

The Colonist

FRIDAY, NOV. 25, 1892.

THE COURT MARTIAL.

The decision of the court martial in the case of Captain Lambton and Staff Commander Bawden, must strike any one who has followed the proceedings of the court at all carefully and intelligently, as being a very extraordinary one.

The evidence showed in the first place that the rock or shoal on which the ship struck was not marked on the chart, that the chart, in fact, not only gave no indication of its presence, but that it led the navigator to believe that a ship of much greater draught than any afloat could pass over the spot in which it is situated with perfect safety.

But the court martial decides that Captain Lambton was in "default" in not observing the rule laid down for the guidance of the officers navigating ships in Her Majesty's service, which says "A wide berth should therefore be given to every rocky shore or patch, and this rule should be invariably followed, viz., that instead of thinking a coast clear, unless it is shown to be false, the contrary should be assumed."

It is somewhat singular that witnesses were not examined as to the greater safety of a course farther from the shore than that which the Warpite took—about a quarter of a mile. Capt. Devereux, who is known on the Pacific coast to be a skilful as well as an experienced navigator, in his evidence, in reply to the question, "What is the nearest distance from Middle point that you would consider it safe to take a ship?" said: "Before I saw that rock on which the Warpite struck, I would have kept within a cable of it without hesitation."

Where then was the default? When Captain Lambton in entering a harbor followed the course which the chart showed to be safe, and which an old navigator who knew the coast well believed to be safe, and when he took every precaution on board his ship to ensure safety, how can he reasonably be blamed? It seems to us that, basing their reprimand on a rule which, under the circumstances, did not apply, the court martial showed a want of judgment that was not to be expected of men in their position.

That there was blame in the matter, and very great blame, is easily seen. It, however, does not lie at Captain Lambton and Staff-Commander Bawden's doors, but at that of the man who drew up the chart and declared that the whole coast line of Vancouver Island had been "accurately surveyed."

MR. GLADSTONE'S LECTURE.

Mr. Gladstone recently delivered a lecture at the Sheldonian theatre on "Universities." The lecture, of course, contained as much eloquence as the subject permitted, but we gather from the notices we have seen of it, that it was chiefly remarkable for the research it displayed. The lecture gave evidence that it was the product of much labor, and the wonder was how a man imminently in affairs, as Mr. Gladstone has been, and bearing the weight of more than eighty years, could find the time, even if he possessed the energy, to compose such a discourse.

way; it would indeed be phenomenal in the case of any other Prime Minister than Mr. Gladstone. But from him the world seems to expect these excursions into strange fields, these wanderings in the wilderness. At eighty-three it is not enough for him to have been suddenly called to govern the greatest empire in the world. It is not enough for him to be placed in the position of the self-appointed task of remodelling the Constitution of the United Kingdom. That is merely a by-work. We assume that the details of it proceed as smoothly and as regularly as of old: that the Cabinet boxes go down to Hawarden and come back again with perfect punctuality; that the daily and hourly decisions which a Prime Minister has to take are taken and duly communicated to those whom they may concern. In addition to all this Mr. Gladstone might undertake a task which no other Prime Minister of modern times except, perhaps, Mr. Guizot, would have dreamed of undertaking; and Guizot himself would have shrunk before the immensity of the subject. For the literature of University history has, of late, assumed truly vast proportions, an idea of which can be gathered from such a sample as the set of publications of the Oxford Historical Society. If these multitudinous volumes deal with but one university, to what length must a man's reading run who could speak with authority of Paris, of Bologna, of Spain, of Germany?

Mr. Gladstone, it appears, takes a different view of the character and work of Archbishop Land than the popular one. But this is not by any means singular, for men are every day feeling they must revise their opinions of the men whose history has made famous. The estimate in which Oliver Cromwell is now held is very different from that which our grandfathers had formed of him, and men have been found bold enough to say a good word for Judas Iscariot. It is no wonder then that Mr. Gladstone, considering Archbishop Land not as a politician or a judge, but simply as a Churchman, found in him and the work he did something to admire and commend.

Of Land as a Churchman, Mr. Gladstone said, it ought to have been remembered at least in extenuation that he was the first Primate of All England for many generations who proved himself by his acts to be a man of ability and of learning. It is again directly to the present purpose to compare the Calvinistic Oxford to which Land came as a youth with the Anglican Oxford which he went out into the government of. The change in the place and the character of the period almost equal that was said of Augustus, that he found Rome brick and left it marble; or, if the inverted form be preferred, he found Oxford marble and left it brick. This change was not wrought by a man having yet the Star Chamber and High Commission at his back, but seemingly by sheer force of personal character and will. The right man in the right place can do the work of the right man in the right place will be certain to make a mass of the fishery inspection.

The work of Land, in the opinion of Mr. Gladstone, did not die with him. It continues in the Church of England, "with the mitigations which religious liberty has required, in all its essential features, not as a personal or party opinion, but as embodied alike in statute and in usage, with no apparent likelihood of disappearance or decay." The Times thinks that Mr. Gladstone's Nonconformist friends will not like what he says of Archbishop Land, but men in these days have grown tolerant. Traditional hatreds have lost much of their force, and they are disposed, in religion particularly, to make allowances for those who differ from them in opinion, let it be ever so widely.

A GOOD APPOINTMENT.

The City Council acted judiciously when they appointed Dr. George H. Duncan city health officer. Dr. Duncan is young in the profession, it is true, but he is intelligent and energetic, and has a mind open to new ideas. We have no doubt that he will zealously and efficiently perform the duties of the very important office to which he has been appointed, and if a crisis should come, such as that which this city had to go through in the early part of last summer, the citizens will have no reason to complain of the City Health Officer's want of vigilance or want of courage.

WELL RECEIVED.

The deputation from the British and Foreign Anti-Slavery Society—which waited upon Lord Rosebery some time ago, found in him a sympathizing and an appreciative listener. It is quite evident that Lord Rosebery, as one member, and by no means unimportant member, of the Government, is determined that Uganda shall not be abandoned. It is clear from what he said that, in his opinion, the credit of the nation as a colonizing country requires it to remain in Uganda and to give all civilizing and Christianizing influences the opportunities they require to redeem the country from barbarism. Among other things, the Foreign Secretary is reported to have said: "Gentlemen, I say that, whereas we view Uganda from all these different aspects, in my opinion you represent the greatest force of all, because you represent what Mr. Bosworth Smith eloquently called that continuity of moral policy which Great Britain cannot afford at any time or in any disposition to disregard."

That continuity of moral policy in this country has been, in my opinion, the greatest force of all, because you represent what Mr. Bosworth Smith eloquently called that continuity of moral policy which Great Britain cannot afford at any time or in any disposition to disregard. That continuity of moral policy in this country has been, in my opinion, the greatest force of all, because you represent what Mr. Bosworth Smith eloquently called that continuity of moral policy which Great Britain cannot afford at any time or in any disposition to disregard.

It was a remarkable performance in every way; it would indeed be phenomenal in the case of any other Prime Minister than Mr. Gladstone. But from him the world seems to expect these excursions into strange fields, these wanderings in the wilderness. At eighty-three it is not enough for him to have been suddenly called to govern the greatest empire in the world.

(Cheers.) I know that when we speak of extending civilization, or extending commerce, other nations look on askance. They believe us to be occupied by selfish and grasping and greedy motives, but there is one point on which they cannot deny that we have been actuated by a higher and purer spirit, and that is in the cause which you advocate. My belief is that, having put our hands to the plough in that great enterprise, we shall not be able, even if we were willing, to look back.

A NEW OFFICIAL.

The appointment of a Commissioner of Fisheries for the whole Dominion is an act that may affect British Columbia for good or for evil, very considerably. Administering the fisheries of this Province by departmental officials three thousand miles away has not up to this date been a very brilliant success. The interference of the Government has not been considered by those most affected by it always judicious or always just to those who have invested their money in the salmon fishery, which, so far, has been the principal fishery of the Province. That fishery is unique in many respects, and carried on under conditions very different from any other fishery in any other part of the world.

There is a good deal of mystery about Ivan Petroff's alleged offence. It is said that he has been found guilty of falsifying documents connected with the Behring sea question. What his particular offence is we know no means of knowing. One authority tells us that his alleged falsifications were intended to prejudice the American case, and another declares that their object was to place that case in too favorable a light. Some say that Petroff is deranged, and is not responsible for his acts, and others assert that he is perfectly sane, and knows only too well what he has been doing and what we have the suggestion, which is, we must say, rather chesty in flavor, that he was tempted by British gold to betray the confidence of his employers. This is rather against the theory that Petroff tried to make the evidence too favorable to the American side of the controversy.

We have our own theory about Ivan Petroff's offence. It is this: He has told the honest truth about seals and sealing in Behring Sea, and perhaps has modified a few of the extravagant statements of some witnesses or agents to bring them nearer to the facts as they are. His representations and corrections have been seen by some shrewd attorney who had intelligence enough to see his bearing. He has made his discovery known to the authorities, and hence the attempt to discredit Petroff and to cover him with odium. It is quite clear that he has been condemned without being heard in his own defence. Like Lieut. Sullivan he has got into trouble for representing matters connected with the Behring Sea question in a light which is unpleasant to the United States authorities. He has, it appears, also made himself scarce as to why he has made himself scarce to the general public, and there does not appear on the part of the American journalists any great desire to find out where he is and what he is doing. This is our theory. It may or it may not be the correct one, but we really believe it is quite as much entitled to credit as are the columns of "news" about Petroff that appear in the American newspapers.

DREADFULLY SLOW.

The Americans, with all their vim and all their push, in matters political, go very slow indeed. The people of the United States, the other day, gained a signal victory over the administration. Are they to reap the fruits of their triumph at once? Is Congress to be called together without delay to give effect to the people's decision? Are the men of whose policy the great majority of the electors have disapproved to go out of power immediately to give place to men who have been elected to carry out the policy which they have sanctioned at the polls? Not by any means. President Harrison and his Cabinet keep their places, and that is still more singular in the eyes of British subjects, the House of Representatives, which has been superseded, will meet again and for two months and more make laws for the people of the United States. This may not be of very much consequence, as the United States House of Commons is now, and has for the last two years, been opposed to the policy of the Administration. But the Senate, which meets on the third of December next, and will exercise its full powers and prerogatives, has been condemned by the people and is very different in its composition from the one which will be the result of the elections of the 8th inst. The present Senate is both independent of the people and opposed to the policy which they have approved.

As things appear now, more than a year will elapse between the elections and the meeting of the Congress which has been elected to carry out the wishes of the "sovereign people." And in the meantime laws can be made and acts of the Administration executed which are contrary to the principles and the policy which the people have at the late elections so emphatically approved. How different is all this from what takes place in monarchical Britain. There the people, who are often represented to the electors of the United States as the down-trodden and submissive subjects of Queen Victoria, have their wishes carried into effect almost as soon as they are constitutionally expressed. A general election was held in Great Britain in July. The Government of which Lord Salisbury was Premier was defeated by a very small majority. Nevertheless, almost immediately after the result of the election was known Parliament was convened. A vote of confidence was carried in the House of Commons and Lord Salisbury and his colleagues resigned forthwith, and Mr. Gladstone, with a number of colleagues of his own choosing, undertook the direction of the affairs of the Empire. In deference to the wishes of the people the Government of Great Britain was changed with hardly any delay.

Two years ago the people of the United States condemned the Government's policy, but the Government remained unchanged. This year they, when appealed to, return a similar verdict, yet a new Government in accord with the well-understood wishes of the people has not yet been installed, and parliament, to give full effect to their decision, will not be convened for twelve months to come.

In view of these facts, which country is the more democratic, monarchical Great Britain or republican United States? In which country are the people most powerful, and in which can their will be most speedily and most thoroughly carried into effect? We are not inquiring now into the merits of the two systems of government. We are only trying to find out in which of the two nations are the people best entitled to be regarded as "sovereign." It may be that it is not good to give the people too much power. It may be wise to place obstacles in the way of their carrying their wishes into effect. It may be good policy to give a few men who are not much wiser or better than their fellow citizens the power to thwart the desire of the nation for a considerable period, but it is not a republic in which the people boast of being sovereign that we might expect to see these restraints placed upon their power and these obstacles placed in the way of their carrying out their will.

are questions about which men of all classes and parties differ very widely. It is every day becoming more and more apparent that the individualism which some years ago was so popular, and considered both by thinkers and practical men the best possible principle for both society and government, is being discredited, and statism is taking its place. The Conservative Democrats have embraced the new doctrine, and, as we have seen, propose in several important particulars to reduce its operation. Whether the body of the great party to which they belong will approve their practice and their principles, remains to be seen.

MAINLAND MINING.

News From the Vicinity of Nelson and the Kootenay Country. NELSON. (From the Miner.) M. S. Davys is now doing the assaying for Messrs. Perry, Gray and Davys. The plant for the Nelson Tribune is being got into working order. An Indian shot a grizzly bear some four miles down the railway track, on Thursday. A "Mann" is calling for 50 men, at a wage of \$3 to \$3.50 per day, to work on the Nakusp road.

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Mr. Garrison has brought in about 30 horses. It is understood that Perry, Gray & Davys, of Nelson, mean to open an office here. John F. Piggett means to have a stage running between Kaslo and Bear Lake within a week or two. The owners of the Ainsworth have decided to lower the wheel and to narrow the track by 18 inches, with a view to increasing the number of revolutions and giving more life to the engines.

The Blue Bird, Washington, Freddie Lee, Dardanelles, Dublin Mail, Wellington, Best, Noble Five and six miles will ship ore this winter, while the Great Western, Portpaine, Lucky Jim, Whitewater, Reko, Slocan Star, Payne and Montezuma will be working during the winter months. It is more than probable that Watson will, before long, have a post-office. A petition was circulated and freely signed in that town, and duly forwarded to Mr. Mara, M.P. A reply has been received from him to the effect that he has forwarded the petition to the Postmaster General, with a recommendation that the request therein be granted.

Kaslo, at present, has a pressing need of a suitable wharf and lock-up, and the number of steamers making stoppages here render the former a necessity. The Toad Mountain Mining company will put two shifts to work on the Goldendale track within two weeks. After that with but little interruption. The great Western will also be worked all winter, and it is probable that in January a much larger force will be put on. The owners of Kaslo will have packed in several tons of supplies, and intend to work 25 men on their property all winter. Messrs. Jowett and Chadbourne have had to abandon all idea of doing any development work on the Reid and Robinson group of claims until next spring.

Mr. Fletcher says, concerning the Silver King sale, there is no doubt among the knowing ones at the coast that the deal has gone through all right. Most satisfactory cables had been received by correspondents of Mr. Croxall. From our Kaslo notes it will be seen that there are 17 mines yet to be worked in the Slocan district all winter. Suppose those mines employ six men each, on an average, this means 102 men at work, and a payroll behind Kaslo of over 10,000 a month. This estimate is, from the nature of things, rough, but it is certainly not overdone. Several deductions may be made from which will help to bring the wealth of the Slocan before stationary for six months, or 150 working days, and that each man is responsible for half a ton of ore averaging net profit of \$100 per ton, that represents 7,500 tons of ore; say that shipping expenses and net profit come together to \$175, the result would be \$1,338,850 for the six months of the winter, which would represent the profit to the mine owners. Or take another way of looking at it. Let us say seventeen mines include all the good properties in the Slocan. If we do development work and employ six men each on the average, they are capable of producing \$1,300,000 in six months, what will be their output when fully opened up and employing from twenty to thirty men apiece? Having worked out this little sum in proportion, let the outsider consider what part of the available wealth of Slocan is represented by seventeen claims, and then let him figure the whole thing out on the same basis, and he will have some conception of the future which every inhabitant sees sticking out big before this country.

THE LOCAL IMPROVEMENT BY-LAW. TO THE EDITOR:—May I, through the medium of your valuable paper, ask the attention of our civic authorities to the unsatisfactory state of David street, west of Rock bay avenue, and although various protests have been lodged, yet nothing is done, and from what I have gathered from an informed adherent as to the by-law in question, nothing is likely to be done, except at the express cost of its various property holders, which, considering that this section of the least our civic representatives are entitled to justify themselves in the making and maintenance of the streets of the city, is obviously unfair. If our new by-law sanctions such a procedure, may I, as a ratepayer, ask for what purpose are we taxed to the extent of 1s and 1d respectively, to build up the centre and we ourselves be strangers to the comforts of civilization? Even with an impoverished treasury, the least our civic representatives could do would be to provide for the comfort of its foot passengers by granting every sidewalk, if nothing more.

It is evident from these new departures from the good old way that the new men are determined to bid against the Radicals for the support of the workmen. Whether modern State Socialism is a good thing for those whom it is its object to benefit it is difficult to decide. There is, however, no use in saying anything against it, for in that direction the governments of all countries appear determined to travel. For instance, State insurance for workmen is advocated by statesmen differing so widely in position and principle as the Emperor of Germany and the Right Hon. Joseph Chamberlain. The tendency of much of the legislation of all free countries to-day, is in that direction. How far it will go and what will be its success

are questions about which men of all classes and parties differ very widely. It is every day becoming more and more apparent that the individualism which some years ago was so popular, and considered both by thinkers and practical men the best possible principle for both society and government, is being discredited, and statism is taking its place. The Conservative Democrats have embraced the new doctrine, and, as we have seen, propose in several important particulars to reduce its operation. Whether the body of the great party to which they belong will approve their practice and their principles, remains to be seen.

A DIVORCE GRANTED.

Mr. Justice Cressie Delivers Judgment in the Celebrated Case of Russell vs. Russell. Summary of His Lordship's Remarks on the Situation—A Life of Unhappiness and Discord. Mr. Justice Cressie yesterday delivered judgment in the case of Russell vs. Russell, a suit for divorce based on the facts on July 12 and 13 and October 17 and 18, when Messrs. C. Dubois Mason and Thornton Fell appeared for the petitioner and Hon. C. E. Pooley, Q. C., for the respondent. His Lordship decides that the petitioner is entitled to a judicial separation with costs. The question of the amount of alimony is reserved for further consideration.

Following is a summary of the judgment with a excerpts therefrom. Supreme Court of British Columbia. In Divorce and Matrimonial Causes. In Annie Elizabeth Russell, petitioner, v. John Joshua Russell, respondent, v. Petitioner for judicial separation and for costs and for further relief. "This was a petition by the plaintiff (the wife of John J. Russell) an infant, by George and Annie Mary, (her next friends), for costs and further relief. The ground laid for the petition is the husband's habitual cruelty, abusive language and violence, which have greatly injured her health."

"The evidence showed that the beginning of this unhappy marriage was a fitting fore-runner of all that has since occurred. On March 17, 1888, the petitioner was a mere child, between 14 and 15 years old, she was married to the respondent, after an acquaintance of only three weeks, during the time she was in the defendant's house with her mother, who was then 50 years of age, and he being then about 50 years of age, and divorced from a previous infant wife."

"The certificate of marriage shows that, although her real name was Smith, the name given at the marriage was Roxall (that of her then step-father), and at the defendant's instigation and advice she gave her age as 17, her husband at the same time recording his age as 42. "These facts require no comment. "For three months after their marriage the petitioner lived with her husband as she states, quite happily and in accordance with the child's married life. After that with but little interruption. . . . Her life was one continued scene of unhappiness and discord, varied by brief gleams of sunshine, but few and far between, and in the end language which no man who respected himself would use to any woman, especially to one so entirely dependent on his care and affection as this girl."

"It came out with distinctness, that her conduct as wife, housekeeper and mother, deserved well of him. No breach of marital duty is alleged against her though ample time has been given for such a fault. Indeed, the doctor's evidence goes to show that her physical condition while out at service and with her mother, was such as to make that highly improbable. A greater security of life should not be given to the defendant himself was obliged to give her."

"The evidence of the eye witnesses and the condition to which his acts of violence and continued ill treatment reduced his wife, in my opinion, as a jury, have substantially proved the several allegations in that behalf set forth in the petition. His turning his wife out of doors for no reason in an excess of unbridled wrath, his beating and bruising and a wound on her own face with her own hands, a refinement of cruelty seldom, if ever, witnessed in any other case, and a reflection on his manhood. Yet woman like, she kept as much of her domestic troubles as she could from others, even her mother, so that visitors to the house and outside the door were not aware of it. . . . Nor did his cruelty end there. He left her, with health broken and impaired through his means, to get a living for herself and his child, by work as a servant; breaking down entirely during every four months, and then, after a short rest, compelled by the same necessity to enter service again, until she again and again, and at last, entirely broke down, and bearing a good character with her employer, she was and a reflection on his manhood. Yet woman like, she kept as much of her domestic troubles as she could from others, even her mother, so that visitors to the house and outside the door were not aware of it. . . . Nor did his cruelty end there. 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