

FOUR YEARS' IMPRISONMENT

The Sentence Passed by the Court To-day on Ex-Registrar J. C. Prevost.

Plea of Guilty on Each of the Three Indictments—The Judge's Remarks.

Ex-Registrar James Charles Prevost of the supreme court this morning pleaded guilty and was sentenced by the Hon. Mr. Justice Crease to four years' imprisonment in the provincial penitentiary.

At 11 o'clock, when the case was called, although it was generally understood that Prevost would plead guilty, a large crowd anxious to hear the sentence had assembled in the assize court room. Hon. A. N. Richards, Q. C., appeared for the crown, and Charles Wilson, Q. C., of Vancouver, for the defence. The three indictments charged the prisoner with stealing from the government \$3154.40 on 22nd December, 1893; \$1565.08 on 19th October, 1893, and \$824 on 21st January, 1895.

His lordship read the first charge, and in answer to the usual question: "Having heard the charge read against you, are you guilty or not guilty?" Prevost looked much troubled, and he could apparently only by an effort that he could keep back a flow of tears, and he answered in a voice somewhat tremulous, "guilty."

To the other two charges the same plea was entered.

After his lordship had asked the prisoner: "Have you anything to say why sentence should not be passed upon you?" Mr. Wilson arose and addressing the court said that he had nothing technical to say why sentence should not be passed.

On many former occasions he had as an advocate pleaded for leniency in the sentence about to be pronounced on the bench, but in this case there was something stronger than a mere advocate's duty. He referred to the many years of intimate acquaintance with Mr. Prevost and the friendly feelings they had always borne each other, and said nothing was more painful for him than the duty he was now endeavoring to perform, although he was not so selfish as not to realize that his lordship's duty was even more painful, for while he (Mr. Wilson) asked for mercy the judge had to impose the sentence.

The plea of guilty had not been entered as a result of conference with counsel, nor because the sentence might be less on that account, but it was the result of genuine remorse and contrition. Although certainly wrong, he did not believe the prisoner in the transaction had that criminal mind which justified severe punishment.

He looked upon it as a condition of debtor and creditor. Coming to the question of sentence, he asked his lordship to impose a sentence which while satisfying outraged justice would not cause unnecessary pain. To the hardened ruffian a long sentence was a mere bagatelle, but to such as the prisoner, considering his training, mode of life and age, it might mean death.

Mr. Wilson closed by saying that, considering his lordship's well known goodness of heart, he hoped and trusted that, considering the prisoner's penitence and age, his lordship would, after not many years of imprisonment, restore him to his wife and children.

His lordship then addressing the prisoner said: "I will in considering the sentence take into my consideration your long years of good service until the time of your arrest. Situated as you are, I have taken it into favorable account that a man well born and well trained like yourself suffers from his personal reflections. By confessing your guilt you have taken all into your confidence, and thus marked your penitence and also saved the country much expense which a trial would have necessitated."

Sentence was then passed thus: On first indictment, two years, to take effect from to-day; on second indictment, one year and six months, to take effect after the expiration of the previous term; and on the third indictment, six months, to take effect after the expiration of the last preceding sentence.

LAW INTELLIGENCE. From Friday's Daily. The Divisional Court to-day gave judgment in Beaven v. Fell, allowing the plaintiff's appeal. Mr. Justice Drake delivered judgment as follows: "This is an appeal from Mr. Justice Walker's refusal to grant an order for discovery of documents of the defendants other than Theophila Turner Green and for the oral examination of defendant Fell. It is contended that as the defendants Fell and Worlock are merely dry trustees no order for discovery or examination should be made without the assent of the trust being made parties to the action. The English authorities must be read by the light of our own rules, and rule 705 permits the examination of

any party to an action, whether plaintiff or defendant. If the action is wrongly conceived this privilege is not taken away, and even if all the parties who might properly be before the court have not been joined it is no ground for refusing such examination. Cestui que trust whose right might be affected by the testimony given in such examination cannot be prejudiced whether they are actually parties or not. The very object of our rules is to enable a party to an action before the expiration of a trial has been incurred to ascertain whether or not the action is well founded, and whether or not the defense would displace the plaintiff's claim, and in this view of it, the parties are entitled to examine as fully as they would do in court, and to compel the plaintiffs to add others as parties defendant before any examination could take place might result in the plaintiffs having to pay costs of the parties thus added, if it should turn out that their presence was not necessary. With respect to the order for the discovery of deeds and documents we think the plaintiffs are entitled to know what papers are or have been in the trustees' possession; whether or not they should be produced is quite another thing, and the case of Dolphin I Drury refers to the production and not to the affidavit, which the court can always order to be made. For these reasons we think the appeal should be allowed with costs.

E. V. Bodwell for appellants and Gordon Hunter contra.

THE SEASON'S WORK. Report of Collector Milne on the Season's Work of the Sealers.

Collector Milne yesterday made public his report of the seal catch for the past year, a synopsis of which was published in the Times several weeks ago. The 44 schooners which hunted in Behring Sea had a total catch of 35,918, of which 15,914 were skins of males and 20,004 were of females. Sixty-one schooners, all but one belonging to Victoria, were engaged in the business. Here is the report of the catch:

Table with columns: Vessels, R. C. Coast, Japan Coast, Bering Sea, Total. Lists names of schooners and their respective catches.

Brief Locals. From Saturday's Daily. The funeral of the late Fred Mallandaine took place this afternoon from the family residence, Simcoe street at 2:30 and half an hour later from St. James' church, No. 2 company, B. C. G. A. Major Williams commanding, and a number of the officers and men of the other companies attended the funeral.

James Dauphling, charged with burglarizing a house on Chatham street, was in the police court this afternoon. It came out in evidence that Dauphling had a pal, who is supposed to be in the party of vagrants arrested last evening, but the women could not identify him. When arrested it is believed the vagrants were organizing for work similar to that done by Dauphling. He was committed for trial.

The Canadian Constitution and Responsible Government was the subject of Rev. Dr. Campbell's address at the meeting of the Sir William Wallace Society last evening. The address was an interesting throughout, dealing with the different events that led to the securing of responsible government by the people of this country. Messrs. Patterson and Brown entertained the audience with songs and Piper Robertson gave some selections on the bagpipes. Mr. A. J. Pinzo will lecture next Friday evening on "Hugh Miller, the Scotch Geologist."

William Speed was charged in the police court this morning with stealing 50 cents from Mrs. Bena Larney. The woman went into Speed's store and purchased something and afterwards claimed that she had given him a dollar. Mr. Speed claimed that he had only received 50 cents. He called witnesses who went behind the counter and said that there was not a silver dollar in the register, and to further convince the woman counted the money in the till and showed her that it tallied with the register. The case was dismissed.

GOVERNOR-GENERAL'S MEDAL

Presented to the Successful Pupils by the Countess of Aberdeen To-day.

Honors Carried Off by the Young Ladies of the Central and High Schools.

The council chamber of the city hall was well filled with school children and teachers this morning to witness the presentation of the Governor-General's medals to the successful pupils. Among the visitors were the Hon. Col. Baker, Dr. Pope, members of the school board, Bishop Perrin and his worship the mayor. Their Excellencies upon their arrival were greeted with the national air then singing with a will by the three or four hundred boys and girls present. Col. Baker, who presided, congratulated the children on having their Excellencies present to confer the medals.

The Governor-General's medals were presented to the successful pupils of the Central and High Schools. The Governor-General's medals were presented to the successful pupils of the Central and High Schools. The Governor-General's medals were presented to the successful pupils of the Central and High Schools.

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BRIEF LOCALS.

Cleanings of City and Provincial News in a Condensed Form.

From Friday's Daily.

The creditors of F. Landsberg were yesterday offered forty cents on the dollar to be paid in twenty months by monthly instalments. The creditors have not yet accepted.

Philip Chalk, the notorious drunk, was this morning sentenced to two months in jail. Carrie Walker, who, like Philip, was howling drunk on the street, was convicted and discharged, it being her first offence.

No direct evidence could be obtained against Edward Burdell, the man arrested a few days ago on a charge of having stolen property in his possession, and he was discharged. Mr. Rutland could not swear that the hat found on Burdell was one of the lot stolen from his store.

Several farms in Saanich were visited by the Vice-regal party yesterday afternoon. His Excellency, who is interested in hop-growing, inspected the hop fields of Messrs. Trench and Breed. The Bryant farm was also visited. Mr. Church, the present proprietor, being well known to their Excellencies. The party included the Bishop of Columbia and Miss Perrin, Mr. Arbutick, A. D. C., and Dr. Gibson.

The organ recital at St. Andrew's Presbyterian church last evening, which was attended by the Governor-General and the Countess of Aberdeen, was a great success from a musical point of view. The programme had been very carefully arranged. At the conclusion of the recital their Excellencies the Governor-General and the Countess went to the organ and congratulated Mr. Purnett on his ability as an organist.

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Highest of all in Leavening Power.—Latest U. S. Gov't Report



very recherche supper was partaken of at the close of the ceremony, when the customary congratulations were extended to the young couple. Mr. and Mrs. Dean, who will reside on Pandora street, were the recipients of numerous material expressions of the good wishes of their friends. A feature of the list of wedding presents was that there was not a duplication of a single article in the large number received.

The board of school trustees were in session this afternoon at the Central school investigating charges made by P. Merryfield against T. Nicholson, a teacher in the Boys' Central, and by Philip A. Phillips against Mrs. Taylor of the Spring Ridge staff. These charges state that the rod used with undue severity.

A solid C. P. R. train of seventeen cars of canned vegetables is on the way from Toronto for Victoria. The goods are consigned to the Hudson Bay Co., R. P. Rithet & Co., J. H. Todd & Son, Simon Leiser & Co., Wilson Bros., and Thomas Beale. The goods were shipped by one firm, who handsomely decorated the train for its long trip across the continent.

Some idea of the magnitude of the work done on the Canadian-Australian fine steamer Warrimoo, at Sydney, can be obtained when it is stated that 1800 men were engaged. There were three shifts of 600 men each, the work going on continuously from the time the big steamer entered the dock until she was floated. It was the biggest job of the kind executed in Australia.

Mayor Shiles, of New Westminster, D. J. Munn, president of the New Westminster Board of Trade, and James Cunningham, ex-M. P. P., arrived down last evening. They are here to interview the government regarding the changes in the New Westminster land registry office, by which the office of registrar of titles at New Westminster has been done away with and the office placed under Registrar Towley of Vancouver. They have been with the members of the government all afternoon.

Provincial Officer Wallis boarded the schooner Weitzman in Royal Roads last night and arrested First Mate Christiansson, who was charged with assaulting the second mate. Christiansson was immediately taken before Magistrate Reed at Esquimalt, who, like a lot of cattle, "One man was rich in the possession of a quantity of the members was Edward Burdell, who narrowly escaped being sent to jail a few days ago for being in possession of stolen property." In the police court this morning the man was sentenced to one month's imprisonment with hard labor.

At a meeting of the members of the new congregational church held last evening the report of a committee appointed to recommend nominations for the various offices were adopted. The officers are: Deacons, Dr. L. Hall, Mr. Oliver, Mr. Sprague and Mr. Scovcroft; Treasurer, Mr. L. Arthur; Secretary, Mr. Scovcroft; Finance Committee, Messrs. Higginbottom, Arthur, Oates, Spaldard, Howell, Carter and Fleming; Music committee, Messrs. Sprague, Scovcroft and Moody; Sunday School Superintendent, Mr. Sprague; Trustees, Messrs. Arthur, Higginbottom and Oliver; Auditors, Dr. L. Hall, Mr. Scovcroft and Mr. Oates; Reception Committee, Mr. L. Arthur, Mr. H. Arthur and Mr. R. C. Wilson; Membership Committee (to act in conjunction with the pastor and deacons), Mrs. Bushell and Mrs. Arthur. Rev. Mr. Bushell and Mr. Sprague, who have been attending a convention of Congregational ministers at Everett, returned home this morning.

City Assessor Northcott, who makes a practice of visiting public buildings previous to all large gatherings, yesterday inspected the assembly hall at the Central school, in anticipation of the visit of the Governor-General and the Countess of Aberdeen to-day. His decision was that the room was not sufficiently strong to accommodate safely a packed audience. The centre partition which carries the joists is built of wood, and the carrying capacity of each of the rooms—assuming everything for the 'in good order'—is but 30,000, whereas a packed room of its size should have, estimating on a basis of 75 pounds to a square foot, a capacity of at least 81,000 pounds. The means of egress were also found to be inadequate, and the building inspector therefore advised that some other hall be utilized for the occasion. The inspector stated to-day that the hall was perfectly safe for school purposes, but not for a packed audience.

From Saturday's Daily. The collier Progressist, which left San Francisco for Departure Bay last Saturday, had to put back to port on account of stress of weather.

The second carload of this season's hops, grown in Saanich by Messrs. Vain and Moses, goes east this evening over the N. P. R. The shipment is being made by James Crawford, the hops being consigned to Montreal.

The provincial government have given the required permission for opening the Kaslo & Slocan railway for freight and passenger traffic. The information, which was received by D. J. Munn, president of the road, yesterday was immediately telegraphed by him to Kaslo.

There was a large attendance at the meeting of the King's Daughters, held in the city hall yesterday afternoon. The Countess of Aberdeen delivered a very interesting and instructive address. Miss Dorothy McEwen, a six year old King's Daughter, presented the Countess with a beautiful basket of flowers.

A young half-breed, the son of Bob Miller, of Duncan, was brought down by the noon train to-day, and was at the Jubilee hospital. Miller was shot in the knee yesterday by a companion who

was out hunting with him, and when the gun was accidentally discharged while he was crossing a log. The knee was badly shattered and the leg will probably be amputated.

An informal reception was held at Government house yesterday by the Countess of Aberdeen. A large number attended and were received and entertained by their Excellencies. This morning the vice-regal party visited a number of the local factories, including J. H. Falconer's vinegar and pickle works, the Ames-Holden boot and shoe factory, the Okell & Morris fruit preserving factory, the Albion Iron Works and the National mills. A visit was also paid to St. Ann's Convent.

After hearing all the evidence bearing on the charges presented against Mr. Nicholson, of the boys' school, by W. J. Merryfield, and against Mrs. Taylor, of Spring Ridge, by Philip Phillips, the board of trustees decided that the teachers did not exceed their authority nor administer punishment that was excessive under the circumstances, but advised that the teachers are requested in the future to exercise the utmost discretion in the administering of corporal punishment.

There was a large attendance of Cedar Hill farmers at the meeting held there last evening for the purpose of considering the establishment of a creamery in the district. Rev. W. J. Plinton occupied the chair and Messrs. Chandler and Stevens addressed the meeting. A resolution was unanimously carried favoring the establishment of a creamery. G. W. McRae and J. Lambertson were appointed a committee to represent Cedar Hill. After a vote of thanks to the chairman and speakers the meeting adjourned.

Yesterday afternoon the police received information that a party of the regular "Waken Raggies" class of tramps had taken up their residence in an old shack on the Indian reserve. They were being out of a precarious living by begging, having no doubt heard of the mild climate of Victoria and the large heartedness of her citizens. But the police have no sympathy with the class to which the men belong, and at 11 o'clock last night swooped down on the company and arrested six of them. The only things in the house were a bottle with very little whiskey in it, and lots of dirt. The men were huddled together like a lot of cattle. One man was rich in the possession of a quantity of the members was Edward Burdell, who narrowly escaped being sent to jail a few days ago for being in possession of stolen property." In the police court this morning the man was sentenced to one month's imprisonment with hard labor.

Wm. E. Devereux, O.E. leaves tonight on a prospecting trip to the north end of Vancouver Island.

Old Dr. Gordon's Remedy for Men

CURES POSITIVELY

Address, QUEEN MEDICINE CO., Box 947 MONTREAL.

I CURE FITS!

WARNING \$100 Reward

MYRTLE NAVY TOBACCO

T. & B IN BRONZE.

Our Cheating Tobacco is stamped with T. & B. Tin Tag.

The Geo. E. Tuckett & Son Co., Ltd., Hamilton, Ont.

The Improved KNITTER

Will be given to any one who will give such information as will lead to the conviction of any person or persons guilty of our trade mark by stamping tags of tobacco with bronze in such a manner as to lead consumers to believe that they are receiving our

Each plug of which is stamped with T. & B IN BRONZE.

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