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From THE DAILY COLONIST, Jan. 15.

LOCAL AND PROVINCIAL.

Theatrical Rumor.

Report has it that the new manager of the Victoria theatre will put a thoroughly first-class stock company in the house to play all dates not taken by Al travelling attractions.

Sad News.

Mr. A. B. Erskine, of the Sehl-Hastie-Erskine Co., received a letter, yesterday, announcing the death of his father, Robert Erskine, at Larne, Co. Antrim, Ireland, on the 20th of Dec. last. Deceased was 64 years of age.

An Acquisition.

The highest scoring birds in the late poultry show here, owned by Mr. Hull, the well-known Olympia breeder, have been purchased by Mr. W. J. McKeon of this city. They are a pair of magnificent Black Spanish fowls.

Half Mast High.

In token of respect for the Royal Family, and in sorrow for the death of his Grace, the Duke of Clarence and Avondale, almost every flag in Victoria floated half mast high, yesterday; the flagstaff surmounting the American consulate was the only one on Government street without an emblem of respect.

Remember This!

That a popular concert and a lecture, illustrated with lime light views of India, will be given in St. John's schoolroom, Herald street, on Tuesday, the 19th, at 8 p.m. An elegant programme has been arranged by the most talented vocalists of the city, under the auspices of the Church of England Young Men's Guild.

A. O. F. Election of Officers.

Northern Light, No. 5935, A.O.F., met, last night, for the election of officers for the ensuing six months, Chief Ranger Nicholson presiding. The election resulted as follows: J. Marsh, C.R.; J. Mundoff, S. C.R.; R. Renny, Sec.; R. Ritter, Treas.; H. Hancock, S.W.; J. Turnbull, J.W.; J. Lismore, S.B.; J. Hodson, J.B.; J. L. Burns, Trustee.

Dramatic Entertainment.

The Young Ladies' Institute, No. 33, assisted by the Young Men's Institute, No. 85, will hold an entertainment at the Victoria theatre, on the 28th inst. They will produce "My Wife's Second Floor," and "Presumptive Evidence." The first will be a most amusing farce, and the second piece, an Irish drama, in two acts. The proceeds will be given to the Organ fund of the new R. C. cathedral.

Police Court.

Three Chinaman were up before the police magistrate, yesterday morning, for breaking the street by-law, and were all respectively fined $5 and costs. Henry Butler, whose case has been remanded several times in the police court, charged with being the owner of a glandered horse, was finally ordered, yesterday, to kill the animal within three days. Before the order was given the evidence of Veterinary Surgeons Tolmie, Riddle, Hamilton and Blanchard, was taken.

Officers Elected.

Alexandra Lodge, No. 116, Sons of England, has elected the following officers: Past President, Jas. Hellier; President, Frank Reeves; Chaplain, Thos. Robinson; Treasurer, Chas. F. Beaven; Secretary, Jas. Critchley; Guards, H. F. Wager, Geo. Millett; Committeemen, Chas. Holmes, C. P. Nankiville, J. R. Williams, H. B. Rendell, Hy. Chapman and Wm. Bull; Trustees, Robt. Dinsdale, H. G. Brown; Auditors, Thos. Bowness, H. Watts and G. B. Parry.

Royal School of Artillery.

The examinations of the Royal School of Artillery were concluded, yesterday, and resulted in the granting of six first-class, and five second-class certificates being granted. Lieut. Porter passed into grade A; Corp. McCarthy, Gun. Dennison, Corp. Allan, Gun. Leak, Bomb. Clowe, first-class certificates; and Gun. Davies, Gun. Gordon, Bomb Hughes and Bomb. Englefield, second-class certificates. Major Peters, Capt. Benson and Capt. Ogilvie were the examiners.

Appointments.

His Honor the Lieut.-Governor has appointed J. S. Knevett de Knevett, of Brussels, to be Agent-General of the province of British Columbia, for and within the State of Belgium. William Murray Mathew, of Rivers Inlet, to be a justice of the peace for the Coast district. George A. Smith, Government agent, Alberni, to be a notary public within and for the Alberni electoral district; Peter MacLaren Forin, of New Westminster; Alfred Williams, of Victoria, and Arthur E. Hodgings, of the town of Nelson, to be notaries public in and for the province of British Columbia.

Going Home.

Rev. G. W. Townsend has resigned the pastorate of Emmanuel Baptist church, to take effect March 1st. It is his intention to return to England, though he may perhaps engage in evangelistic work in the East for two or three months before sailing for the old country. Though Mr. Townsend has been in the city only about eighteen months, he is well known and esteemed, and has done a good work at Spring Ridge. He has been Secretary of the Ministerial Association for the past six months and enjoys the confidence and regard of his brethren in the ministry, who express great regret at the prospects of his departure. Mr. Townsend has a good reputation in the old country, having been pastor of a church for five and a half years. He left England for the benefit of his health, which seems now, happily, re-established. He has learned to love Victoria, and believes there is a magnificent future for it. He will have a kindly word for it wherever he goes.

Leap Year Ball.

A ball was given last night by a number of the ladies of Victoria to their gentlemen friends. The gathering was in Harmony Hall, and the management was entirely in the hands of the gentle sex, and well did they do their work. Mrs. J. B. Jones, Mrs. W. Shewan and Mrs. W. Smith were the committee in charge, by whom invitations were issued to a number of lady friends, who, in their turn, invited the gentlemen. Under such circumstances, and considering the special privileges which tradition, as well as custom, has invested leap year, one would think that the selection of partners might be influenced by other considerations than those of ability to trip the light fantastic. However this may have been, everyone enjoyed the dancing and acquitted herself or himself well. The programme consisted of 24 items, with the usual extras, and was gone through spiritedly. "Every one was a couple," last night, and the gentleman who moved about unescorted by a lady, was fined for his breach of discipline. To the credit of the gentlemen, as in proof of the amiability of their partners, it might be mentioned that there were only seven fines imposed during the evening. The music was excellent, as was also the the supper, and from the success of last night's ball, it will be disappointing if, durthe year, the programem is not repeated.

RIGHTS OF WORKING MEN.

An Important Legal Point before the Supreme Court in the Cook Case.

Another application, which involves an important legal point, was argued before Mr. Justice Crease in Chambers yesterday. The case was that of Mr. Baker, the execution creditor, against George J. Cook, Buckley and another claimant. Application was made by Mr. H. S. Hall, for the claimants, for the payment of the wages of men employed by Cook, in preference to satisfying the debt of the execution creditor.

Mr. S. P. Mills appeared for the execution creditor, and said that it was true that the law gave the men their wages, but that the Chief Justice and Mr. Justice Crease had decided that working men must first establish their claim by a judgment, and that Justice Crease had also decided that the execution creditor was entitled to a lien for his costs in the action before the men could take anything, in priority to preference given to working men by the Act. The Counsel then went on to say that, a few days ago, Mr. Justice Walkem had decided in Chambers that he did not consider a judgment was necessary, neither could he give the execution creditor a lien for his costs. He made an order, however, giving the workingmen their wages without the costs of the application. Mr. Justice Drake, he believed, was also of this view, but there was one important matter that they had overlooked, and that was the fact that Cook had been given no notice of the application and no man could be condemned before he was allowed a hearing. He would ask what practice should be followed under the Execution Act, and whether the judgment must first be obtained or merely an application by summons in Chambers.

Mr. Hall applied for leave to give notice of the proceedings to Cook, as he did not want the point to be decided on some technical objection.

Mr. Mills urged the Court that the application should be settled, once and for all.

Mr. P. Æ. Irving, who was present, referred to the question of costs.

Mr. Fell referred to the decision given by Mr. Justice Drake in the Marsden case.

Mr. Justice Crease said that he considered the point raised one of very great importance to practitioners and one that should be speedily settled one way or the other. He would consult with his brother judges on the subject, and ascertain their views, unless some one would take the application to the Divisional Court.

The application was accordingly adjourned.

CONDENSED DISPATCHES.

Word has been received of the death at the City of Mexico of the Princess Josephine Iturbide, youngest of the children of Mexico's first Emperor, Iturbide.

The Arab insurrection in Yemen has broken out afresh. Rebels are marching upon Sana, the capital city, and the Turkish forces are advancing to repel them.

The supreme court of California has granted a rehearing in the case of John McNulty, sentenced to be hanged for the murder of a brother longshoreman, named Collins.

The Northern Pacific is fencing its road at the rate of 300 miles a year. In the year ending June 29, 1891, there were killed on its lines 2,258 head of cattle, against 4,802 in the previous year.

Dr. J. D. Minkler, of Centralia, Wash., and a member of the state board of medical examiners, who has been on trial on a charge of obtaining money under false pretences, was acquitted, to-day.

The Morocco rebels have taken possession of the trade roads leading to the interior of the country, and it is believed will be able to supply themselves with large quantities of provisions, etc., destined for Tangier.

In accordance with the orders from the Navy department, the U.S. single turreted monitor Passaic has left Annapolis to be towed to the Norfolk navy yard for service as a coat defence vessel in the event of trouble with Chili.

A special from Rio Janeiro says: Silvira Martin has announced himself a candidate to succeed Don Peziotto for President. He declares emphatically in favor of the republic, undivided and governed by a parliamentary regime.

For the first time in four years, the Mississippi river is frozen over at St. Louis. The ice gorge begins at Carondelet and extends to the Illinois shore. It is feared the river will not be open for boats inside of thirty days.

The Republican New York State Senators are getting desperate, and have seriously considered a proposition to resign in a body, the late Governor Sheehan having said at the opening of the session that there was no need of the Republican Senators coming back after the week's adjournment. The plan finds favor with all the Republicans except four, two out of whom may yet be won.

The Indianapolis street car strikers have all returned to work, pending the settlement of the trouble by arbitration. Concessions were made on both sides, and if President Franzel and the strikers' committee fail to agree a board of arbitration will be chosen.

The banquet hall at Osborne will cost nearly £30,000 by the time it is fully finished and furnished. There has not been a large banquet at Osborne since the visit of the German Emperor in August, 1890, nor is there likely to be another until he comes again next summer.

Among the many victims of influenza is Lewis Garden. About 25 years ago, Jack Garden, as his friends called him, was well-known both in London and Paris. He married a daughter of Prince Joachim Murat, the sister of the present Duchess de Mouchy.

Senor Carvalho, Portuguese minister of finance, has resigned, in consequence of the decision of the shareholders of a Portuguese railway to enquire into the management of the company, with which he was connected before he became minister of finance. The police discovered forged documents showing frauds to the extent of 150 centos of reis.

Lord Dufferin, says London Truth, will probably make a popular ambassador in Paris. He is by no means a heaven-born statesman, and there is some exaggeration in the praise with which he is bespattered. He is essentially an Irishman, clever, adaptable, pleasant and resourceful, with a very full share of blarney and an eye not quite blind to his own advancement. In India he persuaded the Indians, in Canada the Canadians, in Russia the Russians, in Italy the Italians, and in Turkey the Turks that each was the special object of his love and admiration. He will now persuade the French that he has always loved the French above all other nations. In fact, he is an excellent diplomatist.

DOG AND POULTRY SHOW.

The Exhibition Closes With an Enthusiastic Meeting—A Success in Every Way.

All the Awards not Yet Announced—Liberal Donations Towards Next Year's Show.

Yesterday was the last day of the Dog and Poultry Show, and the attendance at the public market was larger, by far, than at any other time during the course of the exhibition. The judges, notwithstanding their hard work and continuous labor, found it impossible to finish awarding the prizes until a late hour last night, and, consequently, it is impossible to publish the names of the whole of the prize-winners in this issue. All through the day the galleries were thronged with crowds of visitors, who manifested especial interest in the poultry and other feathered stock on show. The incubator, too, was a source of instruction and amusement to very many. In conjunction with this, it may be mentioned that the Perry State Incubator Company, to whom the machine belonged, were awarded a special prize for their exhibit, an honor well deserved, as it formed a very material attraction. To Mr. F. W. Hitchcock and Mr. S. A. Roberts, the judges respectively of the poultry and dogs, the Association owe their heartiest thanks, and, as will be seen by the report of their annual meeting, praise for their splendid efforts was by no means wanting. Not a single complaint from any exhibitor has been heard during the time that the show has been in progress, and no competitor has expressed anything but the greatest satisfaction at the manner in which his exhibit has been judged. This is a remarkable showing, and the two gentlemen named are fully deserving of the high encomiums passed by everybody on their ability.

Appended is an additional list of the ordinary awards for dogs, not completed in yesterday's issue of the COLONIST:

J. H. Meldram—Retriever dog.
G. Richardson—Retriever bitch.
G. Richardson—Retriever puppy dog.
Henry Croft—Skye terrier.
John D. Mott—Scotch terrier.
G. Pinder—Scotch terrier (smooth).
A. Pinder—Scotch terrier bitch (smooth).
H. Smith—Fox terrier bitch (smooth).
H. R. Reeve — Fox terrier bitch puppy (smooth).
Edgar Crompton—Fox terrier wire haired dog.
E. Crompton—Fox terrier wire haired bitch.
E. Crompton—Fox terrier wire haired puppy.
W. J. McKeon—Greyhound bitch.
C. N. Cameron—Liver and white field spaniel puppy bitch.
C. N. Cameron—Liver and white field spaniel puppy dog.
L. J. Perrin—Irish setter.
H. Short—Irish terrier.
Geo. Watson—Bedlington terrier dog.
W. J. Herring—Miscellaneous dog.

The following is a list of the special prizes awarded for dogs:—

Best dog in show, Irish Setter—Dr. Duncan.
Best Cocker Spaniel pup—J. S. Bassett.
Heaviest dog—Ed. Rithet.
Best Black and Tan—W. B. C. Newburn.
Best English Setter—D. M. Eberts.
Best collection of Pugs—J. H. Franck.
Best Irish Setter—Dr. Duncan.
Best pair Irish Setters—G. A. Perrin.
Best Irish Setter pup, bitch—Dr. Duncan.
Best Irish Setter dog—Dr. Duncan.
Best Fox Terrier bitch—W. J. McKeon.
Best Bull Dog—J. Webb.
Best Fox Terrier dog—A. Pinder.
Best smooth Fox Terrier—Oscar Jones.
Best Male Cat—H. M. Walker.
Best Skye Terrier—H. Croft.
Best smooth St. Bernard—Ed. Rithet.
Next best smooth St. Bernard—Dr. Milne.
Second best Irish Setter—Gordon Hunter.

The birds were judged one by one, every point being carefully noted, a novel and improved feature of the judging being that Mr. Hitchcock made his awards in public, surrounded the whole time by a large crowd of interested spectators.

POULTRY AND PETS.

Light Brahmas, cock—C. W. Riley, 92; J. M. Garrison, 90.
Hen—J. W. Riley and J. M. Garrison, 92 each; J. M. Garrison, 90.
Cockerel—C. W. Riley and J. M. Garrison 90½; C. W. Riley, 88½.
Pullet—C. W. Riley, 89½.
Capon—Dr. Milne, honorable mention.
Breeding pens—C. W. Riley, 181 5-6; J. M. Garrison, 180½.

DARK BRAHMAS.

Hen—Dr. G. L. Milne, 86½.
Cockerel—J. Flett, 88.
Pullet—Dr. Milne, 88½.
Breeding pen—J. Flett, 175.

BUFF COCHINS.

Cock—Dr. Milne, 2nd, 89.
Cockerel—Dr. Walkem, 1st, 92½.
Pullet—Dr. Walkem, 1st, 92; 2nd, Dr. Walkem, 91½.

PARTRIDGE COCHINS.

Cock—Robert Menaugh, 1st, 90½.
Cockerel—Robert Menaugh, 1st, 90½.
Hen—J. M. Garrison, 1st and 2nd, 91 and 89½.

WHITE COCHINS.

Cock—Wm. Dean, 1st, 83.
Cockerel—Dr. Walkem, 2nd, 87.
Pullet—Dr. Walkem, 1st, 90½.

BLACK LANGSHANS.

Cockerel—Dr. Milne 2nd, 89½.
Pullet—Wm. Bull, 1st, 90½.

HOUDANS.

Hen—S. Hull, Olympia, Wash., 1st, 91½.
Cockerel—S. Hull, 1st, 91.
Pullet—S. Hull, 1st, 92½.

BARRED PLYMOUTH ROCKS.

Cock—J. Flett, 2nd, 86.
Hen—J. M. Garrison, 1st and 2nd, 90½ and 87.
Cockerel—C. W. Riley, 2nd, 89½.
Pullet—C. W. Riley, 2nd, 88.
Breeding pens—C. W. Riley, 1st, 17½; Mrs. G. M. Calligan, Olympia, Wash., 2nd, 178.

WHITE PLYMOUTH ROCKS.

Cock—James Flett, 1st, 92.
Hen—James Flett, 1st, 94½; R. P. McLennan, 2nd, 90.
Cockerel—James Flett, 1st, 94½; Dr. Milne, 2nd, 91½.
Breeding pen—F. W. Teague, 1st, 181½; Jas. Flett, 2nd, 179½.

CORNISH INDIAN GAMES.

Cock—J. Peters, 1st.
Hen—J. Peters, 1st.
Pullet—J. Peters, 1st.

PIGEONS.

Pair blue pied pouters—A. Sherk, 1st; Frank Bishop 2nd.
Pair Fantail pigeons—R. Stevens, 1st.
Lop-eared rabbits—R. Fell, 1st.
Angora rabbits—R. Fell, 1st.
Guinea pigs—R. Fell, 1st.

SILVER GREY DORKINGS.

Cock and hen—Dr. Walkem.

MINORCAS (BLACK).

Hen—Dr. Milne, 92½ (3d prize).

BLACK SPANISH.

Hen—(1) W. Dean, 93½; (2) Dr. Walkem, 93½.
Cockerel—W. Dean, 93½.

WHITE LEGHORN.

Hen—C. W. Riley, 96.

SILVER SPANGLED HAMBURGS.

Cock—J. Bishop, 89½ (2).
Hen—J. Bishop, 89½ (2).
Cockerel—Dr. Walkem, 89½ (2).
Pullet—Dr. Walkem, 90 (1).

GOLDEN PENCILLED HAMBURGS.

Cock—Dr. Walkem, 90½.
Pullet—Dr. Walkem.

SPECIAL PRIZES.

The following special prizes for game birds, chickens, and other feathered stock, have been awarded:

The COLONIST, one year's subscription to exhibitor showing largest number of birds scoring over 90 points; value, $10. Won by C. W. Riley, of North Bend.

The COLONIST, one-half year's subscription for best exhibit of Games; value, $5. Won by Dr. Walkem.

The Times, one year's subscription to the lady showing largest number of canaries; value, $10. Not yet awarded.

Geo. Winter, (a B. C. pioneer,) of Eureka, Humboldt County, California, a breeder of Buff and Partridge Cochins, Light Brahmas, Guinea fowls and Peacocks, exhibitor a pair of either Buff or Partridge Cochins or Light Brahmas for largest number of thoroughbred poultry of one breed scoring 85 points; value $10. Won by Dr. Walkem.

The Poultry Chum, De Kalb, Ill., one of the brightest poultry papers in America: one year's subscription for first prize Black Spanish Cock. Won by Wm. Dean.

The Poultry Chum, De Kalb, Ill., for largest exhibit of pigeons. Won by A. Shirke.

The Poultry Chum, De Kalb, Ill., for best display in Leghorns. Won by C. W. Riley.

C. W. Riley, North Bend, B.C., breeder of pure Felch Pedigree Light Brahmas, Plymouth Rocks, Wyandottes, White, Brown and Black Leghorns; a pair of either one of his breeds for best display of Bantams; value, $15. Won by Dr. Walkem.

McLennan & McFeely, Victoria; for bird scoring highest in the Asiatic class, six rods chicken fencing; value $5. Won by J. M. Garrison.

Carter & Tolmie, Victoria; for largest exhibit of Hamburgs, one dozen of beer; value $2. Won by F. Bishop.

W. J. McKeon, Victoria; exhibitor showing largest number of either or both white or barred Plymouth Rocks scoring over 90 points; cash, $5. Won by J. Flett.

F. Campbell, Victoria; exhibitor sending birds greatest distance from home to the exhibition, box cigars; value, $5. Won by J. M. Garrison, Portland, Or.

R. P. McLennan, Victoria, for best display of fowls from the mainland or United States, one pair Pearl Guinea Fowls, fall of 1892; value, $8. Won by C. W. Riley.

Stewart & McLean, for largest exhibit of Light Brahmas, cash, $10. Won by C. W. Riley.

J. P. Matthews, for the largest exhibit of Black Minorcas, cash, $5. Won by Dr. Milne.

Fell & Co., for the largest collection of White Cochins, cash, $5. Won by Dr. Walkem.

The Driard Hotel, for the finest collection of Buff Cochins, cash $5; won by Dr. Walkem.

Weller Bros., for the best pair of Brown Leghorns, cock and hen, cash $5; won by Flett Bros.

Dr. G. L. Milne, M.P.P., to any exhibitor (outside Victoria city and vicinity), for largest display of fowls, cash $5; won by Flett Bros.

Cochrane & Munn, for the largest display of Black Langshans, cash $5; won by Dr. Milne and W. Bull.

In addition to the above the following prizes had been awarded in the catalogued lists up to midnight, last night:

HOUDANS.

Cock—S. Hull, 90½.
Hen—S. Hull, 90½.
Cockerel—S. Hull, 91.
Pullet—S. Hull, 92.

WHITE-CRESTED BLACK POLAND.

Cock—Dr. Walkem, 91.

GOLDEN POLAND.

Cockerel—Dr. Walkem, 92.
Pullet—Dr. Walkem, 92½.

SILVER PENCILLED HAMBURG.

Pullet—Dr. Walkem, 92.

RED CAPS.

Hen—Dr. Walkem, 89.
Cockerel—Dr. Walkem, 93.

BLACK B. R. GAME BANTAM.

Cock—Dr. Walkem, 93. (1); Mrs. Callaghan, 89. (2).
Hen—Dr. Walkem, 91½. (1); Major Peters, 88½. (2).

PYLE GAME BANTAM.

Hen—J. Braden, Jr., 93. (1); Dr. Walkem. 92½. (2).

SEABRIGHT BANTAM.

Cock—G. Huson, 90.
Hen—Dr. Walkem, 92.

DUCK WING GAME BANTAM.

Cock—Dr. Walkem, 92.
Hen—Dr. Walkem, 93; (2) Dr. Walkem, 91.

BREMMA PENS.

Light Brahmas—C. W. Riley.
Buff Cochin—Dr. Walkem
Plymouth Rock Barred—C. W. Riley.
Wyandottes—J. W. Garrison.

GEESE.

Toulouse—Dr. Walkem.

THE MEETING OF THE ASSOCIATION.

Just before the close of the show, the annual meeting of the B. C. Poultry, Dog and Pet Stock Association was held in one of the large rooms adjoining the Market Building. Mr. C. E. Renouf, President, occupied the chair. There was a very large attendance of members.

The chairman in opening the meeting called attention to the change in the prospects of the society during the past year, and expressed his pleasure at being able to inform those present that he believed they had turned the corner at last, and that, this year, they would be able to carry a small surplus forward in the books, instead of, as after former shows, a deficit. The thanks of the Association were due to all outside exhibitors, especially those from Oregon, North Bend, Whidby Island, Nanaimo, and Duncan's Station, who had helped so much to make the show a success. The thanks of the Association were also due to Mr. Mercer, of Seattle, and to the judges, officers and committee. Owing to Mr. Mercer's efforts, the Seattle and Victoria shows, instead of clashing with each other, had been each a benefit to the other.

The following officers of the Association were then elected for the ensuing year:

President, D. M. Eberts; Treasurer, W. J. McKeon, (re-elected); Secretary, R. P. McLennan, (re-elected.) Executive Committee—Messrs. Dr. Walkem, Dr. Duncan, Dr. Milne, W. J. Taylor, J. H. Franck, R. A. Cunningham, J. W. Flett, B. Boggs, J. B. Carmichael, Mercer, Calligan, Garrison, Teague, Hall, Renouf, and Mercer.

Appropriate speeches were then made by Doctors Walkem, Duncan and Milne, and Messrs. W. J. Taylor, McKeon, Perrin and several others.

It was with a great deal of satisfaction that the newly elected officers saw the prospects for a successful show, next year, becoming brighter as one gentleman after another got up and offered substantial prizes for competition. The following is a list of the amounts promised for specials, already. They are to be given by the donors in either cash or cups, as the winners prefer.

Dr. Duncan, $25; Dr. Walkem, $25; S. W. Lowe, $15; Mr. Hull, $20; W. J. Taylor, $25; S. W. Lowe, $10; Mr. Mercer, $10; C. W. Riley, $10; C. W. Riley, $5; B. Boggs, $10; A. Pinder, $10; W. J. McKeon, $10; W. J. McKeon, $10; G. A. Perrin, $50; S. W. Lowe, $10; Mr. Callaghan, $5; Mr. Mercer, $10.

After the above amounts had been subscribed toward the special prize list for next year (making the handsome total of $260 before the old show was barely over), Dr. Walkem informed those present that Mr. Hitchcock, the judge of the poultry, who had given such general satisfaction, was a candidate for the position of a judge of poultry at the Chicago World's Fair. On his motion the secretary was instructed to write to the Managing Director of the World's Fair, strongly endorsing that gentleman's claim, and at the same time sending ample proof of his sterling ability.

Votes of thanks were then accorded publicly to both judges, who on replying were loudly cheered.

The meeting adjourned a little after 10 o'clock.

A bill was introduced in the New York senate to appropriate $300,000 for a state exhibit at the world's fair.

The dense fog which hung over New York, Wednesday, was a source of great embarrassment and menace to navigation. For the first time since 1888, no vessel arrived in port by way of Sandy Hook. Several big steamships were due, among them the Teutonic, but they were probably feeling their way through the dense mist. Vessels outgoing were much delayed.

Hagyard's Yellow Oil.

THIS great internal and external remedy always allays all pain. It is a specific for croup, and promptly cures coughs, colds, sore throat, sprains, bruises, burns, rheumatism, cuts, wounds, etc. Good for man or beast. Stands all tests. Sold everywhere. Price 25 cents. Hagyard's Yellow Oil.

REVOKED AND CANCELLED.

Hon. Justice Crease Gives Judgement as to the Oak Bay Pavilion License.

The Appeal of Captain Woolley Allowed With all Costs Therein.

Hon. Mr. Justice Crease, sitting as a County Court judge, gave his decision, yesterday morning, upon the appeal of Capt. Clive P. Woolley from the decision of Messrs. Brown and Sinclair, two justices of the peace, granting a retail liquor license to Messrs. Berry & Close for the premises known as "The Pavilion," Oak Bay beach. The appeal was sustained by His Lordship, with all costs, and the license was revoked and cancelled. As "The Pavilion" license case has been something of a local *cause celebre*, the decision of the learned judge is given in full:

In the matter of the County Court and re. Licensing Act and re. Close & Berry and re Pavilion Saloon, Oak Bay. This was an appeal by summons under sec. 33 of the County Courts Act, 1888, made by Clive Phillips Woolley against the grant of a retail license to James Hugh Close and James Reuben Berry for the Pavilion Saloon at Oak Bay, on the ground that such license was obtained by fraud and in a manner contrary to law.

The grounds of appeal briefly stated were non-compliance with the requirements of the License Act, chapter 73, Consolidated Statutes, B.C., namely:

1. Under section 11. In not posting a copy of the notice of the intention to apply for a license to two justices of the peace of the district, on the outer door of the courthouse, nearest to the Pavilion Saloon, the place in respect of which such petition is made.

2. Under section 13. In that Berry had not been a resident of the Province for 12 months at the time of applying for the retail license.

3. Under section 18. In that no petition or requisition sufficient to satisfy this section was obtained, in that it was not signed by two-thirds of the residents — where the license applied for is for Oak Bay.

The Pavilion Saloon is a small, lightly constructed building, without bed room or any other convenience, either of a dwelling house or hotel, and merely is a saloon for the selling of intoxicating liquors by retail at Oak Bay.

It is situated on a street near the sea shore, on a lot on the new suburban place: a map of which, by Messrs. Crane, McGregor & Boggs, was produced to the court, but was not exhibited before the licensing magistrates.

This tract of land was laid out by the Oak Bay Improvement company, but practically not opened up until May last, when tram cars ran down to Oak Harbor. The number of residents all told in "Oak Harbor" appears to be three. Berry, the applicant, one Harris and Clive Phillips Woolley (the present complainant who has from the first openly opposed the grant of the license to the saloon as calculated to attract to it an undesirable class of customers).

Those appear to be all who live in the immediate neighborhood within the townsite of "Oak Bay," as laid out on the map, and the 17 acres immediately adjoining.

There is no house of any size, except Mr. Wooley's. The saloon is not in any thoroughfare from one district to another, the travelers along which might require refreshments on the way, and depends entirely for its maintenance upon the casual transient passengers from Victoria by the electric tramway to Oak Bay.

It was used, before Mr. James Berry and Mr. Close took it over, as a dancing as well as drinking saloon. That, however, was discontinued when the present applicants took possession in August last.

Against their management there has been no complaint whatever.

In Aug st last, two ex-policemen, Miller and Bloomfield (the latter as agent for the applicant), were set to work to procure signatures to a petition or requisition of residents in favor of the grant of a retail license to James Berry alone for this Pavilion Saloon.

James Hugh Close's name was not even mentioned in it.

Altogether, from August to the 14th December, only 43 signatures were obtained to it, two or three of whom were ladies and four dealers in liquor. Miller, who collected the names, very honestly stated that his instructions were to collect all the names he could of residents in favor of this grant outside of the municipal limits of Victoria District.

Accordingly we find in the requisition the names of persons residing at Victoria Gardens, beyond the Gorge at least six or seven miles away from this saloon, and persons residing along the Mount Tolmie road, and miles away at Cadboro Bay and other places where they could presumably have no interest whatever in a saloon at Oak Bay.

Mr. F. G. Walker, counsel for the applicants, after the names and residences were disclosed, very ingeniously attempted to show that "settlement" must reasonably be construed to include a tract of land, striking along the municipality of Victoria in a line northward across Mount Tolmie road to a point from which, striking to the eastward, it could be made to include Cadboro Bay and exactly to inclose within such limits the bulk of the names which found themselves in his petition. But that was an *ex post facto* limitation to suit his client and not in accord with the canvass made by Miller, or as I consider the law.

It only required a glance at the voters' list of Victoria District, which was produced in evidence, to see that the 43 names on the petition bore no proportion whatever to the number of residents in Victoria District, who, I take it, were the residents legally entitled to express their views on the subject. And if it should be contended that the word "settlement" coming after town or village was not capable of so large a construction, that would reduce the area for "residents" to Oak Harbor itself, which would be reducing the act to an absurdity. I think, therefore, this petition does not fulfil the requirements of section 13. Moreover, Mr. Close is excluded from its provisions and advantages and not entitled to a license. And as Mr. R. Ward in his evidence shows that Mr. James Berry had not been at the time of his application a resident in the province for 12 months, and his evidence is not contradicted, I think on that ground also the petition, were it otherwise correct and in order, fails of effect; and the decision of the magistrates in accepting it was wrong. While on the subject of the construction of the legislation, I may add that many presiding magistrates are under the impression that all they have to look to is to see whether they have a petition before them, signed by two-thirds of the respectable people anywhere round in the neighborhood of the proposed saloon—indeed, that if they have that, they are under an obligation to grant the license. There could not be a greater mistake. On the contrary, they are bound, in duty, to see and consider carefully every circumstance around them which tends against the granting of the license, as well as those for it. They cannot grant a license without such a requisition, but if for good reasons they are satisfied it ought not to be granted, they are quite justified in refusing it. A license is a privilege granted, after the magistrates are satisfied it can do harm. It is not a matter of common right, but the opposite. It is a creature of the law, not a matter of necessity, and the act has therefore to be considered strictly. It is a matter too of common experience that when a house for the sale of intoxicating liquors is started in a country place away from the immediate supervision of the police, it is not long before a constable has to be appointed to prevent excess and disturbance therefrom arising.

I am also of opinion that a copy of the notice of intention to apply for the license should have been posted up (as required by section 11) outside the law courts in Victoria, which certainly was the nearest court house to the saloon in question.

The school-house for Lake District, although it had been used on several occasions as the place where licensing court had been held for the Prairie Tavern license in Saanich, and others, was not a "court-house" at all, and certainly not the court-house nearest to the place in respect of which the application was made.

The importance of this was shown by Mr. Ward's evidence, and that of Mr. Woolley, who was especially on the lookout for the posting of such notice to appear and oppose.

The magistrates, too, should have paid some regard to the written protest of the persons who opposed the grant. The Act says: "Any person" may complain, not necessarily a 'resident' only. Nor did they exercise the discretion entrusted to them by the law, when they refused to consider whether and how much the property-holders all around the proposed saloon would be injured by the grant of a license. As part of "the public" they were entitled to be considered, and among those to whose interests and convenience "due regard" should be had. It was not only the portion of the public who would wish to use the saloon who were contemplated by the Act as "the public." Every person likely to be directly affected by its establishment and the character of the persons it would be likely to attract to the neighborhood, were considerations well worthy of magisterial attention.

Moreover, the slanderous mode in which the license was obtained calls for comment. There was no good reason why the Licensing Court should not have been held at Victoria, where Mr. Ward, an experienced licensing magistrate, could have, and would have, attended, as well as in an out-of-the-way school house outside of Victoria District. John Mount Langley, a provincial constable, testifies that Bloomfield or Miller—I am not sure which—on the question of where to post the notices, coming up at the police office, told Langley "he was going to post one copy of the notice at the school house at Lake, and one at the court house here" (meaning Victoria), and was told by Langley "that would be all right." Mr. Woolley, Mr. Ward, and Mr. Hussey, superintendent of police, searched round outside the court house in vain for this notice, and Mr. Hussey informed the licensing magistrates of the fact before the license was granted at the Licensing Court. But no attention was paid to his representation. The certificate was drawn out by Mr. Bloomfield, the agent of the applicant (instead of by Hussey, the clerk), in the name of Close as well as Berry. The names to the petition were avowedly gained under the idea conveyed to them by Miller, with the consent of the applicants, that a hotel, with every accommodation of boats and seaside pleasure resorts, was being established, which ladies could safely patronize, instead of merely a pavilion saloon, for the sale of liquor by retail, and the agent of the appellant in drawing out the form of certificate, substituted the word "hotel" for the word "saloon" in the petition, and for which the petitioners actually signed and from all these considerations, therefore, and asked the other matters proved in evidence. I am of opinion that the complaint of Mr. Woolley has been fully proved, and I therefore determine and adjudge that the said license granted to Messrs. Close and Berry is and stands revoked and cancelled accordingly, and I order that the costs of and incident to this appeal be paid by the said applicants, James Hugh Close and James Reuben Berry.

HENRY P. PELLEW CREASE, J.,
Acting for C. C. J.

Mr. F. G. Walker appeared for the defendant, and Mr. P. Æ. Irving for appellants.

SEVERAL SURPRISES

At the Election of Mayor and Aldermen in this City Yester