Weekly Colonist.

FRIDAY, DECEMBER 11, 1885.

THE STRAITS CABLE.

This useful adjunct of the telegraph service is disabled temporarily. A defect has developed itself and a current cannot be obtained. This is a very unfortunate circumstance, as it has occurred just when the circuitous and fitful service by way of New Westminster and Matequi Prairie was to be abandoned and the more direct and presumably certain system via the straits was being substituted. Nothing could have been more unsatisfactory than the telegraph service of the past. The line was down two-thirds of the time. The slightest breath of air was enough to paralyze the current and sever the connection. It was jocularly asserted that a mosquito alighting on the wire had been known to snap it in two! To put an end to this uncertain method of communication the straits route was selected; and in spite of the present mishap we believe it to be the very best that could have been adopted. A cable, if well made and properly laid, is preferable to a land line running through a thickly wooded section. While the cable was in order the results were "satisfactory," as the board of trade informed Lord Lansdowne; and the temporary failure is due to an unfortunate accident and not to any fault of the cable system, which is good and sufficient.

THE RAILWAY REVIVAL.

Through the efforts of members of parliament, the local government and the B. C. board of trade the railway service which had been authoritatively closed for the winter months has been resumed. The first train will leave Port Moody in a few days and a twice-a-week service will be continued till May when through trains will begin to run. The relief that will be afforded the entire country by the resumption of railway traffic is great. It is no exaggeration to say that human life might have been sacrificed in some of the outlying mining districts through the failure of food supplies resulting from the stoppage of the trains. Putting it on the plane of business the loss to the province would not have been less than $400,000. There are many tons of goods now at Victoria awaiting transportation to the interior. All the holiday goods for the mainland remain to be moved and had the government not effected an arrangement with Mr. Onderdonk the results commercially would have been most disastrous. The prompt action of our public men has saved the country from serious inconvenience and loss.

THE BALKAN WAR.

People continue to wonder how or where the war now being waged by Servia and Bulgaria will end. The alliance of the three empires still remains firm, and will not be shaken, it is said, by whatever befalls. The strange, indefinite attitude of Turkey, due entirely, it is believed, to English inspiration, is what causes most uneasiness. If Turkey still takes Russia's advice, and exercises her right of restoring the *status quo* by occupying Roumelia, now that it will probably be denuded of the Bulgarian troops, engaged against the Servians, King Milan may perhaps come out of the war with flying colors, and with the right of claiming ever afterwards that he undertook the work of the powers. These, however, are probably idle suppositions in the circumstances, and it is impossible yet to foresee the upshot of the Balkan imbroglio. The position is entirely unique, and puzzles the most proficient student of eastern politics. Is Servia fighting against Bulgaria, or against Turkey, the Suzerain of Prince Alexander; and if Greece also declares war to-morrow, against whom will she be striving, and how will Turkey regard the general invasion of her vassal provinces? What will Montenegro do in the circumstances? These are all questions which are more easily asked than answered at the present moment; and in the general melee that appears to have begun, it is difficult as yet to discern who are friends and who are foes. The gravity of the situation, however, as the organ of the Russian foreign office observes, cannot be denied.

"The youngest of European nations," continues the Journal de St. Petersburg, "whose independence dates from Russia's sacrifices in the last campaign, has declared war upon Bulgaria, who owes her autonomy to the same Russian enterprise. And Servia does this, too, without the least concern for the obligation incumbent upon her, as youngest of the European family, under the stipulation of article 8 of the treaty of Paris of 1856, whereby no declaration of war was to be made unless mediation had been first solicited.

"Besides which, Servia has declared war against a vassal prince who does not even possess the right of making peace or war among his attributes; so that it may well be asked whether the object is to attack the suzerain, or to bring a rebel vassal, who has been unlawfully invading the territory of that suzerain, back to his senses and duties. The case is without precedent."

The Journal goes on to remark that Russia from the very first advocated the re-establishment of the *status quo* and prompt diplomatic intervention on the basis of the Berlin treaty in order to prevent the fratricidal struggle now let loose. But the meeting of the conference was delayed and its action was paralyzed—by what the Journal does not name, but it undoubtedly refers principally to England's reservations and opposition. England, in fact, is regarded as chiefly responsible for the outbreak of hostilities, either out of pure antagonism to Russia or simply for the electoral purposes of the conservative party, in order to take the wind out of the sails of Mr. Gladstone and the liberals, by adopting a leaf out of their own book against the Berlin treaty. "The effect of English diplomacy," says the organ of the foreign office, "while Lord Salisbury tried to explain it at the Guildhall banquet, has been that the conference has come to nothing. Russia, however, is not going to follow behind either one or another of the Balkan states."

THE HICKS TRAGEDY.

The public will be more than pleased at the outcome of the inquest in the matter of the Hicks tragedy. Instead of a murder the jury found that the wound was self-inflicted, although without an intention to take life. The evidence of Mrs. Lascelles, who saw the unfortunate man as he came up the slope *alone*, and who saw him fire the last shot, and of Supt. Roycraft, who measured the distance from where Hicks fell to the spot where the pistol was found and showed that the wounded man could easily have thrown the weapon there, was incontrovertible. Since the day succeeding the tragedy we have entertained the same opinion that the jury have arrived at, but have forborne to give it expression for fear of prejudicing the public mind. The verdict re-establishes the fair fame of our city and shows that it does not harbor in its midst blood-thirsty villains who first shoot down and then rob an unsuspecting wayfarer. Hicks' motive for creating a "sensation" will be forever unknown. We prefer to believe that he became temporarily insane by the contemplation of the approaching exposé of his necessitous circumstances, and fired the shots while in a state of mind which rendered him irresponsible for his acts.

Card from the Deserted Wife.

To the Editor:—I regret that your vigilant reporter has seen fit to meddle in my domestic affairs. To a grain of truth the article contained a bushel of untruth; and as I had not appealed to any one for sympathy, I do not thank your paper for extending it to me. The loss, if any, is mine, and not *The Colonist's*. When I want my husband advertised for I can do it myself. Yours truly,

The Deserted Wife.

Autumn Assizes.

(Before Hon. Mr. Justice Gray.)

TENTH DAY.

REGINA V. SPROULE.

December 5, 1885.

Court opened at 10 a. m.

Examination of Charles Moulson continued—I saw Sproule at Hall's cabin, near the boundary line. On the way to Kootenay, near the place where we had left the boat, Sproule said, "I wish you would tell Lundy to land and pull my boat up; did not pull it up very good and am afraid it will get away." He also said it was leaking and he had had to go ashore there. Sproule was taken to Warm Springs; he was not at that time handcuffed. Anderson gave me the handcuffs and told me to put them on. As I was doing so Sproule said, "There is no illfeeling among the young men on the outside." After waiting a little I asked him what he meant, and added: "Are you afraid of being lynched?" He answered me, "Well, I don't know; I heard some whispering outside." I told him I didn't think he need be afraid of being lynched. Never up to the time of the preliminary examination did I say anything to Sproule as to the reason of his arrest. The country on the west side of the lake is a rough country, covered with fallen timber and has many gulches. I never have known people when going in or out to travel any other way than up and down the Kootenay river. (To Mr. T. Davie)—My memory is not better now than it was at the time of the preliminary examination, but I don't remember whether I spoke about Sproule saying to me, "Hammill will never want to jump another man's claim;" but I remember after I had given my evidence asking some of the boys if I had mentioned it. I am quite sure I did not hear somebody else say it. I can see that man (pointing to the prisoner) sitting in the boat and saying it. When I returned with Duncan he informed me of the homicide; the time must have been between 12 and 1. It was Anderson who resolved to pursue Sproule, and the canoe was one of the craft picked out for the purpose. When I got over to Hammill's cabin with Duncan, Anderson was in Hammill's cabin, where the body was. Sproule was suspected from the first. It was between 5 and 6 o'clock when we left Galena bay just previous to our pursuit of Sproule, getting to Hot Springs after 6, and starting from there after 7. We made enquiries of the Indians at the outlet of Kootenay river as to whether they had seen a white boat. They said they had seen a white boat close to Cape Horn going south. They pointed to the lake, and we judged from where they pointed it was about the middle of the afternoon. They did not say "siteum" sun. We were particular as to the elevation at which they pointed, because we wanted to see how much time Sproule had. I call the middle of the afternoon about 3 or 4 o'clock. I can give no opinion as to the rate at which we traveled. When we sighted Sproule he was probably about six or seven miles away. I don't think we were a mile distant from him when he pulled in shore; think it was half a mile; it might have been more. He was at first pulling in the direction of Kootenay river. Most decidedly we could not travel faster on land than on the lake. I know of no trail along either side of the lake. There was one trail where Sproule went ashore. Rocks were there, but a sandy beach above and below the landing he made. We landed about a mile south of where Sproule did; did so to get into calm water under the lee of a point. We first went to the boat in the evening on the same day; did not pull up the boat but waited and watched for two hours until the moon came up, when I took the boat and rowed back to where our own boat was. I knew the boat leaked a little; did not bail it out that night. I don't know that Sproule broke his arm a year ago.

To foreman of jury—Hammill had no other enemy besides Sproule that I know of.

AFTER RECESS.

Chas. Moulson, recalled by Mr. T. Davie—I did not see any Indians or hear any shots fired in the vicinity of the Bluebell on the 29th November.

To the attorney-general—I noticed at the time of Sproule's arrest that his pants were torn.

T. R. Manning, sworn—I am an engineer. I was engaged this last summer in running a steamboat between Bonner's ferry and the Kootenay mines. I was on board when Sproule was taken back to the Kootenay mines. As Sproule was coming on board he reached out his hand to a man named Rice as though for assistance. He dropped something into Rice's hand. I supposed it was a nugget or a specimen of some kind, remarking that he had been trying to get a message to Dr. Hendrick's agent of the Kootenay Mining Co. but he could not get it through without the signature of the officer in charge. Prisoner requested Rice to have it transmitted. I followed Rice along the deck and asked him to let me see the nugget he had got, or whatever it was Sproule had given him. He said he had given him nothing. I replied that he had as I had seen something given him by the prisoner. He then said I might as well let you see it for I expect I will have to let someone see it; if I do not it might get me into difficulty as I don't know the law in this country. He then opened his hand and producing a leaf from a pocket book read to me what was written upon it (paper produced and identified by witness). The words were "I am well satisfied that Anderson knew that Thomas Hammill was going to jump the Bluebell claim, as they were thick together. I am not allowed to communicate a word in writing that they cannot see without a warrant or a paper being." They took all my money. They may confiscate the provisions that belong to the K. M. & S. Co., but I shall protest, as they were invoiced to the company. Tell the company to send down men to work. I could not be on all the claims on the west side." I saw Sproule writing on a rock in a red pocket book on his knee, he tore out the sheet and put it in his pocket. (To Mr. Davie)—When I saw Sproule writing it was previous to his getting on board. The Reindeer was a freight and passenger boat.

Henry Anderson, sworn—I am a constable at Kootenay; I know the prisoner at the bar; on the 31st May between one and two o'clock on Sunday Hammill was taking lunch with me; about the time we got through, prisoner walked into the cabin, but on being invited, refused to take any lunch; Hammill then got up and walked out. Sproule in conversation then mentioned that he had received a letter from Dr. Hendricks for me containing money for re-recording the claims belonging to the company. Sproule at the same time mentioned that the time for re-recording some of them had expired. He said that he had forgotten the letter, but would bring it the next day. In further conversation with him afterwards, he was talking of putting the boat over, when I remarked, "You had better stop over night and go over in the morning." He said, "I must go over to-night, because I intend to bring over two men to-morrow to work the claims on this side of the lake." Before that I asked him if he intended going to Sand Point, to which he replied in the negative—that he intended to stay there all summer and work the claims. I was informed next day of the murder, made investigation and started in pursuit of Sproule from the Hot Springs. We reached the outlet sometime between 9 and 10 o'clock. We left McLeod and the boat there, proceeding in the canoe, accompanied by an Indian. About four o'clock in the morning we saw a boat ahead, about 4 miles away, heading south for the Kootenay river. We gave chase and began to overhaul her. When we got somewhere within a mile of her the boat turned in toward shore, making a landing amongst boulders and exposed to the waves. I saw him get out of his boat, pick up his rifle and something else and start for the bush. About a mile further we landed in a sheltered spot. About half a mile from where I first saw him there was a splendid landing—sandy beach. The invariable course of travel to the boundary was to follow the river. There is a trail which follows the sinuosities of the Kootenay river, but is only available at low water. It runs from a place called Kootenay Point. To the best of my judgment, where Sproule landed was fifteen miles through bush from Rocky Point, where the trail commenced. The country there was very rough. The generally computed distance from Hot Springs to the mouth of the river was 57 miles; from the outlet to the mouth of the river is about 45 miles. The distance that Sproule had covered I considered was such that he must have pulled during the night as well as the day. On the 3d we started for the boundary, a further distance of 30 or 35 miles. On the morning of the 4th I sent Moulson with some Indians up the Fort Shepherd trail. I myself took two Indians about three miles further north, to where the mountains narrowed in, for the purpose of watching during the night. As soon as I landed at this spot one of the Indians and I went further on, between the base of the mountain and a slough. Finding no track, went half a mile further. While there we heard shots, went back as fast as we could and found the Indian I had left had killed a bear. I made a fire, and about 7 o'clock I heard the brush cracking. I picked up my rifle and held it at the charge, and a few seconds after Sproule walked out of the brush about 15 or 20 yards from me. The Indians were behind me some distance—about 30 feet—too far for me to give them warning without alarming the prisoner, who had his rifle in one hand and gunny sack in the other, his gaze directed to the ground. I spoke to him, saying, "I have been waiting for you, Mr. Sproule; throw down that gun!" He stood moving the rifle backwards and forwards in an undecided manner, when I ordered him a second time to throw his rifle aside, whereupon he did so, saying, "All right, then." The rifle at that time was in its cover. I ordered him to walk up to the camp and strip himself of any weapons he might have upon him. Having no handcuffs I tied his hands. In the gunny sack were some tea, flour and sugar and one tin plate; no means of making tea. The quantity was enough to last a man a day or two; had no blankets. I did not inform him of the charge upon which I arrested him, nor did I subsequently inform him, nor did he ask me at any time. I watched him all night and found he had $87.25. At prisoners request I paid out of that to Mr. Rykert $62.50 for duties. When at the boundary he asked for a mustard plaster saying he had fallen down while on his way up and hurt his side, and thought he had broken a rib. I could, however, find no trace of any bruise and he was apparently quite sound. There were no blankets found in the boat.

To Mr. T. Davie—I don't think we were a mile and a half from Sproule when he turned in shore. My opinion at the time was that it was that distance. We were traveling from five to six miles an hour, going pretty fast. I went to Kootenay last July twelvemonth, located at Wild Horse creek, (probably 160 or 170 miles from Hot Springs. I never heard of the Hudson's Bay pack trail along the west side of the lake; nor of any Indian trails there. I took down a written statement of House and the two Wolfe's (produced). I think the reason the larger cartridges will not fit is because the rifle is dirty.

To the attorney-general—There was no sign or trace of a trail along which Sproule could have come when he was arrested. The map regarding the lake part I consider fairly accurate.

With the exception of the testimony of Mr. W. S. Gore as to the official draughting of a map of Kootenay lake produced in court, this closed the case for the crown.

ELEVENTH DAY.

MONDAY, Dec. 7.

REGINA VS. SPROULE (CONTINUED).

H. Anderson (recalled.) To attorney-general—I referred to a letter from Dr. Hendricks, of which Sproule spoke. I found it on the prisoner after his arrest; it contained $10. The lapse of time between my hearing the shot of the Indian and Sproule's appearance in camp must have been about an hour. Sproule was pointed by the steamer traveling from the mines to the head of the lake was between 5 and 6 hours. It is said she travels about 10 miles an hour; proceeding from Galena bay going south one would take the same course for some distance were he going to the outlet, or to the head of the lake. It would be utterly impossible for one man to go down the outlet in a boat alone after the first twenty miles. (To Mr. T. Davie)—I saw Rykert before arresting Sproule; he did not suggest where I should go to arrest prisoner on account of there being a trail; I advised him the day before to send Indians to watch on that (west) side of the river. The water was not nearly so high this year as previously. Provisions at Sproule were sold by auction, among them his pistol. I first saw it in Hammill's cabin on a little cupboard standing on the table. The pistol was out of order—it would not stand at full cock (pistol produced and identified). I cannot say whether the calibre is 41. I should judge the ball would be about as big as the rifle cartridge. Saw it in the cabin the first day. Velnoweth told me Hammill had had no firearms with him that day.

W. S. Gore, sworn—I am surveyor-general in the lands and works department. The map before me was prepared in the department. It was enlarged from an exploratory map in the department, and part of it from exploratory surveys in the district by Mr. Farwell—the southern portion. I have no instrumental survey showing the triangulation of the mines and Kootenay outlet. The distance as the crow flies from the mines to the mouth of the Kootenay river is, according to this map, 36 miles.

Mr. T. Davie read from Mr. Farwell's report that the above mentioned distance was 35 miles.

To attorney-general—From the mines to Cape Horn is 10 miles, which would make a total traveling distance from mines to river of 45 miles.

Mr. T. Davie then addressed the court and jury for the prisoner. He said that all criminal experience taught that crime was seldom, if ever, committed without a motive. Several months before the committal of this crime there would have been but little difficulty in imputing a motive to the prisoner. The learned counsel dwelt at length upon how Sproule had come into the Kootenay country in 1880—how he had been fellowed by Ainsworth and his agents, who at once set themselves to work to take away all that he had been at such pains to discover and work, and which he had reason to believe would be a source of ease and affluence to him in his old age; and how it was nothing less than exasperating and cruel for a company with millions at its command to attempt to take away that which Sproule had been at such pains to discover and retain. Sproule had used threatening expressions which had been given before them, but during the whole two years during which his persecution had been going on, he had exercised forbearance—more, perhaps, than the majority of men would have done. If this case had taken place then, he (counsel) would have had a great deal more difficulty in combating it than he would have at the present time. The men with whom prisoner had had to deal were sycophants—toadying to the rich, oppressive to the poor—and it would not have been a very wonderful thing if at last goaded beyond all endurance he had taken the law into his own hands; but he did not do so. Suddenly a change came—syndicates fell out and Sproule passed over his interest in the Bluebell claim to the Kootenay Mining Company, receiving in return a certain number of their shares, and then after some years of hard treatment found himself in a position of comparative ease and able to fight with capital at his back. When Sproule was at the mines on that 1st June with his men, he had nothing to aggravate him and had every chance of developing the mines. Sproule's remark to Duncan that he would have Hammill blacking his boots yet, so far from militating against him entirely cut away the very groundwork of the case against him. Take the circumstances brought against prisoner one by one. Sproule's haste in leaving amounted to nothing; it would be proved that his movements were most erratic. Other circumstances might look suspicious, but evidence and proof were very different. If things, because probable, were taken as proved, there would be no such things as probability, because everything would be taken as fact. Circumstantial evidence was subject to double error; witnesses in detailing such evidence might lie, and their minds might also be misled. The jury knew very well that the life of the prisoner at the bar was in their hands—that he was making the last appeal for it he would be able to make, and they would therefore, he felt sure, cast aside all prejudice in judging him. The points of the crown's evidence against the prisoner were, briefly: The alleged ill-will known to exist between prisoner and deceased; second, the homicide; third, the date of the homicide; fourth, borrowing the rifle; fifth, finding the pick; sixth, the prisoner's so-called flight; and seventh, his apparently not being surprised when arrested. Counsel reviewed the evidence of Smith, who was clearly a prejudiced witness; also that of Moulson, who, having proved himself so mistaken in regard to a part of his evidence—that of distance and speed—could well be mistaken in other parts of it—especially in repeating threats he had forgotten to speak of at the preliminary examination, and which he must have heard of since from somebody else. Counsel laid stress upon the discrepancies of Duncan's statements, who had at one time stated that it might have been half an hour after his return from Sproule's cabin when he heard the shot—at another an hour and a half, and, later still, at an hour. The Wolfes, who evidently had not come to testify in favor of the prisoner, had unwittingly proved an alibi for him. The theory that Sproule was in the boat seen by Duncan was wrong both according to the time accepted by the prosecution and the defence as to Sproule's departure. He thought the two Wolfes knew more of the murder than they chose to say. It was peculiar they had not heard the shot, and also that House was not there to give evidence—House who had found the two cartridges on the trail several days after it had been carefully searched. Counsel having quoted freely from the depositions and evidence of the witnesses Wolfes and House, called the jury's attention to several discrepancies therein, and having done so, the time being one o'clock, deferred the progress of his speech until after adjournment.

AFTER RECESS.

At the application of the attorney-general the court agreed that the rifle of Wolfe should be cleaned to enable the long cartridge to be inserted. The foreman of the jury announced that the jury had tried and had found that it could be placed in the rifle without the latter having to be cleaned.

Continuing his speech, counsel for the defense quoted again from Chas. Wolfe's deposition, saying the principal thing to be noticed was that none of the witnesses had seen Sproule go up to the Bluebell that day and this fact seemed to have oppressed House and the Wolfes. It seemed to him that they must take the Wolfes' evidence as partly true and partly untrue, true as to facts, but untrue as to the inferences they drew. Sproule might have noticed the churlishness of Wolfe in regard to lending the gun and have decided upon taking his own gun with him up the lake. Nor one cent but think the story of Chas. Wolfe bothered his head against a tree. Whatever the story it must be taken to be the same as said which made House contemplate suicide. There was likewise something of peculiar fatality about the witnesses, inasmuch as a man named Pritchard who was required by the defence also attempted suicide. He did not assert that the Wolfes or House had anything to do with the murder; but from the fear of implication which they evidently entertained it was quite possible they deemed it necessary to fix the crime on the accused. Proceeding, counsel denied there was a flight at all (although innocent men had been known to fly); also alluded to the known uncertain habits of prisoner, whose line of conduct had differed from that of Hammill by his conversation with Duncan and hence also his letter left in the cabin raising the men's wages which showed anything but a determination not to return. If Sproule had been a fugitive he would not have taken the ordinary line of travel; he would have been no difficulty for a mountaineer like Sproule to have got out by way of the outlet. As to his having been without blankets he had previously been known in the winter time to have traveled without them. Sproule had never been hailed by the boat containing Anderson and others, had landed because his boat was leaking and to relieve himself from pulling, being tired from using an arm which he had broken. He also expected to find a trail there, and had kept on hoping to find it. Afterwards, bearing a rifle shot, prisoner did what a guilty man would never have done, made his way directly to the place whence it proceeded. He had seen the fire and walked straight into camp. Naturally enough, he was confused at finding himself covered with a rifle and arrested. Anderson disappointed, perhaps, that Sproule didn't convict himself out of his own mouth, endeavors to make capital from his silence. The next day Sproule saw many who must have told him the cause of his arrest. The intercepted letter of the prisoner, which he deemed would not be seen, contained nothing criminating him, but with a noble forgetfulness of self only showed thought and consideration for his employers in the midst of his own trouble. The trouble with all the witnesses in the case was that they had formed a theory in their own minds and were determined to carry it out right or wrong. Some of the circumstances might look black against prisoner, but a thousand suspicions did not make one fact, and it was far more probable that Hammill—if he was murdered—was murdered by an old enemy; for Hammill, he would prove to have been a professional claim-jumper. Here were the Ainsworths, with 750,000 acres of land—miners were afraid to work their own claims for fear the latter would be immediately jumped by the company or their jackals. What wonder then that agrarian outrages occurred! and what wonder also, as is always the case, that suspicion fell upon the wrong man! Men will always swear according to their sympathies, and the sympathies of the Ainsworth men were with their employers. Hammill was disliked in other parts, and it would be for the jury to say whether, with the number of boats on the lake, it was not possible for the deed to have been committed by another enemy who had escaped in the boat that was seen in the afternoon. He would now call

James Hobkirk, who upon being sworn stated that, he was in Colorado in 1879, 1880 and 1881; knew Hammill at Pitcairn, who began jumping town lots laid out by Wade, until he received notice to quit the town. He then went prospecting; and in 1881 got jumping mining claims in the winter, and skipped out in consequence of being threatened with hanging. I never heard of Hammill afterwards until the case came up in court. (To attorney-general.) I was first shown Hammill's photograph last Saturday night; I have not read the case in the papers as I have not had time; I was herding and prospecting at Pitcairn; others besides Hammill jumped claims, but he was the only noted character; they ran him out anyhow.

W. A. Hendricks, sworn—I am a graduate of the medical profession, but at present am manager of the Kootenay mining and smelting co., formed for the purpose of mining, smelting, transportation, construction of roads, etc.; the company's property at Kootenay is held by me in trust among other claims there, the Bluebell acquired from the prisoner in 1884; Sproule assigned the whole of the Bluebell; there was no reservation of a part of it, the real consideration being 120 shares in the company's stock, including property in the States as well as in B. C. The company had made a contract with Sproule for the working of the Bluebell on 18th May, 1885; the last I saw of prisoner was when on the 20th May on the road with his men to the mines, I heard him call to one of them and say: "Jimmy, I will be back in a week or two to take some of you to the mines;" he also required more provisions; he was road commissioner of the third road district Kootenay Co., Idaho territory, when I first met Sproule in June, '84, he complained to me of his left arm or elbow—that it had been fractured; I told him it required rest; personally I do not know of any trail on the west side of the valley leading to the lake.

Mr. T. Davie—I wish to ask witness whether he has not heard from McLaughlin there was a trail there; and whether it was not so reported to the extent that prisoner might have believed there was such a trail.

Objected to by the attorney-general.

Mr. T. Davie asked that this point be reserved; that the answer was admissible on the ground that general belief in this case was the subject of enquiry.

Crown's objection sustained by the judge.

Witness (continuing)—I know J. L. Pritchard; last saw him on the 20th at Kootenay.

Did you ever hear of Hammill having had any enemies in Kootenay?

Objected to by the crown, and objection sustained by the judge.

Witness (to attorney-general)—Sproule was interested in the Bluebell mine on the 1st June to the extent of the proportion his shares bore to the whole of the company's stock; I know Sproule's signature; the writing produced looks like that of Sproule; I have myself received a letter from him; received it I think about the 6th of June; I started from Kootenay for Victoria last Monday morning (Nov. 30th. I do not know that Sproule when on his way to the lake was aware that Hammill would be there to work the Bluebell claim; I will not swear that I did not express disappointment at Pritchard's starting for Victoria, but remember asking Bray, "What do you want with that man and his delirium tremens!"

The judge—One thing is certain; we don't want him. [Laughter.]

Witness (continuing)—I knew it was reported that Hammill had purchased Hudnut's interest in the Bluebell mine; Sproule stated that he never had transferred any portion of the claim until he decided it to me; I advanced prisoner when he went up at least $250; I knew of no reason why Sproule could not be on all the claims on the west side on the 1st June, though it was necessary that he should have been there personally; I don't think I made the remark to Wolfe speaking of the tragedy, "You boys don't know much about it." The number of the company's shares was 1200 at the time Sproule got his shares.

Jacob A. Myers, sworn—First knew Sproule in 1880 at old Fort Colville; he lived on the north fork river, going in 1881 to the Kootenay lake district; afterwards heard he had taken up a ranch at Bonner's ferry; next heard of him from Missoula, saying he was going to Capetown, S. Africa; next heard from him at New York saying he was going to Liverpool; heard from him there. He changed his mind and went to South America that winter. In May, 1882, heard of him from Sand Point (a number of letters written by prisoner to witness were handed in). It was in 1882 that I first heard of prisoner's claim being jumped. Sproule shortly after started for Victoria saying he would fight the Ainsworths at headquarters. When I was going into the mines in 1883 prisoner walked into camp with no blankets nor food. He went on to Sand Point while I journeyed on to the lake. I represented the Bluebell claim and soon received a letter from Sproule saying he had concluded to turn back to the boundary line. He finally arrived on foot, overland, having left his boat about six miles along the shore; I don't think deceased was there, but other men of Ainsworths were there. On one occasion Hudnut and myself leaving the mines in order to make time left the boat at the boundary line and proceeded on foot.

Court adjourned at 6 p. m. until to-day (Tuesday) at 10 a. m.

Eastern Canada Mail.

(Per Northern Pacific Railway.)

Montreal, Dec. 1.—The Windsor Hotel Company have declared no dividend this year. The smallpox killed American tourists.

St. Thomas, Dec. 1.—The jury in the case of Havelock Smith, charged with murdering Marshall Piggott, could not agree.

Montreal, Nov. 30.—The Star publishes in French and English eight columns of a paper left by Riel upon the Metis.

Hon H. G. Joly has resigned his seat in the Quebec legislature on account of the attitude of his constituents on the Riel question.

Many banks and storekeepers here and throughout the province have been imposed upon by a gang of German forgers who have counterfeited five dollar bills of the Bank of British North America, also Dominion bills dated Toronto, June 15, 1878.

Savage & Lyman, jewelers, have failed.

Isaac Gauthier, confidential clerk of Refebra & Co.'s vinegar factory, who absconded lately, has embezzled altogether $15,000.

Australia.

In the Caulfield races on October 17th at Melbourne a terrible accident occurred, resulting in the death of one jockey, the maiming of many others and the killing of several horses. A very large field started and the horses were strung out on the broadest part of the track, all, however, trying to hug the rail in order to get the inside, when the rider of Too-Too suddenly went down with his mare. The horses following also fell, one jockey (Donald Nicholson) being killed and several others seriously wounded.

A sensation was created at Sandhurst by the discovery of alleged frauds by Harry Roberts of the firm of Roberts & Hemming.

The British Elections.

London, Dec 6.—The total Parnell vote cast in Ireland is 221,881 and the loyalist vote, including tories and liberals is 121,101. The vote in Ulster was Parnellites, 42,638; loyalists, 94,662. Outside of Ulster the vote was Parnellites, 179,243; loyalists, 26,739. Four conservative candidates were elected without opposition, one for West Down; one for East Down, and two for Dublin university. Twenty Parnellites were returned unopposed. In all Ireland, 17 tories and 69 Parnellites have been elected. Mr. O'Connor elected will sit for Liverpool, and Mr. Gray for Dublin; thus giving the Parnellites safe seats in Galway and Carlow. Fourteen of the 17 Irish districts still unpolled are certain to return Parnellite candidates, and these with Galway and Carlow will bring the Parnellites up to 86 members.

New Zealand.

A new gold field is reported on the barren land beyond Kauri point, near Auckland. The gold is in sandstone, and an assay has shown that it yields two ounces of gold and five ounces of silver to the ton.

No means have been taken by the manufacturers to push the sale of their "Myrtle Navy" tobacco except giving from time to time a simple statement of the facts connected with it in the public press. The large and rapidly increasing demand for it has been the result of the experience of smokers which these statements suggested. Their advice to business men is to advertise largely if they have the right article to back up the advertisement with.

An Elegant Substitute

For oils, salts, pills and all kinds of bitter, nauseous medicines is the very agreeable liquid fruit remedy Syrup of Figs. Recommended by leading physicians. Manufactured only by the California Fig Syrup Co., San Francisco, Cal. For sale by Langley & Co., Victoria. dw8

TEMPTED.

[Andrew Hedbrook in the Atlantic for July.]

Yes, I know what you say;
She is cannot be soul to soul,
Be it flesh to flesh, as it may;
But is earth the whole?

Shall a man betray the past
For all earth gives?
"But the past is dead!" At last
It is as that lives.

Which were the nobler goal—
To match at the moment's bliss,
Or to swear I will keep my soul
Clean for her kiss?

Chasing the Pipe-Line Scraper.

[Olean (N. Y.) Cor. New York Sun.]

One of the many odd callings which the production and pipe-line transportation of petroleum have made necessary, is one known as "chasing the scraper." Crude petroleum is run from the oil regions to the refineries at the seaboard, a distance of 800 miles, in iron pipes. It is forced over the high hills that intervene by powerful pumps. Much of the way it and deceased; second, the homicide; third, the date of the homicide; fourth, borrowing the rifle; fifth, finding the pick; sixth, the prisoner's so-called flight; and seventh, his apparently not being surprised when arrested. Counsel reviewed the evidence of Smith, who was clearly a prejudiced witness; also that of Moulson, who, having proved himself so mistaken in regard to a part of his evidence—that of distance and speed—could well be mistaken in other parts of it—especially in repeating threats he had forgotten to speak of at the preliminary examination, and which he must have heard of since from somebody else. Counsel laid stress upon the discrepancies of Duncan's statements, who had at one time stated that it might have been half an hour after his return from Sproule's cabin when he heard the shot—at another an hour and a half, and, later still, at an hour. The Wolfes, who evidently had not come to testify in favor of the prisoner, had unwittingly proved an alibi for him. The theory that Sproule was in the boat seen by Duncan was wrong both according to the time accepted by the prosecution and the defence as to Sproule's departure. He thought the two Wolfes knew more of the murder than they chose to say. It was peculiar they had not heard the shot, and also that House was not there to give evidence—House who had found the two cartridges on the trail several days after it had been carefully searched. Counsel having quoted freely from the depositions and evidence of the witnesses Wolfes and House, called the jury's attention to several discrepancies therein, and having done so, the time being one o'clock, deferred the progress of his speech until after adjournment.

AFTER RECESS.

At the application of the attorney-general the court agreed that the rifle of Wolfe should be cleaned to enable the long cartridge to be inserted. The foreman of the jury announced that the jury had tried and had found that it could be placed in the rifle without the latter having to be cleaned.

Continuing his speech, counsel for the defense quoted again from Chas. Wolfe's deposition, saying the principal thing to be noticed was that none of the witnesses had seen Sproule go up to the Bluebell that day and this fact seemed to have oppressed House and the Wolfes. It seemed to him that they must take the Wolfes' evidence as partly true and partly untrue, true as to facts, but untrue as to the inferences they drew. Sproule might have noticed the churlishness of Wolfe in regard to lending the gun and have decided upon taking his own gun with him up the lake. Nor one cent but think the story of Chas. Wolfe bothered his head against a tree. Whatever the story it must be taken to be the same as said which made House contemplate suicide. There was likewise something of peculiar fatality about the witnesses, inasmuch as a man named Pritchard who was required by the defence also attempted suicide. He did not assert that the Wolfes or House had anything to do with the murder; but from the fear of implication which they evidently entertained it was quite possible they deemed it necessary to fix the crime on the accused. Proceeding, counsel denied there was a flight at all (although innocent men had been known to fly); also alluded to the known uncertain habits of prisoner, whose line of conduct had differed from that of Hammill by his conversation with Duncan and hence also his letter left in the cabin raising the men's wages which showed anything but a determination not to return. If Sproule had been a fugitive he would not have taken the ordinary line of travel; he would have been no difficulty for a mountaineer like Sproule to have got out by way of the outlet. As to his having been without blankets he had previously been known in the winter time to have traveled without them. Sproule had never been hailed by the boat containing Anderson and others, had landed because his boat was leaking and to relieve himself from pulling, being tired from using an arm which he had broken. He also expected to find a trail there, and had kept on hoping to find it. Afterwards, bearing a rifle shot, prisoner did what a guilty man would never have done, made his way directly to the place whence it proceeded. He had seen the fire and walked straight into camp. Naturally enough, he was confused at finding himself covered with a rifle and arrested. Anderson disappointed, perhaps, that Sproule didn't convict himself out of his own mouth, endeavors to make capital from his silence. The next day Sproule saw many who must have told him the cause of his arrest. The intercepted letter of the prisoner, which he deemed would not be seen, contained nothing criminating him, but with a noble forgetfulness of self only showed thought and consideration for his employers in the midst of his own trouble. The trouble with all the witnesses in the case was that they had formed a theory in their own minds and were determined to carry it out right or wrong. Some of the circumstances might look black against prisoner, but a thousand suspicions did not make one fact, and it was far more probable that Hammill—if he was murdered—was murdered by an old enemy; for Hammill, he would prove to have been a professional claim-jumper. Here were the Ainsworths, with 750,000 acres of land—miners were afraid to work their own claims for fear the latter would be immediately jumped by the company or their jackals. What wonder then that agrarian outrages occurred! and what wonder also, as is always the case, that suspicion fell upon the wrong man! Men will always swear according to their sympathies, and the sympathies of the Ainsworth men were with their employers. Hammill was disliked in other parts, and it would be for the jury to say whether, with the number of boats on the lake, it was not possible for the deed to have been committed by another enemy who had escaped in the boat that was seen in the afternoon. He would now call

James Hobkirk, who upon being sworn stated that, he was in Colorado in 1879, 1880 and 1881; knew Hammill at Pitcairn, who began jumping town lots laid out by Wade, until he received notice to quit the town. He then went prospecting; and in 1881 got jumping mining claims in the winter, and skipped out in consequence of being threatened with hanging. I never heard of Hammill afterwards until the case came up in court. (To attorney-general.) I was first shown Hammill's photograph last Saturday night; I have not read the case in the papers as I have not had time; I was herding and prospecting at Pitcairn; others besides Hammill jumped claims, but he was the only noted character; they ran him out anyhow.

W. A. Hendricks, sworn—I am a graduate of the medical profession, but at present am manager of the Kootenay mining and smelting co., formed for the purpose of mining, smelting, transportation, construction of roads, etc.; the company's property at Kootenay is held by me in trust among other claims there, the Bluebell acquired from the prisoner in 1884; Sproule assigned the whole of the Bluebell; there was no reservation of a part of it, the real consideration being 120 shares in the company's stock, including property in the States as well as in B. C. The company had made a contract with Sproule for the working of the Bluebell on 18th May, 1885;

COMMON SALT.

A LITTLE LIGHT ON THE SUBJECT OF ITS MANUFACTURE.

The Best Salt Works in the World—Solar Evaporation of Sea Water—West India and Rock Salt—Wieliczka

[Boston Budget.]

"Salt is such a common thing," said an importer to a reporter, "so easily obtained and so cheap, that curiosity is seldom aroused concerning the details of its manufacture or the places where it is found. A great many take it for granted that table salt is produced by crushing ordinary coarse salt. Some think, again, that salt of every description is mined from the rock, after the manner of metals. Both of these ideas are erroneous, and purely imaginative. They are simply the result of guessing at what people do not care to trouble themselves to inquire after."

"Perhaps you are willing to throw some light on the subject," suggested the reporter.

"Fine salt, such as is used in preserving and flavoring butter and cheese, for curing meats and for the table, is made from pure brine, found in immense quantities in several parts of the world. Probably the best known salt works are those of Cheshire, near Liverpool, and of Syracuse. In both of these districts the process of manufacture, while differing somewhat in detail, is essentially the same. The brine, found from 150 to 400 feet below the surface, is pumped into vats or cisterns,