

The Colonist.

THURSDAY, AUGUST 19, 1897.

NO REAL CAUSE FOR ALARM.

A sort of panic seems to have seized the papers about the condition of the people, who have gone into the Yukon country during the last month, or, more correctly speaking, the people who have started for that region. We are told about the road being strewn with blasted hopes and dead men's bones, and a lot of other hysterical stuff of that character. All of this makes very sensational reading and appeals to the wisdom of the people, who did not go. It also renders the friends of those who did go very anxious. It is time to look the matter calmly and sensibly in the face.

There is no need to exaggerate the arduous character of the journey, but it is not specially perilous. People will be drowned and others will lose their lives in other ways. A young man attempted to cross a stream on the Skagway Pass using a partially submerged log for a bridge. He had a 70-pound pack on his shoulders and a package in each hand. He slipped, fell into the rapid water and was drowned. He was a fine young fellow, as those who knew him will testify; but a man who would take such a risk would stand a good chance of meeting the same fate on the placid waters of Victoria Arm. If people are not in too much of a hurry, if they avoid needless risks, if they have plenty to eat and do not get too far away from fuel, there is not any more reason why they should die on the Yukon journey than anywhere else.

It will be said that not one in ten of those who have started will reach Dawson City this winter. Let this be granted. But except in the case of persons who expect when they get there to work for wages, what particular difference will it make to any of them whether they winter at Dawson City or Lake Tagish? It is just possible that they might be more comfortable at the latter point. They would have more daylight, probably no more snow and it is doubtful if they would have such extreme cold weather. Spring would open earlier and the very severe winter that is to be experienced further down the Yukon would likely be broken at times by a chinook wind. They can get fuel just as well one place as another and will find more game around the lakes than further down the stream. About all the most of them need count upon doing this winter is to keep themselves in fuel, and if they can make snowshoes, do a little hunting.

It is true that they will have to winter in tents, but this does not necessarily mean suffering. Indeed if a sheltered place in the timber is selected this autumn and a small excavation is made over which the tent is put up and the snow, when it comes, is banked up around the tent, a fairly comfortable place will be provided. It will not be very elegant or commodious, but that is about the only sort of an arrangement most of them could expect if they got to Dawson City. Some of the people of Rossland put in last winter in shacks not much more comfortable, so far as warmth goes, than such tents would be. Just below Frederickton, N.B., on the hillside, can be seen the excavations made by the Loyalists, who went there in 1783, and lived through the terribly severe winter of 1783-84 in canvas tents banked with snow.

The people who fail to get across the Passes will be more uncomfortable, because they will have to contend with a great deal of severe and changeable weather; but we hope that most of them will get over. There will be a month or two of good weather yet, and every day the situation ought to improve, as the people get more familiar with what they have to contend with. As the summit of the White Pass is only 2,600 feet above the sea, it is within the range of probability that it may be kept open all winter. We are informed that last winter there was only four feet of snow on the summit.

PROVINCIAL AID TO A ROUTE TO THE YUKON.

Some of the Mainland papers have shown a disposition to find fault with the provincial government for not doing more than it has done to provide a way of getting into the Yukon country. Complaint on this score is unfounded. We do not say that the government may not properly do more than has been done in this regard, but two points ought to be kept in mind. One is that it is not yet placed beyond all reasonable doubt which is the best route to the Yukon. To commit the province to any large expenditure until this preliminary point had been settled would be unwise, and would be condemned by no one more unparaphing than by those who now complain that a large expenditure has not been made. It was in no sense the duty of the government to inform in-

self on these points in advance. True, some very promising reports came from the Yukon last year and the year before, but the localities to which they referred were far beyond the British Columbia boundary, and there would have been just cause for complaint if the provincial government had rushed ahead to provide a route across the province by which they could be readily reached. The Dominion government might have done so, but we have not observed any disposition to find fault either with the Conservative administration for not doing anything in this line two years ago, or with the Liberal ministry for its inaction last year and this year. Even though the federal authorities felt called upon to send in Mounted Police to maintain order, it did not seem to occur to either the present Ottawa ministry or its predecessors that anything ought to be done to better the channels of communication. With this we have found no fault and find none now. Indeed, if it had not been for the phenomenally rich strike on the Klondyke no one would even now think that urgent necessity existed for a railway or even a wagon road into the interior. Dr. Dawson's reports have warranted the conclusion that the development of the Yukon valley would make better means of communication imperative; but no one anticipated for a moment any such emergency as has arisen. Therefore, while we have no fault to find with the federal ministry for its failure to foresee what has happened, so we claim that the provincial government must be held wholly blameless in the premises also.

A question arises as to how far the provincial government is warranted in going in a matter of this kind. Without fuller consideration we hesitate about expressing an opinion. Two grounds can be suggested on which the provincial government might ask the legislature to build a wagon road or give cash aid to a railway. One is that by an expenditure of this kind, business which would otherwise seek other channels can be brought to British Columbia cities. It may be that the direct advantage to the people of this province, to be derived from the full control of the Yukon trade, might be so great as to warrant the legislature in aiding to some extent in opening a line of communication. The other is that such railway or highway would open valuable mineral districts in this province. On both these points more consideration is necessary, and more information is needed than anybody has been able to give or acquire as yet, and therefore on this ground we hold that the question of provincial aid to the opening of a route to the Yukon may properly be regarded, for the present, as an open one. Much more will be known before the end of the year, and we think it right to say that if the government suspends action pending the receipt of further information, they have a right to expect their critics to suspend judgment in the meantime.

GOVERNMENT BY INJUNCTION.

The striking miners in Pennsylvania want to hold meetings and march in procession, but they are being restrained by injunction from the federal courts. Thus a most serious issue is being forced to the front. Government by injunction is something new under the sun. This is the argument by which it is supported: A man has a right to conduct his business without interference from others; if others interfere they may be restrained by injunction; if they refuse to obey the injunction they are guilty of contempt; if guilty of contempt they may be imprisoned in the discretion of the court, and, if they refuse to submit to arrest, they defy the authority of the United States and troops may be called out to subdue them.

This new and startling doctrine originated at the time of the railway riots. Strikers interfered with certain railways that were being operated by receivers appointed by the United States district courts, and it was held that this was an interference with the court itself, and therefore punishable summarily by a judge, without the intervention of a jury. While this will be good law as long as the Supreme court of the United States so holds, that is good law within the United States, we submit that it is not good law in this country, and that in holding it to be good the courts of the United States have departed from the principles of the common law, which is the bulwark of Anglo-Saxon freedom.

The right to punish persons for contempt must necessarily be vested in all courts, otherwise the orderly administration of justice would be impossible. Hence every judicial tribunal is vested with authority summarily to punish those who interfere with its proceedings. This doctrine has been extended to apply to what are known as constructive contempts, that is, to acts not done in the presence of the court, but calculated to impair the fair and impartial disposal of a cause. Some judges are inclined to push this phase of the law to an extreme; but on the whole the power, as exercised by British courts, has lately been greatly abridged. The Court of Chancery, having no power of arrest in the first instance, and being without authority to levy and sell property, devised a plan for executing its decrees and orders by holding a refusal to obey them a contempt, punishable by imprisonment until the contempt was purged. It has been held in a Canadian

court that for a solicitor to advise his client not to pay a sum of money, which the Court of Chancery had directed him to pay, was a contempt that could only be purged by the payment of the amount with costs by the solicitor himself. It has never been held in British courts that the power to punish for contempt was properly used to redress public wrongs, except in so far as the interference with the orderly administration of justice is a public wrong. If a man should strike a judge, while engaged in holding court, the offence would certainly be a contempt of court, but the contempt would be merged in the assault. The judge might and properly would order the man at once into custody, but he would not undertake to punish him. He would leave that to the criminal court. So if a man should suspect that another was about to commit a burglary he would not sue out an injunction against him, and if the burglar were committed, proceed against him for contempt. So neither would our courts forbid by injunction men from forming a combination to do an unlawful act by violence, or from holding a public meeting, or from marching in procession, unless in the last two cases it could be shown that some private wrong would necessarily be caused if the injunction were not granted. If an organized body of men should intend to do something that would injure a private citizen, the court might restrain them, but we submit that a British court would not do so, if the contemplated act were in the nature of a crime or misdemeanor, and that in any case, if such an injunction were granted, and the act having been committed was found to be unlawful per se, the remedy would be by indictment and not by proceedings on contempt. We grant that it may not be in every case very easy to draw the line, but we are confident that no British court would consider a proceeding by way of contempt the proper way for determining how far people may go in the right of public assembly. We believe the United States courts have pushed the use of the injunction and contempt proceedings to an intolerable extent and within a measurable distance of abolition, for it must be remembered that the judges, who exercise these powers, are appointed by the President, who is also commander-in-chief of the army.

NOW THAT Prince Henri of Orleans and Count Turin have met and made more or less serious holes in each other, the world may continue its daily revolutions as usual. The merits of the controversy remain much as they were at the beginning. Prince Henri intimated in his book of travels that the Italians in Abyssinia were a caddish lot, and we are unable to discover that the Count of Turin has cast away doubt upon the proposition by sticking his rapier into the Prince in two places. Nor is it quite clear that the Prince has proved his case one iota by skewering the Count through the hand. Undoubtedly the Count will become immensely popular in Italy for having risked his life to defend the honor of Italy. Undoubtedly the Prince has proved that he has the courage of his convictions. Undoubtedly it will not hurt the breed of royalty on the continent to have it demonstrated that some of the old time courage is left in the descendants of the men who wrote their names large across the history of Europe in the past. But when this has been said, all has been said. The cause of civilization has not been advanced by so much as a hair's breadth by this encounter. Nothing has been demonstrated except perhaps that an Italian Count is willing to defend with his body the reputation of his countrymen for courage. Perhaps that many in Italy, have been worth a little blood-letting.

It is proposed to construct a railway from Chesterfield Inlet on James Bay, that is the southern prolongation of Hudson's Bay, to Great Slave Lake. The distance is 300 miles. This proposition has brought out the statement that the construction of a few short canals would enable river steamers to ply between Chesterfield Inlet and Athabasca Landing in Northern Alberta, a distance of 1,200 miles. Once Athabasca Landing is reached a splendid river system will be available. Indeed, with the exception of one point on the outlet of Great Slave Lake, it would then be possible to sail from Chesterfield Inlet to the mouth of the Mackenzie in the Arctic ocean. Some people suggest that, if the Yukon gold fields prove to be permanent, this may become a favorite way of getting to them.

A DISPATCH from Boston announces that a steamship is to leave there on November 1st for St. Michaels, calling at Seattle. On arriving at St. Michaels a fleet of boats is to be in readiness to convey her 800 passengers up the Yukon. From which intemperate ascription the author of this scheme excuses, we are not told.

QUITE a little fuss is being made because Mr. Stuart Tupper had to pay duty on some trinkets that he brought to New York from Europe in his pockets. We do not see what possible difference it can make to any one except Mr. Tupper.

THE DENVER LEDGE, by mistake no doubt, attributes to the COLONIST a remark about the Hon. G. B. Martin, which this paper did not make and which which it does not concern.

THE CANADIAN PRESS.

NEED NO ASSISTANCE. It will certainly cost something to govern the Yukon gold fields, but we hear no proposals to hand that task over to any other government on earth. If, indeed, we should decide to auction the duty off, we would get some big bids from every capital in Christendom.—Montreal Star.

EXPORT DUTY ON OIL. Evidently at this time whatever is best for the Le Roi mines is best for Rossland. If the Le Roi people can treat their ore cheaper at Northport than at any point in British Columbia it is to the interest of this camp to have them do so.—Rossland Record.

VICTORIA'S ENERGY. Victoria, B.C., is making a mighty effort to secure the trade that is being created by the rush to the Klondyke. In twenty-four hours the business men there subscribed \$1,000 to be spent in advertising the town as an outfitting point, and a pamphlet on the Yukon is being printed and distributed with all possible speed. The enterprise of the Victorians is praiseworthy, and it is to be hoped that it will be profitable.—Toronto Mail.

TOADIES AND THEIR BANKER.

TO THE EDITOR:—One of those puristic scribbles, signing himself "Reformer," in the last issue of the "Province," advocating the calling of a Convention for the purpose of formulating a new platform or reforming Mr. Semlin's out of existence, claims that the proper person to take the initiative is Mr. Hewitt Bostock, M.P. Among other things he says: "There is none, to my mind, so able and so suitable as Mr. Hewitt Bostock, holding, as he does, the confidence of the Island and Mainland." Was there ever such an amount of rank toadyism presented to the public in so few words?

With the exception of flunkies who surround and prey upon him, and a gang of miserable office seekers, no one will endorse this laudation of Mr. Bostock. If "Reformer" means able in the sense that is a great and mighty power, all the necessary funds for "Reformer," and others of the cabal to which he belongs, to content seats for the legislature, he may, if he chooses, to furnish. Generally believed, that Mr. Bostock is a large income, and, doubtless, it is because he has, that creates like "Reformer" flatter him and make him believe in a great and mighty power in the land. Believing him to be very susceptible to flattery, his unscrupulous hangers-on adopt this means of furthering their own selfish purposes. Once upon a time a certain boorish standing Candidate said, "I want Bostock as a running mate. He cannot be elected, but his money will elect me." Can there be a reasonable doubt but what that is the purpose to which they desire to put him, or rather his money, at the approaching provincial elections? The papers, said to be controlled by him, are unquestionably making him more ridiculous when they boom him as the coming political Moses. He is not to be elected, and never will be elected on the Mainland or Island, especially after so treacherously abandoning those who so manfully fought for the Coast-Komany railway last spring.

If we are to have an Opposition Convention, let the calling of it be entrusted to some one who has other qualifications and recommendations than a long purse. ANTI-HUMBER LITERAL. Victoria, B.C., Aug. 13, 1897.

MINERS' RIGHTS.

TO THE EDITOR:—At a time when thousands of miners are making tracks to the newly discovered gold regions in the North West Territory, it may not be inopportune on my part to point out through your valuable medium some reasons why the proposed miners' laws laid down by the Dominion government are impracticable, in my humble opinion, which is based on and gathered from practical experience in mining camps, both in South Africa and in California.

Firstly, in regard to the appropriation by the government of alternate claims it is not feasible and most adverse to miners obtaining the best returns, because it prevents miners in parties of two or upwards working and co-operating together, which is absolutely necessary in many cases, and which obviates much difficulty and heavy expense in lumber for flumes and also cutting union ditches if required.

It is usual when water has to be conveyed through flumes or ditches that the miners mutually agree to run them across their individual claims for the benefit of all, therefore, the every other claim being government property, it would be an act of trespass and might cause confiscation of all mining interests.

Advertisement for Castoria medicine. Includes text: '900 DROPS', 'CASTORIA', 'Vegetable Preparation for Assimilating the Food and Regulating the Stomachs and Bowels of INFANTS & CHILDREN', 'Promotes Digestion, Cheerfulness and Rest. Contains neither Opium, Morphine nor Mineral. NOT NARCOTIC.', 'The Signature of Chas. H. Fletcher', 'NEW YORK', '16 months old', '35 Doses - 35 CENTS', 'EXACT COPY OF WRAPPER.'

Advertisement for Gold! Gold! Gold! HOI FOR THE KLONDYKE. Parties intending to outfit should call and inspect our prices before purchasing. We are the only house in Victoria running two complete stores. In the one we have Mackinaw Shirts, Underwear, Mitts, Gloves, Caps, Hats, Etc., while the other store carries Shoes and Rubber Boots of all descriptions. We do not believe in selling cheap goods for the mines. You will find when you get there that the best is none too good. See our 13 pound Blanket for \$7.50. It is without exception the very best for the money. A liberal discount to parties purchasing complete outfits from us. Gilmore & McCandless, 85 AND 87 JOHNSON STREET.

Advertisement for Boys' Two-Piece Suits. Half Price for this Month. Big Reductions on all Lines. B. WILLIAMS & CO., HATTERS AND CLOTHIERS, 87 JOHNSON ST.

Advertisement for Unclaimed Letters. List of those at the Victoria Post Office on the Evening of August 15. Includes names like A. F. Adams, R. L. Allen, A. H. Anderson, Mrs. T. J. Armstrong, B. Henry Balcan, James Ball, H. M. Ball, Miss S. Baxter, R. H. Bethel, G. Blake, A. V. Bossi, Mrs. A. Bossi, Mrs. Louise Bossi, Jno. H. Brandon, S. J. Bracker, Mr. Browne, J. W. Brown, George Brown, Mrs. A. C. Bryant, H. Burnell, Mrs. S. Bush, B. C. Agency, Ltd., C. Miss L. Carson, Geo. Canary, Robert Campbell (2), Miss F. Chapman, Miss C. Christianson (2), Mrs. J. P. Clarke, H. Collier (2), G. S. Cook, Alex. Cook, John Costello, Mrs. H. P. Croft, J. Cunningham, D. Dr. Dawson, Mrs. J. G. Davey, S. H. Davie, Mary Selina Davie, Mrs. M. O. Drake, Ritchie L. Dunn, Mr. Duke, E. G. Ellis, J. Ellis, Miss Ellen Ellis, Mr. Elvidge, Miss Ellis, Mrs. Elphinstone, John Ering, E. Mrs. Ferguson, John Fisher, J. McN. Fisher, Geo. Foster, Wm. Forrest, Arthur Furnell, G. Angus Galbraith, Mrs. John Garland, R. W. Gregor, Wilfrid George, Robt. L. Gifford, John Gibson (2), J. S. Gillies, Mrs. W. Gordon, E. A. Goulet, Miss Jean Granger, B. G. Greig (8), H. J. Haggerty, John Haray, J. L. Hayes, Jas. Hatway, W. Hatch, Sydenham Harrison, Silva Rodrigues, Mrs. Martha Haughton, Charles Heinz, Mrs. H. Helgeson, Mrs. W. Head, J. Herman, H. Hoffman, A. E. Hagen, Mrs. R. Hodgson, Miss M. H. Holmes, S. G. Hutchinson, D. T. Hughes, Miss Lizzie Hicks, I. J. B. Jacob, C. C. Jarvis & Co., Mrs. A. Johnston, Jones Bros., T. Jagshita, Alex. R. Jones, K. F. Kelly, Edgar Keirstead, W. Fred Kerton, James Kenny, J. B. Kerr, Mrs. Kirkstead, Lawrence Kirk, J. B. King, I. Octave Le Montagu, T. Lamberton, Miss Lazard, Geo. Leith, C. Leishman, Miss Ouedia Lee, Lenz & Welcome, P. Levy, A. Linkletter, Miss J. L. R. Lutkins, M. Mrs. Ed. Manasse, Mrs. J. B. Martin, T. F. Matthews, Mrs. Helen Mayo, Miss E. S. Matthews, C. R. Monk, Dr. William N. Moore, Miss K. Mullikin, Mc-Charles McAdie, J. C. McDonald, Mrs. N. J. McDonald, John McKerie, Miss Susan McKay, J. L. C. McLaughlin, Angus McNeill, Miss E. P. McNeill, N. Mrs. Newby, Geo. A. Nickolson, Jno. W. Nicholson, B. Norman, W. Charles Osten, P. Thos. Paterson, Miss M. Pickering, John Phillips, H. M. Phillips, Mrs. Pope, Mr. Plasky, R. Mrs. W. E. Regan, A. Richardson, S. Riddell, Rev. C. Richardson, Miss E. Roe, Robt. Robt. P. Robinson, Mr. Ross, Jno. Russell, S. Mrs. John Scott, Schlekens Co., M. A. Schelderp (2), Mrs. C. Smith, C. Soule, Norman N. Spear (2), Joe H. Silt, Arthur Stratford, Mrs. Mary Stratford, E. Sullivan, C. Striecher, Prof. Strauss, Mrs. St. John, Mrs. St. Clair, T. James Thomson, Mrs. Tovey, Miss M. Toronquist, M. C. Tracy, Toronto Radiator Mfg. Co. (2), Thunder Hill Mining Co., Mrs. Maggie Tyndal, W. Harry Vaughan, George Vaux, W. Edward Walker, George Walker, F. Ward (2), W. S. Weymire, Lieut. Colonel Wheeler, Mr. White, G. I. Wilson, A. Willis, Peter Williams, J. W. Wolbrecht, Alfred Wood, Mrs. Wood, Y. Chas. M. Yate, Chinese.—Ho! Hung Lung, Sing Kee Lee, Mr. Nataniel Mortenson, a well-known citizen of Ishpeming, Mich., and editor Superior Posten, who, for a long time, suffered from the most excruciating pains of rheumatism, was cured, eight years ago, by taking Ayer's Sarsaparilla, having never felt a twinge of it since. The Semi-Weekly Colonist leads.

THE DREW ROY The Count of Turin Satisfaction From Henri of Orleans A Duel Over Criticism the Press and Paris PARIS, Aug. 16.—The Count of Turin and Prince Henri of Orleans met with swords at 5 o'clock this morning in the Bois de Vincennes. The fighting was most lasted twenty-six minutes, five engagements, of which two serious wounds in the right side of the Count of Turin was wounded. Prince Henri's residence of the Duc de Nemours received medical attention. The official account of the second recites instances leading up to the Count of Turin, it is the letters of Prince Henri Le Figaro offensive to the Count of Turin on July 8 de traction. This letter cost Prince Henri of Orleans a quiet night. His condition is considered by his physician, General Albertin, has withdrawn from London. Aug. 16.—Come to-day says it is Rome, who followed the of the great duel with welcomed the result with displayed flags, while the streets with special were eagerly bought up. The duel grew out of the conduct of the Italian officers while prisoners of the Italian officers, which published early in July York Herald and Paris pers for which Prince writing about his travels which began last February. The particular state the Italian press and Italian officers, which published on July 4 last, after the Prince were as follows, the subject which was covered was the war (see and Negro) and that I am bound to say I am not, but simply disagree each day at we are friendly, been silent if the Italian disregard for ourselves, he assented that had they ena victoriously they we quarter to any French small traitors." They with an ironical air, they have indicated the Frenchwomen. Even them to accompany, though they came to the ers they did not see Some of their officers to take part in the anniversary of the bat was Albertin, who, in to the health of the Edward one of our fellows said: "Are we not which the Frenchman Dien, sir, I never a drinking to the health Count Turin is a proud royal, and the Henri's rank. He is the House of Savoie-Aosta, Turin in 1870. He is Duke of Aosta, and a Humbert." He holds in the Italian cavalry created rather an an for the Count, being present Duke of Aosta law of Prince Henri Helene, whom the Doc ried in 1895. Prince Henri of Orleans October 18, 1897. Prince Robert Philippe de Chantreaux. ENGLISHMEN W LONDON, Aug. 16.— Canadian minister of ies, addressed the Commerce-to-day. E of feeling in Canada with the United States appeared. Canada nothing to gain there is the Italian caval grants against the of the Klondyke go there at their own Canadian government them. Hundreds insisted, were going and they would die reaching Klondyke that a reaction was that Canada would Referring to the tariff Mr. Davies had built up a prob Canadian trade, w of the Dominion the shortly to transfer A TIREL SAN FRANCISCO, Gable, an old and one of the fir and of the Klondyke, tells a story calcula from going north. There is hardly a Arizona, Nevada or Gable is not familia