

Coal Mines Arbitration

The Board of Arbitrators Make Their Award This Morning.

The Special Rule to Be Decided on by the Supreme Court.

The award in the coal mines arbitration case was handed down this morning, and is summarized below. The case has been a famous one, and the sittings of the arbitrators have been prolonged over a considerable period of time. The award is in a sense tentative, the validity of the special rule promulgated by the Minister of Mines excluding from the coal mines of the provinces all persons who could not understand the rules as promulgated in English being referred to the Supreme Court. The Chinese in Union mine are pronounced dangerous with the exception of five, who proved their competency to the arbitrators, although the evidence as to the same ground in regard to the Wellington mine was insufficient to warrant a similar pronouncement. The arbitrators further agree that while all Chinese and Japanese may not be dangerous in these workings, a considerable percentage are. In fact the general tenor of the award is against the Chinese and in favor of the action of the government.

The history of this arbitration is already beginning to vanish from the recollection of even those who follow such matters carefully and a resume of it may therefore be given. On August 8th the then Minister of Mines instructed Mr. Morgan, inspector of coal mines, to enforce the provisions of sub-section 2, section 99, of the Coal Mines Regulation Act, telling him that he had power under the act to exclude from the mines all persons who could not understand and read the special rules as printed in English. On the following day, August 9th, the special rule was gazetted prohibiting after that date the employment of any persons excepting those previously employed, that is before the promulgation of the rules, in coal mines who could not read and understand the special rules in English. On the 15th of August the mine inspector notified A. Brydon, manager of the Extension mine, that certain Chinese employed in that mine were a source of danger to its safety and on the 17th a similar notice was issued to Manager Little, of the Union mine, in respect to a larger number of Chinese employed on that property. On the 18th of October the inspector notified Manager Little to remove all Chinese and Japanese from underground workings in the Union mine. These are the four distinct matters which formed the subject of arbitration. The board which was selected to arbitrate upon these matters was made up of the following: Wm. McAllan, Nanaimo, for the Minister of Mines; T. Crawford Wynne, of Nelson, for the Union Colliery Co., and for R. Dunsmuir & Sons; and Frank W. McCrady, manager of the Marble Bay mines at Van Anda, as umpire.

The arbitrators failed to agree upon matters of the special rule and the umpire made his award in the form of a special case for the opinion of the Supreme Court, the following being the questions of law submitted:

(a) Whether the special rule was within the special rule making power of the Minister of Mines.

(b) Whether the class of evidence as to what took place in other mines than those in question in relation to the class of labor employed in them objected to on page 5 and subsequently in the case should have been admitted and considered.

(c) Whether the inspector had the power to give the notices in question putting workmen out of the mines in question, and particularly in regard to the general notice affecting all the Chinese and Japanese employed therein.

The umpire's award on the special rule submitted to the opinion of the court on the above questions were:

"According to the evidence before me I find that the above reference to special rule is not a reasonable one, but I think from the evidence it is necessary that all men working underground should be able to understand instructions given in the English language and that a rule should be prepared to that end."

Upon the second, third and fourth matters submitted to the arbitrators they found as follows:

"That with regard to the notice given to Manager Brydon of the Extension mine, there was not evidence produced that proved to us that the persons named in the notice referred to above constituted a source of danger to the Wellington Extension mine."

With respect to the notice given to Manager Little of the Union Mines the arbitrators award as follows:

"On this question we have Mr. Morgan's evidence that he considered the men in question incompetent, and with the exception of the Chinese who were called, and showed their competency, his evidence as to those particular persons is uncontradicted, and we therefore decide that with the exception of Mah Yuen, Mah Poo, Ah Gate, Quong Lee and Dan, whom we consider competent, these men are dangerous within the meaning of the above matters."

With respect to the notice of the 18th of October to Mr. Little that all Chinese and Japanese employed in the mine at Union were incompetent to such an extent that their presence was a source of danger to other persons employed in the mines, the arbitrators award as follows:

"While we cannot agree with the notice and say that all the Chinese and Japanese are dangerous, we are of the opinion that from the evidence submitted to us that a considerable percentage of them are dangerous."

They make the same award with respect to all the Chinese and Japanese employed in the Wellington Extension mine.

With respect to all these matters, the arbitrators submit the same question as

the umpire, in the form of a special case for the opinion of the Supreme Court.

The counsel engaged on the taking of evidence at Nanaimo and Union were: For the Minister of Mines, ex-Attorney-General Henderson, and Mr. Yarwood, of Nanaimo; for the mine owners, Robert Cassidy and Arthur Davey.

On the argument before the arbitrators in Victoria, A. L. Belyea, Q.C., appeared for the Minister of Mines under instructions from the Attorney-General, and Mr. Cassidy for the mine owners.

With respect to the costs of the proceedings the arbitrators award as follows:

That each party pay the fees and expenses of their respective arbitrators, counsel and witnesses, and that the payment of fees and expenses of umpire should be equally divided between the parties.

Start for Paardeberg

The Times Correspondent With the Canadians Tells of the Preparations.

Colonel Buchan Addresses the Troops—What is Expected on the March.

(From Our Own Correspondent.)

Belmont, Sunday, Feb. 11th, 1900.

General Dorian Smith is to take command of our brigade. I have not yet learned who are to be in the cavalry brigade.

We are all rejoicing at the news of Sir Hector Macdonald's victory near Koodoosberg Drift. Last night the rumor in camp was that the cavalry had ridden through them in the open three times, and the Boer loss was very heavy.

Late last night semi-official information reached a few of us in camp and gave complete satisfaction. "A" and "G" Companies return to Belmont tomorrow, and the next day the whole brigade moves in an easterly or north-easterly direction, probably towards Bloemfontein. The idea appears to be that we are to cut off the Boer retreat from Modder and Magerfontein. When these lines are in print you will possibly have received news of the marching of several British columns from different points into the Orange Free State. In two months from today's date I firmly believe the war will be practically over.

Last night Col. Buchan addressed the troops, and told them that they might expect to have three weeks' marching, and all those who did not consider themselves fit to march twenty miles a day and fight all night had better be sent to the Cape or home. We were to be with the flower of the British army, and must keep up our end of the stick.

Well, suppose we may look for severe work from now on—hard tack and bully beef. We shall have to travel as light as possible, and our overcoats will be carried in the transport. All day yesterday and all last night transports passed here in an endless stream. Trains hurried up and down full of supplies, troops, guns, ammunition, etc., making the sleepy place very lively, and adding to the general excitement. It is extremely doubtful when my next letter will get through, unless a line of communication is carefully kept up, and even then mail may not be sent. One of the Q. M. I. wrote me from Witswaters on the 7th, and his letter has not yet reached me. He has been up here with his regiment for the last three days.

Monday, 12th.—"A" and "G" Companies left Belmont at 2 o'clock this morning, and arrived here about 7 p.m. We expect the whole regiment to entrain for Graspan at 4 p.m. this evening, and the whole brigade will probably move tomorrow.

SEYMOUR HASTINGS O'DELL.

THAT HACKING COUGH is a warning not to be lightly treated. Finny-Pectoral cures with absolute certainty all recent coughs and colds. Take it in time. Manufactured by the proprietors of Perry Davis' Pain-Killer.

THREE FIREMEN KILLED.

(Associated Press.)

New York, March 24.—Through the breaking down of the first floor in the factory building at 213 and 215 East 44th street, which was destroyed by fire early today, three firemen were killed and two injured.

COATED

Look at your tongue. Is it coated? Then you have a bad taste in your mouth every morning. Your appetite is poor, and food distresses you. You have frequent headaches and are often dizzy. Your stomach is weak and your bowels are constipated. There's a reliable cure:

Ayer's Pills

Don't take a cathartic dose and then stop. Better take a laxative dose each night, just enough to cause one good free movement of the day following. You feel better the very next day. Your appetite returns, your dyspepsia is cured, your headaches pass away, your tongue clears up, your liver acts well. Be assured that Ayer's Pills are the best made. One pill does me more good than half a box of any other kind I have ever tried.

Mrs. J. E. TALBOT, March 30, 1899. Arrington, Kans.

Unanimously Endorsed

Island Railway Project Considered by the Board of Trade Yesterday.

Mr. Heubach Addressed Members on the Coming Winnipeg Industrial Exhibition.

The proposed island extension railway scheme met with the unanimous endorsement of the Board of Trade at the general meeting yesterday afternoon, when representative merchants were present for the purpose of considering this paramount subject. The speakers were few, but any undue amount of discussion would certainly have been superfluous in the light of the marked approbation of the scheme demonstrated by those present in their unanimous vote. The members also had the pleasure of listening to an interesting address by F. W. Heubach on the industrial exhibition to be held at Winnipeg on July 23rd next. The association represented by Mr. Heubach is desirous of constructing a building for the purpose of allowing for a comprehensive British Columbia exhibit, and in order that the entire premises may be typically British Columbian, the association desires that British Columbia lumber be used in the erection. In accordance with Mr. Heubach's representations, the matter was referred to the Board of Trade Council, with a recommendation that they pass a resolution to the provincial government, requesting the minister to consider the possibility of securing a subsidy, and a most favorable reply was received. This gentleman, however, was informed that before the matter could receive consideration a company must be incorporated, and as a consequence the present bill was introduced before parliament, while the speaker referred to an American gentleman who was interested in the project, and the plan outlined to him contained the proposed inauguration of a line of steamships from the northern terminus of the railway to the Alaskan ports, ferry carrying up and down full of supplies, mail, and to American railway enterprises in the south, and the acquisition of the E. & N. railway, the cost of such a scheme being estimated at \$8,000,000. Mr. Dunsmuir was interested in the scheme, as was also a gentleman now in the city, who had been referred to by the speaker as a representative of the province. The Vancouver city council and board of trade had been communicated with, but as yet had not replied. In conclusion, Mr. Lugin submitted the following resolution:

Resolved: That the board regards the proposed railway to the north end of Vancouver Island as a work for the advantage of British Columbia and the Yukon territory, and recommends it to the favorable consideration of the provincial government and the parliament of Canada as deserving of assistance by a reasonable subsidy. The resolution was forwarded to Sir Wilfrid Laurier and the provincial representatives at Ottawa.

This resolution was seconded by Simon Leiser. Mr. G. McCandless was certain that all present were unanimously in favor of the scheme, and protracted discussion, under such a circumstance, was consequently unnecessary. All understood the resolution, and he felt sure the resolution would be passed without one dissenting voice.

J. H. Turner suggested that a copy of the resolution be forwarded to each of the local members of the Dominion parliament, and this clause was embodied in the resolution.

A. G. McCandless then relieved L. G. McQuade as chairman, and introduced Mr. Heubach, general manager of the Winnipeg Industrial Association.

After expressing on behalf of the association his appreciation of the courtesy displayed by the board in laying aside their rules of procedure to enable him to address them, Mr. Heubach explained his object in visiting the coast. This was in connection with the annual industrial exhibition to be held in Winnipeg during the coming summer, information regarding which he had given in a former communication he had addressed to one of the previous presidents, A. C. Flummett, and which read as follows:

Winnipeg, Man., Jan. 17th, 1900.

A. C. Flummett, Esq., Victoria, B. C.

Dear Mr. Flummett:—I beg again to refer to the conversation I had the pleasure of having with you ten or twelve days ago in Montreal, in relation to the matter of a suitable British Columbia building being erected on the exhibition grounds here in time for our 20th Century fair, which is to open on the 23rd July.

As you will remember, I pointed out that the association has been endeavoring for the past couple of years to provide accommodation for a thoroughly representative exhibit of the resources of British Columbia. The matter has been brought before the attention of the Dominion government, with the result that the department of the interior has undertaken to provide us with a grant nearly sufficient to cover the cost of erecting the building, provided it is entirely constructed of British Columbia woods, and the C. P. R. have undertaken to carry this lumber free of cost from British Columbia to Winnipeg.

I had considerable correspondence with some of the principal lumber dealers in your province last spring on this subject, but unfortunately the matter was taken up so late in the season that it was found impossible to carry the scheme through in time for last year, but I think if you will do as you kindly promised, and see a few of these gentlemen personally, and have the question reopened, I am sure that you will succeed in interesting them.

We feel it is needless for us to point out the value of such a building viewed from a British Columbia standpoint. From the very nature of things, the demand from Manitoba and the Territories for your fruit, fish, and, more particularly, your lumber, must become a most important factor in our trade relations, consequently it is perpetually in evidence before the tens of thousands of people who visit our fair annually, will certainly result in immense advantage.

No stronger fact in support of this association can be used than that both the Dominion government and the C. P. R. have gone so far out of their usual course, as they have gone, in endeavoring to put a plan in operation whereby the resources of British Columbia can be shown to advantage, not only to agriculturists, but to business men and capitalists looking for trade, as well as for investment and speculative opportunities.

It seems to me that it is a matter your provincial government should assist in, to what extent, of course, is for them to determine. If the cost of the lumber is divided up, as it should be, amongst your provincial and federal governments, a very small additional grant from the provincial government would place the matter on a sound basis.

I trust therefore you will do everything in your power to help the scheme along, and you may rely upon our hearty co-operation. If even, if you consider it advisable or necessary, I would be prepared to go over to the Coast and take the matter up personally with such gentlemen as you might consider it would be to our mutual interests to approach.

I might probably explain that the idea is to have the building somewhere about 50x50, to use one side of it entirely for mineral exhibit, and the other side for a display from the different experimental farms controlled by the Dominion government, and other words, to have a practical demonstration of the products of Western Canada centred in one attractive building.

Yours truly,
F. W. HEBBACH,
General Manager.

Continuing, Mr. Heubach stated that at Vancouver he had the pleasure of visiting the Lumbermen's Association, and they had agreed to supply lumber for the erection of the building on the exhibition grounds, on the understanding that the provincial government would assist them to some extent. They had requested the speaker to confer with the various boards of trade and, if possible, obtain from them resolutions of endorsement to the necessary action.

Mr. Heubach pointed out that it would be necessary for the lumber to be shipped as soon as possible in order that the building may be erected by July 23rd. He suggested that a resolution be passed by the board referring the matter to the council of the board, with power to act. The Vancouver and New Westminster boards had passed resolutions recommending to the government that the required assistance be granted.

The chairman suggested that the matter be referred to the council of the board of trade, with a strong recommendation to the necessary action.

In moving accordingly, James Thomson, who had also segregated about twenty-five other men who had come in contact with the victims, or for other reasons were suspected of being exposed to contagion. These steps on the part of the health authorities at Grand Forks were approved by Dr. Fagan, who, on learning some details in regard to the carelessness observed in these matters south of the line, determined to pay a visit to Republic.

His trip there proved an eye-opener. He found that the grossest carelessness existed in regard to the spread of the epidemic. One man he met on the street was already in the clutches of the malady, while another told him that he had occupied the same shack as another man who had been taken to the isolation hospital suffering from the disease, and yet was allowed to move about unharmed.

Dr. Fagan at once summoned the local officers to a conference, and stated that what he had seen in the camp led him to believe that he would be incurring a grave responsibility by permitting even the limited intercourse which had formerly existed between that point and southern British Columbia. He proposed, therefore, as a measure of protection to the province he represented, to cut off all intercourse between the two districts. The authorities, while recognizing the seriousness of the proposed step, frankly acquiesced in it, admitting that the position which he had taken was perfectly justified.

On his return to the Boundary the doctor double the guards, and issued instructions that the freight drivers from Republic should not hencforth be allowed into the country, that teams from Republic camp should change drivers at the international boundary, and that no blankets or other impediments should be transferred from one driver to the other which would transmit the germs of disease. These regulations are now being rigidly enforced, and travel between southern British Columbia camps and the infected districts is practically stopped.

Thanks to the prompt action taken by

LAW INTELLIGENCE.

On Monday at 9.30 a.m. the regular examination of the Law Society will begin in the offices occupied by the secretary, Mr. Lammman, on the top floor over the Bank of Montreal. There will be seventeen candidates for the different examinations.

The members of the Law Society for the ensuing year will be elected on Monday. Most of the voting papers have now been received by the secretary, and the ballots will be counted in his office on Monday at 11 a.m.

IF TAKEN IN TIME The D. & L. Emulsion will surely cure the most serious cases of asthma, or neuralgia, or any other condition, after the effects of a heavy cold, is quickly counteracted. Manufactured by the Davis & Lawrence Co., Ltd.

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Castoria is for Infants and Children. Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups. It contains neither Opium, Morphine nor other Narcotic substance. It is Pleasant. Its guarantee is thirty years' use by Millions of Mothers. Castoria cures Diarrhoea and Wind Colic. Castoria relieves Teething Troubles, cures Constipation and Flatulency. Castoria assimilates the Food, regulates the Stomach and Bowels of Infants and Children, giving healthy and natural sleep. Castoria is the Children's Panacea—The Mother's Friend.

Castoria. "Castoria is an excellent medicine for children. Mothers have repeatedly told me of its good effect upon their children." Dr. G. C. Osceola, Lowell, Mass.

Castoria. "Castoria is so well adapted to children that I recommend it as superior to any prescription known to me." H. A. Archer, M. D., Brooklyn, N. Y.

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Chas. H. Fletcher.

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WHOLESALE DRY GOODS.
MAKERS OF
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WHITE LABOR ONLY EMPLOYED.

21, 23, 25, 27, 29 YATES STREET, VICTORIA, B. C.

Fighting Smallpox

Dr. Fagan Suspends Travel Between Republic and This Province.

Vigilance of Health Authorities Has Kept Boundary Free of Disease.

Dr. Fagan, secretary of the provincial board of health, returned last night from the Interior, whither he went a short time ago to investigate a reported outbreak of smallpox at Grand Forks. He found upon investigation that two men who had been engaged in freighting from Republic to Grand Forks had been attacked by the disease in a virulent form. The local authorities had promptly isolated them, and had also segregated about twenty-five other men who had come in contact with the victims, or for other reasons were suspected of being exposed to contagion. These steps on the part of the health authorities at Grand Forks were approved by Dr. Fagan, who, on learning some details in regard to the carelessness observed in these matters south of the line, determined to pay a visit to Republic.

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Thanks to the prompt action taken by

QUARANTINE REGULATIONS.

Ottawa, March 24.—Public notice is given that the ministerial order, dated March 15th, 1897, excepting coasting vessels from San Francisco from the quarantine regulations of Canada, issued by the minister of agriculture, has been temporarily withdrawn in consequence of the reported presence in San Francisco, of bubonic plague.

WE CLAIM THAT THE D. & L. Emulsion will cure lumbago, backache, neuralgia, or any other condition, after the effects of a heavy cold, is quickly counteracted. Manufactured by the Davis & Lawrence Co., Ltd.

British Bo

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Description the Guns- Powe

The following fish and Boer ty pen of a well-known subjects:

With character was the last con azine rifle. For gowns had been pings their armig more rifles, and i soliteneas of the been recognized ally decided upon

Soldiers grumb Henry was suppe the long-bar rifle. The exencies, manded the use increased, range, powerful explosiv The soldier's pov had reached a po weight could be hime, and hence contracted. Mag and with the en tion thus foresh had to weigh les carry more.

Almost every the bolt system ing, and in near zine, consisting of addition to the n on the other h stored in a cavi underneath the s The original Lee-Metford, vented by Mr. responsible for d as most people a grooves in the side cases are sive to muzzle. The to cause the bul barrel, to ray axis, thus gaini sion.

The Lee-Metf which made on inches, and for satisfactory. Sub led to the intro field, which has bare of both is an inch in diam side cases is 0 p cnet, weighing a tion. The length 6 feet 14 inches inches shorter t Lebel with its b

The Lee-Metf case made in 0 p The bullet is a ing of a cupro-n hard lead core, The nickel cases flat by ingenious operation stamps are made in a variety of the nose in, so as to sligh causing the bul These bullets at dinary civilized, consisting of co cussion-nose, in grains, and dev breech chamber inch.

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