to suppress
the pleasure of the field. The abolition of
arrest, etc., is rank cant to enlist the public
sympathy, with the hope to enable this class
to carry into effect their designs. Not
possessing within themselves the element of
enjoying the pleasures of the field, dogs in the
manager, they would prevent others from par-
ticipating in them.

so much the "Sittings."

The first issue of the Nor-wester, published
at Calgary has reached us. It contains
plenty of local matter, and the latest tele-
graphic news up to time of going to press. The
Nor-wester is a conservative paper but
while "nailing its flag to the mast" will not
physic its warring readers with eastern poli-
tics. It comes out a bright new paper and
the SITTINGS wishes it heaps of success.
Calgary must be some potatoes to support two
such excellent publications as the Nor-wester
and the HERALD.

Shorty Disgusted.
"Calgary dogs ain't worth a cent," remarked
the person called "Shorty" the other morn-
ing, as pulled up his sleeves and took of his
hat preparatory to taking a wash at the
common trough.

"How's that?" said cayuse Bill, as he threw
both his heels on the stove, and tilted his
chair back until the hind legs stood at 120
degrees to the plane of the floor.

"Well you see," said Shorty, "yesterday
morning before anyone had breakfast in-
cluding dogs, one of 'em were walking around
each other behind Moulton's, as if they were
dancing a bucket qu' drills. There was a big
chunk of meat on the ground in front of
Spisrow's, and Ferland's dog came along and
passed within two feet of the chunk, and d-d
if he saw it. He went up to the other dogs to
help them to fool around. No," said Shorty,
"as he went through his ablutions performed
a Calgary dog don't know as much as a Black-
foot of a Soree, for an odd square came
along and she froze to his chunk fast. No,"
continued Shorty indignantly, "a Calgary dog
ain't worth shootin' or poisonin' or drownin'."
They don't know enough to smell good
meat when it is under their nose. They are
like hogs, they can only hunt around back
doors after swill, and Shorty went away like
a man who had that morning been flung off
a cayuse seventeen times, and thought he'd
try it the eighteenth to see how it went.

Calgary, Silver City and Columbia Mail
Route.

Seated opposite to us at the breakfast
table the other morning was George Winton,
well known all over as the Rocky
Mountain Mail carrier. We had made
George's acquaintance the evening before,
and therefore we required no introduction.
George is of German extraction, but he is an
old frontiersman, having spent a great many
years "roughing it." George has carried
mail matter over the great divide when no
other living man could venture out. He
has also carried the dust, and although
having some narrow escapes he has managed
to come off always with his scalp. For
some time George is the only medium by
which letters and mail matter are carried to
the Columbia River country.

"This morning, you see," remarked George
"I am making my breakfast in Calgary; this
evening I will take supper in British Colum-
bia."

Many thousand dollars in gold has George
carried in his belt from place to place
through the great chain. As there are no
post offices a west of Calgary George has a
special bag as will be seen from his ad-
ornment. It is needless to say that
George is well known all over as a reliable
trustworthy man of the true western;
with a heart as large as a placer pan, and a
latch string on his cabin which always hang
out for the square deal. Few men are better
posted in the Columbia River country than
is George Winton.

Personal.
Dr. Coleman, of Cobourg, Ont., is a guest at
the Royal.

We have removed our large stock of General Merchandise to our new premises at the corner of Stephen Ave. and Hamilton St.