THE INJUNCTION CONTINUED

Dr. Milne Further Restrained From Acting as or Assuming to Act as Municipal Health Officer.

An Appeal to be Taken at Once to the Full Court—An Interesting Point of Law.

(Before Sir Matthew Baillie Begbie, C. J.)
July 21, 1892.

ATTORNEY-GENERAL V. MILNE.

The Attorney-General moved to continue till the hearing, or further order, the interim injunction obtained yesterday restraining George Lawson Milne from acting or assuming to act as, or from holding himself out to be, the Health Officer for the City of Victoria. He read the affidavit of James Hunter, provincial constable, substantiating the facts used in his argument.

Smallpox had broken out in the City of Victoria shortly prior to the 11th July and was now prevalent to some extent. The Municipal Corporation of Victoria some time previously and without special reference to any than existing contagious disease, had, under a by-law passed pursuant to section 87, subsection 44, of the Municipal Act, appointed Dr. Milne Health Officer for the city. That, on the 11th July, owing to the outbreak of smallpox, the Lieutenant-Governor-in-Council, pursuant to section 2 of the "Health Act," cap. 55, Con. Stat. 88, providing: "It shall be lawful for the Lieutenant-Governor-in-Council, by any order duly made and passed, to make and alter such rules, regulations and by-laws as such Lieutenant-Governor-in-Council may deem expedient in respect to the following matters: * * The establishment, management and maintenance of local Boards of Health, their functions and powers"—every such regulation so made by section 3 having the force of law—passed and issued a set of regulations providing amongst other things, 1. "It shall be the duty of each of the corporations of the cities of Victoria, Vancouver, New Westminster and Nanaimo, to appoint a duly qualified medical practitioner to be designated and act as Municipal Health Officer for the corporation, whose duty it shall be to co-operate with the Provincial Health Officer in arresting the spread of smallpox and, in his absence, to act in his stead. * * Where, in either of the said cities, a Health Officer has, before the date of these rules, been appointed by the Local Board, such Health Officer shall be the Municipal Health Officer during the will of the Local Board, without further appointment."

That, pursuant to sec 5 of the Health Act, providing, "wherever there is good and sufficient reason to apprehend the invasion of any contagious or epidemic disease, likely seriously to endanger life, the Lieutenant-Governor may appoint and pay a fit and proper officer, to be called the Health Officer, whose duty it shall be to provide that the local boards carry out the orders in council, and generally to perform such duties as the Lieutenant-Governor-in-Council, may direct." A Provincial Health Officer, Dr. Davie, had been appointed; that it had been found that, for some reasons, and in some respects, into which it was not necessary to enter in detail, the Municipal Health Officer, Dr. Milne, did not co-operate with the Provincial Health Officer, as required by the spirit and language of the regulations, but that there were material differences of opinion between these gentlemen as to the mode of carrying out the regulations; and that, under these circumstances, it had been considered necessary, in order to avoid friction and want of uniformity in the working of the regulations to remove the subsidiary officer, Dr. Milne; and the supplementary regulations of 18th inst. were accordingly passed by the Lieut.-Governor-in-Council, providing 1. "So much of the Provincial Health Regulations, 1892, as authorizes or requires the Corporation of Victoria to appoint a Municipal Health Officer and any municipal by-law regulation or resolution authorizing or purporting to authorize the appointment of a Health Officer for the said city is hereby discharged, and any existing appointment heretofore made of a Health Officer by the said Corporation is hereby vacated and annulled," and by clause two the appointment of the Health Officer for Victoria is left in the hands of the Provincial Health Officer, so as to secure unanimity of action, and that such an appointment had been made in the person of Dr. Wade. That as these regulations had by sec. 3 of the Act the force of law—that is, of a statute of the Provincial Legislature—Dr. Milne, notwithstanding any previous statute, by-law or regulation to the contrary, was ousted from his former position, nevertheless he still assumed to act as health officer for Victoria, published reports as such, and stated his intention of continuing that attitude against which the injunction of the Court was asked.

Mr. Taylor, for Dr. Milne, contended that although the Lieutenant-Governor in Council was given power by sec. 2 of the act to make and alter regulations, etc., which should have the force of law, for "the establishment, management and maintenance of local boards of health, their functions and powers," that this did not include the power to put an end to them or to depose a municipal health officer appointed by them, with the approval of the Lieutenant-Governor-in-Council. The provision in clause 1 of the regulations of 11th July, "such health officer shall be the Municipal Health Officer during the will of the local board," recognized the effect of section 6 of the Act, "it shall be the duty of the various local boards of health to carry out the regulations" of the Lieutenant-Governor-in-Council", and they may" appoint or employ such officers and servants as may be necessary for this purpose, and may remove such officers as such Board may see fit," and this express power of removal having been given to the local Board alone by the same statute as that under which the Lieutenant-Governor-in-Council acquired the right to make the regulations in question, it followed that the power to pass regulations having the effect of dismissing a duly appointed municipal health officer, was *ultra vires* of the Lieutenant-Governor in-Council, and that the general powers to pass regulations, conferred by sec. 2 of the Act, must be understood as restricted in regard to such dismissal; otherwise, all of the Act except sec. 2 was only in force at the sufferance of the Lieutenant-Governor in-Council, who might, under that section, pass regulations incompatible with the powers and duties conferred on the Local Boards by the other sections of the Act.

The Chief Justice—"I think that is so."

The Attorney-General, in reply, contended that the policy, intention and effect of the Act was to repose an ultimate supreme authority on the Lieutenant Governor-in-Council to assume absolute control of the whole question of health regulations when necessity demanded, and to abrogate all other authorities whatever by regulations having the force of law. That these powers were only intended to be exercised on an emergency, and that in the intervals the matters were properly left in the hands of the municipal authorities and local boards of health. That in this case the necessity for the exercise of the power, in the public interest, was apparent.

The learned Chief Justice in giving judgment, said that in his opinion section 2 controlled the whole Act. That the devolution of the powers created might be compared to a provision in a will vesting property to such uses as A might by deed appoint, but in the meantime to the use of B. That, in his opinion, under sec. 2, the Lieutenant-Governor-in-Council had the power to pass a regulation abrogating the appointment of the Corporation of Victoria as a Local Board of Health and appointing another Board, who would comply with the views of the provincial authorities as to the Municipal Health Officer to be appointed, and dismissal of any one who might be discordant to their views. The question might not be altogether free from doubt, and he would not discountenance an appeal. The Attorney-General said he would take short notice of appeal to the Divisional Court, for to-morrow.

A notice of appeal has been given for to-morrow (Friday), at 2.30 p.m.

CITY COUNCIL.

Court of Revision Appointed and a Place for Hearing Assessment Complaints Set.

The Discussion on the Clover Point Range Results in a Deadlock Being Reached.

The adjourned meeting of the City Council, called for 10 o'clock, yesterday morning, came to order at 10:30, when there were present Mayor Beaven, and Ald. McKillican, Styles, Hall, Munn and Lovell.

The first order of business taken up was the appointment of a place for the hearing of assessment complaints.

ALD. LOVELL moved and Ald. McKillican seconded the following:

"Resolved, that Monday, the 22d day of August, 1892, at 10 o'clock a. m., at the Council Chamber, City Hall, Victoria, be hereby appointed as the time and place for hearing all complaints against the assessment as made by the assessor for the year."

This was carried.

ALD. LOVELL and Ald. Munn then moved "That the following named members of the Council, viz: His Worship the Mayor, Ald. Hunter, Styles, Humber and Lovell, be and are hereby appointed to be the Court of Revision for the year."

This motion also prevailed.

The report of the Water committee was next read, recommending that the 2 inch pipe be extended along Foul Bay to Mr. Shotbolt's residence, also from the junction of Lilian and Foul Bay road, along Lilian road and Irving street to Crescent road at Foul Bay, in all a distance of 5,420 feet, supplying some 14 houses. Mr. Shotbolt offers to donate $100, in consideration of being supplied with water. The committee also advised that a 2-inch pipe be laid along Stanley avenue from Fort street, a distance of 750 feet, supplying some four or five houses.

The report was adopted.

A report from the Finance committee was read recommending that the claim of Andrew Gray and A. M. Carpenter for damages done their cabin by an illeged breaking of a door while removing a smallpox patient, be disallowed.

ALD. LOVELL said he had visited the locality and could see no signs of damage done. Carpenter told a rather rambling story which failed to convince him that any harm had been done.

The report was adopted and the claim thereby disallowed.

A report was then read stating that a number of complaints had been received regarding the rifle range at Beacon Hill, and the danger incurred by pedestrians, owing to careless practice on the part of persons using the range, and asking that the city withdraw consent to use the range as it is within the city limits.

ALD. STYLES—As a member of the Park committee I have had this thing brought to my attention, and think something should be done to at least restrict the use of the range to proper times and under proper care. I am in favor of withdrawing the consent of the city to the use of the range unless some restriction can be placed upon it.

ALD. MUNN—I should not like to see this privilege taken away in such a summary manner. The range has been used for years, and, so far, no accidents that I know of have happened; and I think it only right to give the members of the club a chance to be heard. I should like to have the matter laid over until they can be heard from.

ALD. LOVELL—From personal experience, I know that the range is being used in a careless manner, and think that something should be done in the matter at once, before an accident results.

ALD HALL: I don't think I would revoke the permission to use the range before hearing from the rifle club.

The motion to lay the matter over was put, Ald. Styles and Lovell voting against, and Ald. Hall and Munn for.

His worship said that knowing nothing about the matter he must refuse to cast the deciding vote, and the matter was dropped.

The petition of Messrs. O'Kell & Morris, through J. Holland, asking to be allowed to open Kearney street at their own expense was granted.

The suggestion of Secretary Yates of the Jubilee Hospital, that the transfer of the donated ten feet of ground on Tolmie road be attended to, was read and referred to committee, and the council then adjourned.

The Canada Western.

Frank Bateman, F. B. Blackman and Col. A. J. Kane, representing the Chicago people who are desirous of building the Canada Western railway, are guests of Henry Croft, M.P.P. Although they held interviews with several people, nothing transpired yesterday.

Messrs. Bateman and Blackman said that so far they had been agreeably surprised with the character of Vancouver Island, it having been represented to them as vastly different. So far as they could learn from their own observation, and from a conversation with Marcus Smith, C. E., the Canada Western scheme was an attractive one, and they had no doubt but that it could be successfully handled. A conference with Mr. Rithet, who is conducting negotiations on behalf of the Canada Western, will be held this morning.

Mothers and Nurses.

All who have the care of children should know that Dr. Fowler's Extract of Wild Strawberry may be confidently depended on to cure all summer complaints, diarrhœa, dysentery, cramps colic, cholera infantum, cholera morbus, canker, etc., in children or adults.

THE SENATOR'S RETURN.

A Long and Tedious Session in Ottawa Brought to a Successful Close.

The Fort Sheppard Railway Bill—Redistribution and the Opposition—The Governorship of B. C.

Senator Macdonald has returned to Victoria after the session at Ottawa, and though rejoicing in relief from duty, does not look the worse of his labors. He was yesterday seen by a COLONIST reporter, and said that he had a momentary impression a few days ago, that he would never again see the city. He was in the railway accident near Sicamous, when five cars heavily laden with passengers were derailed.

"How we managed to escape, I cannot understand," said the Senator. "The train was travelling, I should judge, at the rate of about 30 miles an hour, and on turning a curve all were upset. The wheels came from under the cars and we were turned over and over, and yet no person was seriously hurt. The spreading of the rails was, I believe, the cause of the accident. The engine remained on the track, but the tender ran off and capsized. Among the freight was a safe, which was afterwards found landed on the roadway, perfectly upright and uninjured. How the passengers escaped I cannot understand, but I can assure you that the sensation at the moment was anything but pleasant. We remained over on Sunday, and the company treated the passengers well, providing them with every comfort. There were a few of the people scratched and bruised, but no serious injury was done. Many of the passengers got off at Mission, who were bound for Alaska, the smallpox scare or the accident having much to do with their decision.

"What is thought of the smallpox scare in the East?" was asked.

"It is terribly exaggerated," replied the Senator, "and the impressions there entertained are going to do an injury to Victoria and the coast. I cannot understand why there is so much made of it, or why those impressions should go abroad. When we arrived at Vancouver we found that the steamer did not meet the train, and I came on by Nanaimo. When I arrived there I found that we would not be allowed to land. Somebody was sent on board to fumigate the vessel, the luggage and the passengers. Now, I had come clean through from the East, where there is no smallpox, and the mails were brought clean through, and could not be suspected of carrying contagion, yet there was the unnecessary trouble and delay. After all were supposed to be thoroughly fumigated, we had several hours delay until the doctor came to examine us. What nonsense! Fumigated first, and examined for smallpox afterwards. Why, there might have been a dozen smallpox patients on board for all the doctor knew. This unnecessary delay was very annoying. When we pulled alongside, we had a couple of hours to wait before we were allowed to land. It was a perfect farce.

Spoken to as to the Governorship of British Columbia, the Senator said: "Nothing has been decided. The Ministers were in session a week after the House prorogued, but most of them have gone to the country. Mr. Dewdney may get the call, or Mr. Mara."

"What is the feeling in Ottawa?"

"There is not much feeling on the subject," said the Senator. "However, as the other provinces have their own men appointed to such a post, there is a sentiment that a British Columbian should be appointed."

"Are we likely to know more about it soon?"

"Most of the Ministers have gone to the country, and it is hard to say. There may be nothing until about October."

The Redistribution Bill was next touched upon, and Senator Macdonald expressed his conviction that the measure might have been run through earlier in the session had the Government determined to do so.

"It was only when we began to sit from eleven o'clock in the morning till twelve midnight, that the Opposition began to get tired," said he.

"There is a feeling here that it would have been a benefit to the country generally had the Fort Sheppard Railway Bill passed," said the reporter.

"I doubt if it would be any benefit," responded the Senator. "If the line were constructed and the supplies were got elsewhere—as undoubtedly they would be—and the minerals were shipped to Spokane, where does the advantage come in? The Bill did not come before me, but had it done so I would have supported it, although somewhat against my personal convictions, simply because it seemed to be the wish of the people here that the Bill should pass. But I fail to see of what advantage it would be to Victoria. The Canada Western would open up a good and extensive country, at present closed out for want of railway communication, but the Fort Sheppard—I fail to see what advantage that would be to Victoria or Vancouver either."

"The Coquitlam affair," said Senator Macdonald, "is not likely to be settled for some time, I fear; not until after the United States elections are over. I don't know that there will be any compensation granted, as the vessel, it appears to me, should have reported and had her papers all right. She was there to supply the sealing schooners, but if she put any freight ashore it was a breach of the law. It would have been better had she stood out to sea and dealt with the schooners there, and then there would have been no trouble. The matter is now in such a way that the Home Government will have to deal with it. With the state of business in the Old Country now, everything being more or less upset by the elections, and with the Gladstonians in power, it is difficult to say when it will be settled. I am afraid not for some time."

Speaking of Victoria as he finds it, Senator Macdonald said he never saw the streets in such a bad state, and the condition of Beacon Hill he considered positively dangerous to the safety of the city.

"The grass has not been cut," said he, "and lies on the ground dried up. A fire there just at present, would be a destructive one. If they cannot afford to cut the hay, why not allow it to be grazed by sheep owners or dairymen, as they do in the London, Eng., public parks? If the plan works there it ought to work here."

FROM ALASKA.

A One-Man Schooner Makes the Run from Karluk in Twenty Days.

SAN FRANCISCO, July 21.—The schooner Kussiloff arrived to-day. She is only about 11 tons burden, her crew consisting of one man, and yet she made the run from Karluk, Alaska, in twenty days. Captain Vehling says he had fine weather all the way. When he wanted sleep he shortened sail and took his nap; when hungry he lashed the rudder and cooked his meal. "It was not from choice I came here," he said. "The Kussiloff was originally a steam launch. She was taken from San Francisco to Kodiak and was engaged between different ports. She went ashore and I bought the wreck. After repairing her I rigged her as a schooner and fitted her out for a cruise. I engaged a man to go with me, but he did not join me when our accident happened. All the provisions and trade were on board, and the vessel was lying at anchor ready to start. During the night it came on to blow, and the vessel drifted to sea, her anchor chain having parted. I put another anchor over but it was lost. I hoisted some sail and attempted to beat back, but could not. The gale carried me into the San Juan archipelago, and being afraid of going ashore I put the schooner before the wind and stood down the Sound. I tried to make Port Townsend but failed. I could not handle the sails and steer at the same time. When I passed out through the Straits of San Juan de Fuca I considered for a while what to do. My friends were all in San Francisco so I decided to run down here."

IN DEATH NOT DIVIDED.

Miss Bertha Jay, of Victoria, Drowned in the Waters of Matsqui Slough.

A Hero's Deed and a Hero's Death—Cruel Action of Vancouver Authorities.

The news conveyed in a telegram that Miss Bertha Jay had come to her death by drowning, reached Victoria yesterday morning from Matsqui, whither she had gone some weeks ago, to spend the summer holidays with relatives and friends.

At first it seemed to those at home that the news could not be true, and it was not until the first report was too surely confirmed by subsequent despatches that the blow was felt with all its crushing force.

"I cannot believe it," said the grief-stricken father, when the intelligence first reached him, "Why, it was only yesterday that I had a letter from her—it must be all a mistake."

Unfortunately the reports were all too true, and last evening the following dispatch from the COLONIST's special correspondent was received, giving full particulars of the sad occurrence:—

MISSION CITY, July 22—(Special).—Last night, at about 8 o'clock, Mr. Alex. Purver, Miss A. Purver, of Matsqui Prairie, and Miss Bertha Jay, daughter of Mr. George Jay, the florist of Victoria, went out on what is known as the main slough, on Matsqui Prairie, in a canoe, for the purpose of bathing, portions of the prairie being at this season flooded, so that it is almost impossible to distinguish the many small creeks running into the slough.

"All went into the water, the ladies contenting themselves with bathing in the shallower water, whilst Mr. Purver swam out into the stream a little distance.

"Suddenly Miss Jay sank, and Miss Purver called her brother. A few strokes brought him to the spot, and seeing that Miss Jay had not reappeared, he dived after her. This he did two or three times.

"On coming to the surface, before taking the last and final dive for the rescue of Miss Jay, he was perfectly exhausted, and his sister, who was in frantic despair, rushed in, and taking him by the hand pulled him into shallow water. He was then quite dazed, but inhaling the fresh air he recovered somewhat, and, with the cry, "My God, Agnes, I must try again," he plunged into the stream once more, and to his death.

"Miss Purver, wild with grief and fright at not seeing her brother or Miss Jay reappear, jumped into the canoe and paddled to the nearest point to the house, three-quarters of a mile away, and running over the intervening space to the house gave the alarm.

"Immediately a party went out to search for the bodies, but owing to the uncertainty of the location and the growing darkness they could not be found.

"The search was resumed at daybreak and both bodies found in a long narrow hole in what is locally known as Willow Creek.

"Miss Jay had become entangled in the long rank weeds and grass, which held her there. The body of Mr. Purver was found close by her.

"An inquest will be held to-morrow, and a representative of Hart's undertaking establishment, Vancouver, has charge of the remains.

"Miss Jay had been visiting the Purver's for the past few weeks, and would have been home in a few days. She had intended to be home a week ago, but the epidemic prevented her. She was engaged to Mr. Purver, and they were to have been married in the fall. Mr. Purver was universally beloved, and the whole settlement mourns his loss as though a brother had been taken."

Miss Jay was a universal favorite in Victoria, where she was born, 20 years ago, and where she has spent all her life. She was an only daughter, and her family are almost crushed by their grief.

Mr. Jay, yesterday afternoon, telegraphed to Mr. Russell, of Vancouver, asking him to arrange with the authorities for him (Mr. Jay) to go up and meet the body, promising to bring proper certificates of vaccination and good health. Last evening the reply was received:

"The authorities refuse."

A. C. & K. Conductor Watched.

W. A. Elsey, favorite conductor of the Columbia and Kootenay railroad company, running from Robson's to Nelson, was promoted, last week, from this little road to the main line of the C.P.R. Having been in charge of the road since it was opened, in 1890, "the boys" and the citizens of Nelson decided to present him, prior to leaving them, with a handsome gold watch, chain and locket, which cost them $175, and was suitably engraved. The Phair hotel also presented him with a silver-plated lantern, likewise appropriately engraved. Lawyer McLeod made the presentation on behalf of the people on the depot platform at 1:45 p.m. on Tuesday last, just prior to the departure of the train, in an eloquent and impressive speech, in which he eulogized the very satisfactory manner in which Billy had carried out his various duties, which met with the warmest applause of the hundreds of people who had come to witness the presentation. The departing conductor was quite overcome by the enthusiasm of his friends, but immediately recovered and responded in a way which showed conclusively that if he practiced his oratorical powers equally with his railroad ones he would soon forsake the latter for the former.

NEWS OF THE PROVINCE.

Accident in a Nanaimo Mine—The Presbyterian Synod—A Murderous Indian.

Improved Railway Facilities at New Westminster—Public Vaccination.

(Specials to the COLONIST.

VANCOUVER.

VANCOUVER, July 21.—The World, today, in a half column article, retracts its statement that the smallpox infection was introduced into Victoria by sugar landed at the capital from the steamer Phra Nang.

The ship Geo. Skolfield, with 2,200 cases of tea, arrived from Yokohama this morning.

In the deliverance of the Presbyterian synod touching the death of the late Premier, appear these sentences: "The synod places on record its deep sense of the loss the church has sustained. When it (Presbyterianism) was merely a streamlet i his provi ce, he followed its tunes through shade and sunshine, through reverses and successes with unswerving loyalty and devotion. He was never a disinterested spectator of the church's trials and triumphs, but was always a warrior and generous supporter. With increasing honors and prosperity, his love to the cause of Christianity appeared to lose nothing of its first fervor. His voice in denouncing immorality and defending truth never faltered. In conclusion, the Synod respectfully dedicates to Mrs. Robson its sincere sympathy in the crowning grief and bereavement of her life."

The date of the meeting of the Vancouver Island Presbytery was changed to the second Tuesday in September. Standing committees were appointed, the following being the convenors:—State of Religion, Rev. J. C. Herdman, Calgary; Sabbath Services, Rev. J. W. McMillan, Vancouver; Sabbath Observances, Rev. D. A. MacRae, Nanaimo; Temperance, Rev. J. K. Wright, Spallumcheen; Foreign Missions, Rev. P. McF. Macleod, Victoria; Home Missions, Rev. E. D. McLaren, Vancouver; Systematic Beneficence, Rev. D. MacRae, Victoria. The next meeting takes place in Victoria, in the First Presbyterian Church, on the first Wednesday in March, 1893.

Mrs. Odle, St. Catharines, Ont., mother of Mrs. J. J. Banfield, is visiting her daughter.

The effects of the Granville club were sold by auction, to-day.

WESTMINSTER.

NEW WESTMINSTER, July 21—A drunken Indian attempted to shoot a boy at Munn's Sea Island cannery, last night, but the gun was thrown up by a bystander and the man secured. Mr. Moresby went down, to-day, and brought him up, and this afternoon the Indian was committed for trial.

Mondays, Wednesdays and Fridays have been set apart as days for public vaccination. Poor people will be vaccinated free.

The Great Northern railway has commenced running trains through to Westminster again, bringing passengers this way but taking none out. Instead of remaining over night the trains return immediately to Blaine.

At the fall fair, band and musical conventions will be held, lacrosse and football matches will take place, and there will be a grand turnout of the Knights of Pythias.

NANAIMO.

NANAIMO, July 21.—On Tuesday, while Antoine Badger and T. McKay, two miners, were engaged in No. 1 shaft, they were seriously injured by a cave in. Badger had to be taken to the hospital where his injuries were attended to by Dr. Callahan, assistant colliery surgeon.

It is reported that after this week the output of the New V.C. Co. will be considerably reduced. Until Mr. S. M. Robins returns it is not definitely known what course the company will pursue, but it is believed that a change will be made in order to regulate the output, which, under existing circumstances has been too great. Mr. Robins is expected back from San Francisco in a day or two.

The city authorities have decided not to take any action towards isolating the city. Dr. Praeger, in a speech made at the council meeting on Monday night, said it would be unfair to quarantine Victoria, as that city had taken no such step when diphtheria prevailed in this city. Passengers will therefore undergo vaccination and be allowed to enter the city.

VANCOUVER.

VANCOUVER, July 22.—Messrs. Black, of the Bank of British Columbia, and Keating, of the Bank of Montreal, returned yesterday, invigorated from a week's camping near Comox.

The American ship George Skolfield, 36 days out, was towed into port yesterday, by the tug Sea Lion. The Skolfield has a cargo of tea on board for the C. P. R., consisting of 27,000 packages.

George Herald, brother of the Municipal Health Officer, was killed by a train in Michigan, yesterday.

W. H. Gordon, for some time baggageman on the C.P.R. between here and Donald, has been appointed to take charge of the agency of the Shuswap & Okanagan at Vernon, for which point he left yesterday.

Hon. T. Kito, Japanese Consul, has been advised of the following changes in the Japanese ministry: Viscount Sano, minister of agriculture and Commoner Kowano, minister of the interior and justice.

The Yosemite arrived at 1:30. There was one passenger in sight, but when the new quarantine officer, Dr. Wilson, had gone through the usual formality and half the baggage was off, the captain was asked if any more were on board. He answered that two or three more got on at Victoria, but he had lost track of them. In a few minutes, a well-dressed young man carrying a grip walked up the gang plank, and, reaching the wharf unobserved, made a rush for liberty. The crowd on the wharf cheered him on, and the police started in hot pursuit. The passenger was gaining fast on his pursuers, but when half across the wharf bridge ran fairly into a policeman's arms. J. W. Russell, thus the passenger styled himself, refused to go a step, and had to be physically persuaded the entire route to the quarantine station. Soon afterward, John Yarwood and John Blair, formerly deck hands on the Yosemite, quietly strolled up town, and were also steered into quarantine.

NANAIMO.

Grand Master Workman of British Columbia Leiser, and Marcus Wolf organized "Leiser" Lodge No. 13, in Comox, last evening; the following officers were elected: P.M.W., Rev. J. Willemar; M.M., E. Duncan; Foreman, W. H. Halliday; Overseer, W. H. Giver; Recorder, Halliday; Financier, J Percy; Receiver, John Grievs; Guard, B. Crawford; I.W., J. C. Fulton; O.W., D. Jones. The lodge starts with a membership of 18.

The Nanaimo Equitable Pioneer Society's quarterly report shows a membership of 746; sales during the past quarter nearly $2,000 more than the previous quarter. Total sales for the quarter say $32,111.

John Dealy, employed in the Nanaimo-Comox telegraph construction, had his leg broken in three places, a few days ago, a falling tree striking his leg crushed it against a stump. He arrived by the steamer Isabel this evening.

NANAIMO, July 22.—Two large electric locomotives for the New Vancouver Coal Company, to be used in No. 1 shaft, were brought over on the steamer Cutch, last evening. They will be sent down the mine sometime during the present week.

As the coal trade is slacking off, the merchants of Nanaimo appear to be disheartened, and look forward to bad times.

KOOTENAY.

Jim Wardner, the purchaser of the "Freddy Lee," a magnificent claim situated on Cody creek in the Kaslo and Slocan district, shipped 40 mules up Carpenter creek on Wednesday last, to pack out the ore which is ready on the dump for market. The ore already out is stated upon the best authority to be sufficient to pay the cost of the claim, with much more in sight. The ore will be shipped to the Great Falls Smelter Company, which has taken the contract for the whole delivery.

The "Blue Bird," a claim located by Jack Whittier and Jack Thompson, on the top of the highest mountain on the ridge between Carpenter creek and the Fish lake, was sold on Tuesday last for $25,000, and $4,000 deposit was paid on the bargain. This claim was located on the 2nd July last. It is situated north of and almost adjoining the "Ruby Silver" claim and about two miles from the Kaslo City trail, which was built by the Kaslo-Kootenay Land Co., Ltd. Mr. Burke, the purchaser, will commence to work the mine forthwith, and arrangements have been made to take the ore to Great Falls smelter at a rate of $8 per ton from Kaslo City. The locators of this claim are the fortunate owners of the "Monte Christo" and two other equally good claims. The assays of all three claims average 394 oz. silver to the ton and 67 per cent lead.

The great want of a bank is severely felt at Kaslo City; for instance, on Monday last three capitalists came in, and having no bank to deposit the money in, left it for safe keeping with Archie Fletcher, the proprietor of the Grand Central Hotel. There is ample room for a bank here now, as capitalists are coming in fast and a very large business will shortly be done, and the first bank established will corrall all the business, as is usual in all other enterprises in the case of first comers.

Kaslo City, to-day, has 38 buildings erected on Front and adjoining streets and avenues, ranging in value from $4,000 to $200, and in accommodation from 22 rooms to two rooms. Two pack trains leave every morning (and sometimes three) for the lakes at the top of the divide, and as a rule you may see about 50 animals on the trail. The bridge is in course of construction across Third street, and will be completed next week. The principal streets are graded, and the houses are built with strict attention to line and grade, and present, for a young town, a solid and substantial appearance.

Buchanan's mill, 200x50 feet, is almost completed, and the three carloads of machinery have been all placed in situ. Next week the whole will be running, when the whirr of saws, planers, moulders, lathing machines, and lathes will be heard perpetually. There are already about four million feet of logs in booms waiting for business at the head of Kaslo Bay.

On Monday last a large number of persons left Kaslo, Ainsworth, Nelson, and all other points on the lake for New Denver, and relieved the banks at Nelson of about $12,000, which they took with them for deposits. As, however, there are only 100 lots for sale, and about 500 people want them, the chances are the prices will range high.

New Denver is reached from Kaslo City, distant on the trail 29 miles, and from Na Kusp, a new town just started on the Lower Arrow Lake, a distance of 18 miles by a bad trail, and 8 miles across the Slocan Lake by row boat. The Government may, as it is their own town, possibly build a wagon road, which is hoped will mend matters and make it more accessible.

Trails, and good trails, are much needed all over this lake country, but as capital comes in and has to get to work the possibilities are that they will have to be built by private enterprise but as the Kaslo and Slocan claims are now a certainty, instead of a probability, there is not the slightest doubt that she is rapidly drifting into the middle of that powerful stream of fortune which leads to success. So she has nothing to fear, for the motto of the boys is now "work," and work will surely tell. They are beginning to find it out, much to the satisfaction of themselves and the whole community in West Kootenay.

Labor Day in Halifax was observed throughout the city as a complete holiday. The procession through the streets consisted of about two thousand artizans and workers of all kinds, accompanied by half a dozen bands. The procession was witnessed by Cardinal Gibbons in company with Archbishop O'Brien.

Rapid Relief.

DEAR SIR,—I had for years been troubled with dyspepsia and sick headache, and found but little relief until I tried your Burdock Blood Bitters, which made a perfect cure. It is the best medicine I ever had in my life, and I will never be without it.

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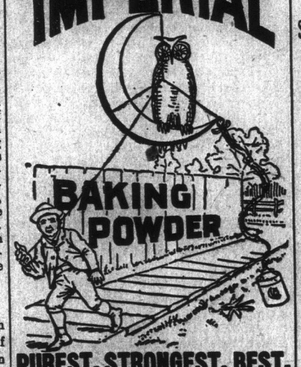

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EDUCATION OFFICE,
Victoria, 26th April, 1892.

WHEREAS, the Council of Public Instruction is empowered, under the "Public School Act," to create School Districts, in addition to those already existing, and to define the boundaries thereof, and from time to time to alter the boundaries of existing Districts; it is hereby notified that the Council has been pleased to create the following tract of land to be a School District, under the title of "Galiano School District:"

All that tract of land known as Galiano Island.

Also, that the Council has been pleased to create the following tract of land to be a School District, under the title of "North Vesuvius School District:"

All that portion of Salt Spring Island lying north of the boundary line between Sections 11 and 12, extended westward and eastward to the sea-shore.

Also, that the Council has been pleased to alter and re-define the boundaries of Mayne Island School District, as follows:

All that tract of land known as Mayne Island.

Also, that the Council has been pleased to alter and re-define the boundaries of Vesuvius School District, as follows:

All that portion of Salt Spring Island lying between the Northern boundary of Burgoyne Bay School District and the southern boundary of North Vesuvius School District.

S. D. POPE, Secretary, Council of Public Instruction. my20-wkly

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National Surgical Institute
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MAY 14 & 16,
To examine cases for treatment by this Institute, which is devoted to treating
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REFERENCES Governor E. P. Ferry, Olympia; John P. Hoyt, Associate Justice of Supreme Court, 602 Fourth St., Seattle; Wm. McKeon, Oriental Hotel, Victoria; Ben. E. Snipes, Banker, Seattle. my6

Dr. J. COLLIS BROWNE'S CHLORODYNE.
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Vice-Chancellor Sir W. PAGE WOOD stated publicly in court that Dr. J. COLLIS BROWNE was undoubtedly the inventor of Chlorodyne, that the whole story of the defendant Freeman was literally untrue, and he regretted to say that it had been sworn to.—*Times*, July 13, 1864.
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DR. J. COLLIS BROWNE'S CHLORODYNE—The Right Hon. Earl RUSSELL communicated to the College of Physicians and J. T. Davenport that he had received information to the effect that the only remedy of any service in Cholera was Chlorodyne.—*See Lancet*, Dec. 31, 1864.
DR. J. COLLIS BROWNE'S CHLORODYNE is prescribed by scores of orthodox practitioners. Of course it would not be thus singularly popular did it not "supply a want and fill a place."—*Medical Times*, Jan. 12, 1885.
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