CANADIAN PACIFIC R R.

Possibility of Its Making Direct Communication with the Sound—Expected Advantages.

If Carried Out It Would Take In the B. C. and Bellingham Bay Road.

SEATTLE, May 11.—The Post-Intelligencer yesterday said: "The Canadian Pacific is at last about to enter the Sound country by its line. It can be stated on reliable authority that D. O. Mills and his associates in the Bellingham Bay & British Columbia Railroad company have made arrangements for the sale of the road to the Canadian Pacific. The purchase is probably the first step in the extension of the Canadian Pacific into the Sound country. Ever since the Lake Shore road fell into the hands of the Northern Pacific, and the Canadian Pacific has had to depend for connection with this section on the Bellingham Bay & British Columbia to Whatcom and on the Great Northern to Seattle, it has been waiting for an opportunity to make up for the loss it sustained in allowing the Lake Shore to fall into hostile hands. The Northern Pacific has been getting a good deal of business from Whatcom over the Bellingham Bay & British Columbia, and, in fact, the shingle and lumbermen of the Bay have been dependent upon that road for an outlet to the East until the Great Northern got ready for traffic, as the Canadian Pacific will not take this class of business at current rates. Now the Northern Pacific will be shut out of the Bay except by steamer connection, and the shinglemen will have to look to the Great Northern to handle their product. Having got so far into the Sound country, the Canadian Pacific is likely to reach out farther southward. It would be no difficult matter to parallel the Lake Shore road; in fact, a better line in many respects could be run, for the country has been more thoroughly explored and the available routes are better known."

Apropos to the above the Post-Intelligencer says to-day: The announcement that the Bellingham Bay & British Columbia railroad has been sold to the Canadian Pacific is not admitted to be true by M. L. Stangroom, general manager of the former road, and who is also general manager of the Bellingham Bay Improvement company. He said last night on the subject: "The sale has not been made, nor is it under negotiation at the present time, but I will admit that the matter has often been talked of, and of course it is possible that a controlling interest in our road may be sold to the Canadian Pacific in the future, although I do not know whether it will or not. At any rate we should not be sorry if such a thing should happen, because we have a large amount of real estate and several enterprises on the bay which we want to develop, and it would be to the interest of the town for the Canadian Pacific to own the road or to control it. One thing is certain, the Canadian Pacific is going to have its share of the Sound business, and you will see it making a bid for business in this city before long. What we want is for that business to come through our city, whether it comes by rail or by boat. Jim Hill tried to get control of our road and almost succeeded. Of course all he wanted with the road was to kill it and cut the town off from a Canadian Pacific connection. He has already shut us off from getting into St. Paul by refusing to make rates. But the Soo line will be finished by the first of next September, and then the Canadian Pacific will be independent of the Great Northern, and it will be for the best interests of our other interests at Whatcom for our road to be owned or controlled by the Canadian Pacific, and we shall be very glad to hear that such an arrangement has been made."

The announcement of the deal caused no surprise among railroad men, for they all said they had been expecting something of the kind before long. The general opinion was that the Canadian Pacific was only trying to remedy the mistake it made in letting the Lake Shore road slip through its fingers when that road was in the market three years ago. The next step which is looked for is the construction of a line by the Canadian Pacific to Seattle and even further south. A route for such a line could be found little, if any, longer than the Lake Shore and no more expensive, for there are some expensive pieces of work on the latter road which could have been avoided as which any other road is not likely to require.

NEWFOUNDLAND AND CANADA.

MONTREAL, May 12.—A cable dispatch from St. Johns, Nfld., says that on the motion of Mr. Murray in the Legislature, yesterday with the question of Confederation Canada sprang up on a resolution based upon the nominations of the recent conference held in Halifax between the Dominion and Newfoundland ministers. Premier Whiteway declared that while he was not strongly opposed to Confederation, he did not consider the present time opportune for discussing the matter. He believed the vast majority of the people of the Island were against Confederation, and he did not care to touch on the matter without a mandate from the people, and even then he must have a good majority to do so. Mr. Morine, an ardent Confederationist, took the same view of the question, and a motion to consider the resolution was defeated on division by a large majority.

NAVAL REGATTA.

NEW YORK, May 11.—The crews from the American men-of-war raced to-day for prizes, and drew another crowd of visitors to the squadron in the North river. The championship men-of-war's crew of the world—that of the U. S. San Francisco—took no part in the races. The crew now holding the international trophy won at Hampton Roads, is always subject to challenge, but unless challenged feels it unworthy of its prowess to enter races. The day was a perfect one on the river. The foreign crews had shown what they could do in cutters, whale boats and dingies last Saturday, and it was the turn of the American blue jackets to prove what they could do. There were two races, one of three miles, for ten and twelve oared double banked boats, and one of two miles, for four and five oared whale boats or dingies, single banked. The four and ten oared boats were given a time allowance over the course. The races were started three and two miles up the stream and the finish was a line from the Chicago to the Arethuse. The races were started before slack water and the men rowed against the tide and also had a strong head from the Baltimore, Bancroft and Chicago. The Newark crew took the lead early in the race and gradually forged ahead winning by nearly one minute. The Bancroft boat came in three seconds behind the Yorktown boat and by the time allowance of 36 seconds, was declared second. In the second race a crew from the Vesuvius came in first, with the Dolphin boat ten seconds later, the Philadelphia's boat rowing almost a dead heat with the second Vesuvius boat, but winning by less than one foot. The Russians, Frenchmen and Argentina's boat the Nueve d' Julio, have agreed to go to Annapolis to be present at the commencement exercises and several American ships will accompany them.

AMERICAN NEWS.

DETROIT, May 11.—A special dispatch says that one-half of Spring Lake, a village on the Detroit, Grand Haven & Milwaukee railway and Grand Rapids, twelve miles above Grand Haven, has been destroyed by fire. The village has five churches, a grade public school and a library, three hotels and several saw mills. The steamboat Parret, passing up the river, is said to have set the sawdust on fire by sparks from her smokestack this morning. The loss will foot up to $140,000. The amount of insurance is not known.

NEW YORK, May 10.—E. A. McDonald, of Toronto, who has been in New York for some weeks, it is said organized a syndicate to construct an aqueduct from Georgian bay to Toronto, sixty miles, to supply Toronto with domestic water power. This also is connected with the construction of the ship canal projected over forty years ago by the late Mr. Dapracl and others to shorten the route 400 miles between Chicago and New York, and 900 miles between the West and Liverpool as compared with the Erie canal and New York routes. The plan contemplates the expenditure of over $50,000,000.

QUERETARO, MEX., May 11.—The work of developing the San Francisco opal mines, near this city, was begun a few weeks ago by a syndicate of American capitalists. They have just made a rich strike, and are taking out opals of the finest quality by the hundreds. The principal bed of opals has just been discovered at a depth of 200 feet. About 10,000 specimens of the most valuable stones have already been sent to the United States.

WASHINGTON, D. C, May 11.—General Scholfield to-day received a telegram from General Cook, commanding the department of Arizona, repeating the dispatch from Colonel Hunt, in charge of the troops in the field, stating that the situation in Navajo country is apparently quiet. Two troops of his command arrived at Fruitland, Arizona, on the second instant, and the remainder a few days later. The murderer of Welsh, the ranchman, has been arrested and lodged in jail at Aztec. The Indian agent expects no trouble in arresting the others connected with the murder, as Blackhorse has expressed his willingness and desire to aid in their capture. Colonel Hunt expects to move towards the camp of Blackhorse in a day or two. General Cook has instructed Colonel Hunt to exercise his judgement regarding the troubles and to determine what troops he shall leave at Fruitland. The dispaches received make no reference to the report of the killing of Lieut. Plummer by Navajos, and this fact satisfies the department that the report is entirely without foundation.

SEATTLE, May 12.—A special from Wardner this evening says: "The Small & Colby Lumber Co. failed this morning. Attachment suits and mortgage liens, which have been placed against the concern, will probably aggregate $41,000. The assets are supposed to be of the nominal value of $100,000. The liabilities will probably not exceed $40,000.

CLE-ELUM, May 10.—The first anniversary of the Roslyn slope disaster, in which forty-five miners lost their lives, was observed with appropriate ceremonies yesterday. The graves of the unfortunate men were decorated with flowers, and general memorial services were held. Last night Judge Graves, of Ellensburg, delivered a memorial address to a Knights of Pythias large audience.

CHICAGO, May 11.—The system which the World's Fair will put in operation upon the question of awards, is the same as was last used at the centennial.

NEW YORK, May 11.—During the trial of a suit in the Court of Common Pleas to-day, brought by Charles Gylen Hamner against the Home Insurance Benefit Society for the recovery of $5,000 on a policy of insurance issued to him upon the life of his wife, who has since died, lawyer Charles Blandy, for the defendants, referred to the case as one of wife poisoning, and said that he was prepared to show that Gylen Hamner, previous to his marriage, was engaged to a girl named Eliza Jansen, and Gylen Hamner continued his relations with this woman after his marriage, pretending to Miss Jannsen that he was still a bachelor. Gylen Hamner married his deceased wife in Chicago in September, 1891; the policy in the Home Benefits Society taken November, 1891, and the woman died in February, 1892. Gylen Hamner says he is a Swedish correspondent for eleven Swedish papers and representative for an American journal.

RICHMOND, VA., May 10.—The annual memorial exercises at Oakwood cemetery, where 18,000 Confederate soldiers are buried, took place to-day. There were several thousand people present. A carload of flowers from Florida was used in decorating the graves. General Fitz Lee delivered a brief address, while Colonel Tazewell Eldette was the orator of the occasion.

WASHINGTON, May 12.—Attorney-General Olney said to-day that he had issued no instructions to the district attorney at Sitka, Alaska, as to abandoning the prosecution of the British schooner Henriette, libelled for violating the "modus vivendi." The instructions to that effect, however, were given by Attorney-General Miller on February 25 last, and as they have not been revoked are still in force. Attorney-General Olney declined to say if he would take any further action in the matter.

KEY WEST, May 11.—The revenue cutter McLean, which was telegraphed for by order of the Secretary of the Treasury to return to this port immediately, on account of the demonstrations of the Cuban filibusters here, and reports of an expedition being fitted out to sail for Cuba, arrived here last evening. Her commander had a conference with the Collector of Customs, the result of which could not be ascertained, but no liberty to officers or men was granted. Boats were lowered and armed and every preparation made to intercept any boat or vessel entering or leaving the harbor. A force of customs officers nightly patrol the south beach with a code of signals between them and the [illegible]

HAWAIIAN AFFAIRS.

Spreckels Addresses the Sugar Planters—No Pension Provided Queen Liliuokalani.

Annexation Discussed—Commissioner Blount's Position Defined—Sedition Laws Under Consideration.

HONOLULU, May 4.—The proposition to establish a Hawaiian Republic is not gaining ground. Mr. Wilcox, representing Hawaiian interests in the scheme, though a liberal, has abandoned the agitation, and his paper has been suspended for the time being. Colonel Volney Ashford confesses that he has concluded that it is best to wait and ascertain what the United States intend to do.

The Spreckels boom for the republican project has also apparently come to naught. At a meeting of planters called by Mr. Spreckels, of whom about 250 were present, the latter explained his ideas in detail and offered for adoption a communication to the President, through Minister Stevens, opposing annexation because of the difficulties it would place in the way of obtaining the cheap labor necessary for plantation work. The matter was referred without much discussion, and at a subsequent meeting the communication was shelved, some of the planters present declaring themselves ready to concede anything to secure annexation. Mr. Spreckels was disappointed, and left May 2 for Maui, where he hopes to consolidate the Spreckelsville plantation with the Haiku and Paia plantation.

Nothing has been done towards pensioning the deposed Queen. President Dole stated to the United Press correspondent that while Mr. Neumann, he had been told, was discussing a proposition to secure a reversion of the Queen's alleged rights to the Provisional Government for $25,000 a year payable to her, no such proposition had been made to the Government. He did not care to say what would be the disposition of the Government in case such a proposal were made, but several of the council are said to favor granting her a pension providing the Queen will agree to insist on her supporters ceasing political work.

A convention of the Hawaiian Patriotic League assembled on May 1, fifty delegates being present from all points. The object of the convention was to frame a memorial to Commissioner Blount expressive of the native wishes in the matter of government. Petitions were presented from the country districts for the perpetuation of the monarchy; opposing annexation; favoring the perpetuation of independence and the continuance of the Hawaiian flag as the flag at Hawaii. After some speechmaking, a committee was appointed to draw up in secret session a resolution to be presented to the United States commissioner and the convention adjourned. The memorial to be presented to Mr. Blount by the committee on May 2.

A delegation from the Maui Annexation club visited Commissioner Blount on May 2. Mr. Kalua, in addressing the commissioner, said the delegation wished to assure him that the annexation sentiment was growing in favor among the natives as well as foreigners on the islands. Mr. Blount asked the chairman if, in the event of annexation, the natives expect to become voters, to which Kalua replied affirmatively. The delegation also called on President Dole, Minister Stevens, and Consul General Severance.

The members of the Advisory Council, headed by Vice-President Damon, called on Mr. Blount on April 27, when Mr. Blount said: "I came here to examine into the state of the country, and must therefore carefully confine myself to my duties. I have of necessity interviewed a great many people and have accumulated a large quantity of material, but as yet have not gone very deeply into statistics and figures connected with the islands. This, however, I intend to accomplish later on. The shortness of the time at my disposal has necessitated my meeting individuals as I can arrange for them. In other words, I must husband my time and condense my work." Referring to a possible trip to the other islands, Mr. Blount said: "I do not want to go out to the other islands. I have taken considerable responsibility upon myself in lowering the flag, and I want to remain here so that I could order the troops ashore in case of any trouble." It is thought by many people here that the Commissioner will order the American flag to be hoisted again before returning home.

The situation summarized is that the Provisional Government believes itself strong enough to quell any disturbance, and maintain itself in authority. The finances are ample for carrying on the Government. The annexation sentiment is quietly strengthening, but the delay in the settlement of the question is injurious to the business interests. The Government has lately been revising the sedition and treason laws and modelling them after the Queensland statutes. During their consideration Councillor Emerson introduced the following resolution:

"Whereas the Provisional Government was organized on the 17th day of January, for the purpose of furthering the annexation of these islands to the United States; and, whereas this Provisional Government has been recognized by all the representatives of foreign powers as the sole Government of these islands:

"Resolved, that the agitation for the restoration of the ex-Queen or any political purpose other than that for which the Government has been organized, is hereby declared to be within the meaning of the Sedition Act and the Police department are hereby instructed to proceed against all persons making themselves liable under said act."

After much discussion the resolution was referred to the executive council.

The U.S.S. Adams arrived on April 28 and relieved the Mohican, which started homeward on May 1. Admiral Skerrett transferred his flag to the Boston and took up his quarters on shore. The Mohican's departure was delayed about two hours, owing to the fact that as she was about to turn toward the channel, she struck upon the reef, without, however, any injury to her hull. The accident was not, as far as could be ascertained, any fault of the officers or crew; but a stray line became entangled in the propeller. The Mohican was saluted as she passed out by the other cruisers, with the exception of the Japanese frigate Naniwar. The officers of the Boston expect that she will be relieved in September by the Atlanta.

British ship Greta, Capt. Garland, arrived April 30, sixty-four days from Newcastle, with a cargo of coal, and reports that on April 21 the hull of a vessel was sighted floating. Steam was also seen issuing from the wreck, which had evidently been on fire. The name of the vessel could not be ascertained, but she was evidently a 2,000 ton iron four-masted schooner, totally dismains of the burned vessel erroneously reported some time ago to be the John Ena.

THEY WILL FIGHT.

MADRID, May 11.—There is a determined fight between parties in the Spanish Cortes. Each party say they are determined to sit until their opponents give in. There is every prospect that the sitting will be continued until midnight Saturday, when it will be necessary to adjourn over Sunday. The Republicans show no sign of wavering and promise to continue their obstruction until they get their point. The ministers and deputies eat and sleep in the house. All are haggard and worn. The public prosecutor has ordered that the two principal Republican newspapers in Madrid be seized.

CABLE NEWS

LONDON, May 11.—The drought of the last eight weeks has caused a great loss of farm and market produce in the South of England. Vegetable, grain and fruit crops are withering throughout wide strips of country. A plague of caterpillars is destroying the leaves, blossoms and small fruit in the apple and pear orchards.

LONDON, May 11.—A committee of the striking Hull dockers met a committee of employers to-day to consider the terms of a settlement. An understanding will probably be reached if the strikers assent to the unlimited employment of non-union men, and thus confess virtually that they have been beaten.

BERLIN, May 11.—Bankers and traders generally are subscribing liberally to the fund for the campaign in favor of the Army bill. The National Liberals and the Reickert Radicals have issued electoral manifestos. The Reickert Radicals especially advocate continuance of the present commercial policy and opposition to the Imperialist programme, which demands reversion to the Bismarckian commercial principles. Prince Bismarck in addressing a deputation of Lubeck artisans, said they ought to be able to run a labor candidate for the Reichstag. If they were unsuccessful in this, he said, their failure would be owing to the unfavorable nature of the present election law.

ODESSA, May 11.—The Jewish inhabitants of Caucasia have been ordered to move from their present homes to within the southern pale. About one-third of the Jewish population of Libau, the Baltic port, will be expelled within six months, greatly to the detriment of the town, in which they form an influential part of the commercial community.

LONDON, May 11.—Hon. Edward Blake, who hopes to follow the Home Rule discussion in committee very closely, spoke ten minutes last night on the Unionist amendment to the first clause, arguing that every supporter of the bill freely admitted that the Irish Legislature was to be a subordinate legislature.

ROME, May 11.—The Pope is said to be about to authorize an election committee, which will make a stubborn fight against the Quirinal in the next general election.

VIENNA, May 10.—During the performance at a theatre in Lemberg, Austrian Galicia, last night, Herr DeLozuk, one of the actors, in a fit of jealous rage, because a member of the company, a young woman of whom he was greatly enamoured, insisted on flirting with a man in the audience, drew a revolver and shot himself in full view of the horror-stricken audience.

LONDON, May 11.—At the opening of the Imperial Institute yesterday a detachment of the Canadian mounted horse guard formed part of the Queen's escort from Buckingham Palace to Kensington. The Canadians with other colonists, were given the honor in the escort, coming immediately in place of fore the royal carriage. They were lately becheered by the crowd. In the more warmly scene was very brilliant, the institute being the most important one proceedings London since the opening state function in exhibition. Sir Charles Tupper, as the representative of Canada on the executive council of the institute, was a member of the procession to conduct the Queen from the entrance of the dais in the great hall. The Canadian permanent exhibit in the section, however, a similar state of things prevails.

MADRID, May 11.—The Republicans and Carlists are making a persistent and strong fight against the Government bill, providing for a postponement of the municipal elections until November. Both groups have followed a course of unremitting obstruction in the Cortes. The deputies have sat for thirty hours without intermission and the Opposition show no signs of wavering. The reason given by the Government for deferring the election, is that at the last municipal election, the Republicans won by systematic and widespread forgery, and that to purge the electorate and to guarantee an honest vote, will require several month's work. The Republicans were prepared to lead an immense procession of electors to the doors of the Cortes to-day, and to present a petition against the bill, but the police forbade the demonstration.

ROME, May 12.—The dowager Queen of Portugal, Maria Pia, nee Princess of Savoy, is ill of a pulmonary disease at the Quirinal. Her physicians fear that the disease will turn into quick consumption.

MUNICH, May 12.—A marriage is reported to have been arranged between Archduke Joseph Augustin, of Austria, and Princess Elizabeth, eldest daughter of Prince Leopold of Bavaria.

VIENNA, May 12.—A meeting of four thousand striking skin-dressers was held in the workingmen's quarter of the city, this afternoon, to protest against the employment of "scabs." Inflammatory speeches were made by Socialist agitators, and eventually the meeting was dissolved, that the whole audience, men and women, might make a street demonstration against their former employers. The strikers marched to Bethler's factory, where the men who quit work have been replaced with non-unionists. They broke the windows and tried to burst the doors. The police were unable to disperse the mob. A company of infantry was called, and after a short fight the soldiers drove off the strikers. Two men were wounded in the fight. Nineteen strikers were arrested.

BERLIN, May 12.—The Social Democrats are conducting an aggressive campaign in Berlin. They hold six meeting this evening. Among their nominees are: Wm. Liebknecht, Paul Singer, Stadthagen, Gerisch, Fischer and Vogther. The Conservatives have named for re-election Freiherr von Manteuffel and Parsen Stoecker, the anti-Semite, Bruhn, Foerster and [illegible]

IN THE EXCHEQUER COURT.

Local Court of Admiralty.

(Before Sir Matthew B. Begbie, L.J.A., and Lieut. Masters, R.N., H. M. S. Garnet, and Lieut. Nugent, R.N., H. M. S. Champion, Assessors.

Esquimalt & Nanaimo railway Co. vs. The Cutch—Action for damages by collision. The plaintiff's vessel Joan and the Cutch, both moored at the same wharf (Gordon's wharf, Nanaimo) were advertised to leave at the same hour, 7 a.m. Both cast off within a few seconds of each other. Both were endeavoring to leave the harbor by the South channel, but a short distance before entering it, they came into collision, under the circumstances mentioned in the judgment. The Joan having suffered considerable injury brought this action for damages.

The argument and witnesses occupied the whole of the 26th and 27th inst. Mr. C. E. Pooley, Q.C., for the plaintiffs, Mr. E. V. Bodwell (with him Mr. Irving) for the defendants.

Twenty eighth April, 1893.—Sir Matthew B. Begbie, L.J.A., now delivered judgment as follows:

This case has been somewhat embarrassed by the different views taken of the facts by the witnesses for the plaintiffs and defendants; a difference not altogether unprecedented in the case of maritime collisions, and naturally accounted for by the well-known, although unaccountable, sympathy that every man feels for the vessel in which he happens to be; by the suddenness and unforeseen nature, in general, of all collisions; and by the erroneous views too often taken by the masters of vessels of their own rights and of the rights of others.

The evidence, which has occupied the Court nearly eleven hours on two days, refers wholly and entirely to events which, in fact, from first to last, were commenced and concluded in eight minutes of time on the morning of Nov. 19, 1892.

A great deal of contradictory evidence was given upon a preliminary, and I think, an immaterial point, viz: which of the two colliding vessels was the first to leave the wharf; the master and mate and some passengers on board the Cutch alleging (what she also insists upon in her preliminary act) that the Cutch was clear of the wharf at which they had both peacefully lain all night, i.e., had all her lines thrown off before the Joan. Upon this point, however, I am quite clear that they are all in error. Verbally perhaps, and for a moment two of the Cutch's lines were the first removed from the mooring pile; she had come into the wharf on the 18th, later than the Joan, and her head and spring lines were thrown over the Joan's, so that it was necessary to remove them in order to let the Joan's lines go, and that is what the wharfinger says he did, but he immediately, and as soon as ever he had lifted the Joan's lines, replaced the Cutch's lines on the pile; and he says he cleared the Joan first, and that he saw her completely detached from the wharf, although quite alongside of it, before he cast off the last line of the Cutch, and while the Cutch was still swinging to her stern line. Other quite independent witnesses (Mr. Thompson and Mr. Jensen) also saw from the shore that the Joan was free while the Cutch was still fast. Now, in weighing these contradictory statements, we must consider that the wharfinger's business was to free these lines; that none of the defendants' witnesses handled or could have handled the Cutch's ropes, or could probably have seen exactly what the wharfinger did with them, or could see the Joan's lines; that all the defendants' witnesses were either crew or passengers on board the Cutch, and so, liable to the mysterious sympathy already attested to; and that the wharfinger's statement is supported not only by the Joan's crew, but by independent witnesses. I am quite clear that the Joan was the first to get clear of the wharf. And the chief conclusion I drew from all this evidence of the defendants was, that they placed great reliance upon the point which vessel cast off first (which I consider quite immaterial as regards the actual collision), and imagined that it gave them priority of right of entry into the South channel (by which both vessels proposed to leave the harbor), whereas that would depend entirely upon the subsequent manœuvres of the two vessels; and I think this erroneous notion of right probably influenced the subsequent conduct of the Cutch and the views of her master. And the positiveness with which the Cutch's witnesses swore to these things, which could not have been within their own knowledge, and as to which they were clearly in error (although there is no suggestion against their firm belief that they were right), very much impairs the force of their statements upon other points which they believe they saw.

The defendants case is that she got clear of Gordon's wharf before the Joan, and so obtained a prima facie right of priority of leaving the harbor, by such channel as she might select; that she was the first to get into the open harbor, and was making at a moderate speed for for the South channel, as the leading ship, with the Joan on her starboard quarter, when the latter exerting her full power overtook the Cutch, and, making for the wrong side (viz., the port side) of the South channel, for which they were both bound, threw herself at full speed on the Cutch's bow, who was actually reversing her screw to mitigate the force of the collision which the extraordinary conduct of the Joan had rendered inevitable; the Cutch being thus entirely innocent, and the Joan guilty of various infractions of the Articles of the Navigation Act. As an overtaking ship she ought to have kept out of the Cutch's way (Art. 20.) There being risk of collision, the Joan ought to have slackened her speed (Art. 18.) Moreover, the Joan, intending to leave by the south channel, ought to have left by the South or starboard side, and was guilty of gross misconduct in endeavoring to get to the north side (Art. 21.)

To all this there are several answers. In the first place, it is clearly made out in the opinion of myself and assessors that the Cutch was not and that the Joan was, the first to leave the wharf. As already intimated, the mere fact of casting loose did not confer on either vessel the unqualified right of being the first to take the channel. But whatever expectations the Cutch founded on her supposed priority were founded on a complete misconception of the facts; and this double error, both of the facts and of the rights founded on those facts probably influenced the subsequent conduct and belief of the master. In the next place, from a very careful measurement of distances and bearings as given by the defendants themselves, quite irrespective of the plaintiff's witness, or of the natural probability of the case, the assessors have come to the conclusion that it is quite impossible that the Joan, which was always on the starboard hand of the Cutch, could ever have been abaft her beam; and therefore that the Cutch's second contention that she was the leading vessel at the start for the South channel, is equally devoid of foundation. It is true, some of the passenger witnesses of the Cutch, and one or two others on board, were of opinion that the Joan was at the commencement of their course abaft the Cutch's beam; which would ship within Art. 20. But the times and distances and bearings given by the master and other skilled witnesses on the Cutch (the defendants' own witnesses) quite contradict this: though it would, of course, be possible that in turning and twisting in the neighborhood of the Babcock she might momentarily have turned her quarter towards the Joan. That would have been an accident merely; but we are of opinion that it never did so happen; and that in fact during all her manœuvres in the harbor, she had the Cutch forward of her beam. And then when we look at the plaintiffs' witnesses—they produce three who are quite independent of either ship: Mr. Thompson, Mr. Jensen and the mate of the Quadra, who all agree as to the relative position of the vessels, viz: That the Joan was from the time when the Cutch first began to move her head towards the South channel, always nearer than the Cutch to that channel. And the probabilities of the case are so great in the same direction that it would require the greatest unanimity of testimony to make one believe that the Cutch could ever have been the leading ship. She had on leaving the wharf eight points, an entire right angle, to make good more than the Joan, before she could head for the channel. On backing out it would manifestly be her natural manœuvre to turn her stern through the north towards the west as well as she could, and that the curve so described would probably carry her to the north much further than the point assigned by her master, and, indeed, according to the time and rate of speed given by him, very nearly to the position assigned by the plaintiffs in the chart submitted by them, leaving the Joan several points forward of the beam; but even from the point indicated by the defendants on the chart submitted by them—not, as I have said, borne out by the times and rates of speed sworn to by their own master) and supposing (what is incredible, and contrary to the evidence) that the Joan remained stationary all that time, off the north end of Gordon's wharf, she would still be forward of the Cutch's beam, and therefore entitled to have way given to her under Art. 16, and not bound to give way to the Cutch under Art. 20, as contended by the defendants. But it can be mathematically proved that the theory of the Cutch as to the conditions of the actual collision is entirely baseless. It would be mathematically impossible that the Joan, throwing herself at the rate of ten knots per hour across the bow of the Cutch, nearly stationary, as the defendants' witnesses would appear to suggest, could cause the injuries described and not disputed, viz, a cleft nearly perpendicular to her beam. If the injuries were occasioned, as the defendants contend, the rent would extend in a direction from the stem of the Joan towards her stern, and would be mainly external, without much penetration.

But if two vessels of nearly equal size and speed, of equal momentum, collide at an angle of about 45 deg., the injury will extend inwards into the vessel that receives the shock, in a direction nearly perpendicular to her beam. This will be apparent on drawing the necessary diagram so as to show the resultant thrust; the impetus of the recipient being exactly represented by an equivalent thrust in the direction opposite to her motion. That is to say, the injury inflicted and shown to have been suffered by the Joan, is exactly explained by the plaintiff's account of the position and speed of the vessels, though their witnesses did not seem to understand that; and is quite irreconcileable with the circumstances suggested by the defendants.

Neither is there any force in the defendant's contention that the Joan ought to have entered the South channel close on the starboard hand, and to the southward of the mooring buoys, Art. 21, and that it was improper navigation for her to attempt to pass to the north of the buoys. If the Cutch were, as the defendants contend, the leading vessel, surely it was equally her duty to make for the southward of the buoys; but she was herself making for the north side. In fact, I am advised that on the evidence and the statement of the practice, it is a reasonable and proper course of careful navigation, having regard to the risk of lines from the buoys to the wharves, and other matters, to pass to the north of these buoys, especially when another vessel is lying between the mooring buoys. Neither vessel was in fault in this respect. I believe the Cutch did, in fact, go to the starboard side of the channel, south of the buoys, after the collision.

The Cutch, therefore, we consider to be in fault, under Act 16, which throws upon her the duty of keeping out of the way of the Joan. Even if the Joan had been utterly mismanaged, had been steering a wrong course—it was the duty of the Cutch to keep out of her way; to take all possible precautions to prevent a collision. Now, what precautions did she take? None whatever; except stopping and reversing her engine two or three seconds before impact; when such a stoppage could produce no sensible effect; and, in fact, two independent witnesses who were watching the proceedings, decidedly declined to believe that the Cutch ever stopped her engines at all. Yet the Joan must have been in sight, and the possibility of a collision evident, if the Cutch had any sort of a lookout (and if she had none, she is again in fault) from the first moment that she began her forward progress, capecially if, as some of her witnesses say, that was only about 300 feet off. It is possible, of course that the master of the Cutch had no eyes for anything but his rival the City of Nanaimo, just disappearing with a few minutes' start. If so, that again makes him in default. A master cannot claim to be blameless if, being on deck, he fails to see a vessel of his own size right ahead, and her own length off.

But there is another section which imposes on a colliding ship a duty which seamen generally eagerly accept as a privilege, requiring no act of Parliament to command them to assist fellow seamen in distress, but which was entirely neglected on the present occasion. I refer to S. 10. In the absence of a reasonable excuse, he is to be taken to be in default. Now, what is the reasonable excuse put forward? That the Joan did not whistle. But there was no evidence that she could whistle. The force of the blow was so great, and on such a part of the ship as to burst the steam gear and drive all the engineers from below, the steam escaping in clouds. The master of the Cutch says he saw nothing of this, which seems almost incredible, but, if true, it shows that he was not in a state of attention properly to conduct the navigation of any ship; and the accuracy of all his disculpatory observations may be questioned if he did not observe this. His other excuse is that there were other ships not far off; but they were at anchor, and otiose; he was on the spot, with all his crew in hand. Life might have been at stake. If the Joan had drifted ashore she might have been a total loss, at all events much more extensively injured. As it was, she was only brought up on the edge of the flat, and made fast to the black buoy on the south side of the channel, drifting helplessly in high wind across the tail of the middle bank, while the Cutch went straight on in full chase of her rival, the City of Nanaimo. I am bound by this section to say that it as being due to the default of the Cutch.

But then, was the Cutch alone in default? Upon this point Mr. Bodwell urged Art. 18, which says that every steamer approaching another so as to involve risk of collision shall slacken speed, or stop and reverse if necessary. Now, as to this, it is to be observed that the whole of these rules are intended to prevent collisions, if possible; and that it is the most mischievous pedantry to insist on a literal compliance with a rule when such compliance would increase the probability of a collision. Now, the position of the Joan was this: She was making, probably as fast as she could, though she had perhaps not acquired full headway, for what we think was a proper way of entering the South channel. She saw the Cutch coming down on her port bow, probably not quite so fast as herself, but yet fast. She would say, "Cutch has, under Art. 16, to keep out of my way, she will probably slacken speed, perhaps pass under my stern, though she seems, like myself, to prefer to make for the north side of the mooring buoys. If I slacken speed, under S. 218, I shall very likely run into her. If she keeps on as at present and I slacken I shall certainly run into her, and then I shall be liable for damages; I should be in default under Art. 22. Much my best plan is to keep my course according to that Article; if Cutch slows down I shall get abundantly clear." And I am advised that reasoning is founded on good and careful seamanship.

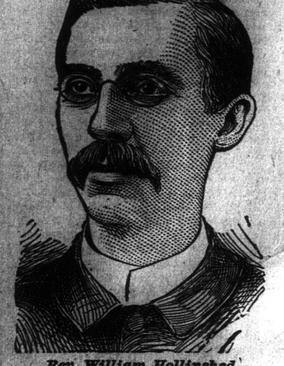
I therefore declare the defendant ship, the Cutch, to be alone in default, and that the Joan was not in any default, and there will be the consequent condemnation as to damages and costs referred to the Registrar and Merchants to ascertain the amount of damage.

I cannot conclude without some observations as to the very serious consequences of allowing several steamers to leave the wharves, especially in narrow waters, at the same hour. In time of war, when two belligerents are in a neutral harbor, they are never permitted to leave together, nor, I believe, until after a period of 24 hours. In the present case the Cutch and the City of Nanaimo are not in one sense belligerents. They do not fire red hot bullets or shell at each other, but they run the manifest risk of inflicting on each other, or on innocent neutrals, as the present case shows, quite as important damage and loss, both of property and life. Two steamers colliding in the Gulf or bursting their steam chests may settle their differences quite as substantially by going to the bottom with all their cargo and passengers as they could possibly manage it with the most improved projectiles or explosives. And although it was in evidence that these vessels never race—that is forbidden by the Pilot rules—yet it was ingenuously confessed that they never meet without seeing which of them can go the fastest. This the Harbor Master can hardly prevent. But a fine of $200 upon any master who leaves this confined wharfage until some small interval—eight minutes is, according to the present case, far more than is necessary—say five minutes after the other; or even $10 on the wharfinger who throws off a line earlier, might be effective.

TROUBLE AT PUYALLUP.

TACOMA, May 12.—Troops arrived from Vancouver, Wn., to-day, to eject Frank Ross and his Indian force from the Puyallup reservation. Ross has had a large force of Indians grading for a railroad across the Puyallup reservation, and has refused to obey the orders of Agent Colls or Major French to vacate. Trouble is expected to-morrow, as Ross and the Indians flatly refuse to stop work. Should the troops forcibly eject them the matter will be carried into court, as the Indians have land in severalty and hold patents of their claim. They can grade over their own lands if they wish. They are American citizens, vote, and pay taxes on their land and property.

WASHINGTON, May 11.—Reports from 20 out of the 62 international revenue districts, giving the number of Chinese who have registered, have been received at the Treasury department. The reports show that 3,043 Chinese have complied with the law.



Rev. William Hollinshed

Of Sparta, N. J., voluntarily says:

"To Whom it May Concern:

"Unasked I deem it my duty to a suffering humanity whose bodies and souls I would have healthy, to tell them of the value of Hood's Sarsaparilla. While living in Ohio one of my children was greatly

Afflicted With Boils

having 30 on her limbs, and being unable to walk. I had heard of Hood's Sarsaparilla, and bought a bottle, half of which cured entirely. Two years after, another child was afflicted as badly. I used the other half bottle of Hood's Sarsaparilla with like results. About four years after, the child first afflicted was again tormented like Job, and I bought a bottle (on Sunday at that) and again a cure. I gave some of the medicine to a poor woman and two children; they were helped as were mine. Through a testimonial sent to C. I. Hood & Co., inquiries came from all the country, asking if it was a 'bona fide' testimonial, and of course I wrote all that it was, and have the knowledge of

Scores and Scores

Of persons helped or cured by Hood's Sarsaparilla. Mild cases of rheumatism have yielded to it. Biliousness and bad liver have been corrected in my own family. This is the only patent medicine I have felt like praising. I speak not for C. I. Hood, but for the Jobs who are impatient and are tormented beyond endurance. Nothing I know of will cleanse the blood, stimulate the liver, or clean the stomach so perfectly as

Hood's Sarsaparilla

Any person wishing to know more, enclosing a stamp will be informed. Yours for the health, happiness and virtue of humanity."

WILLIAM HOLLINSHED, pastor of Presbyterian church, Sparta, N. J.