- Sen 's Bargain....

Mathews's Lard

b. Tin.

pendent Grocers,

oss & Co., ROCERS.

the Kind That Give ction.

es which we are selling at E PRICES:

rocery Co., Ltd. 39 and 41 Johnson Street. Grocery Co., Ld.,

-Messrs. James and G. F. Waites, well known in this city, have received he sad news of the death of their nother, Mrs. John Waites, in Owen Sound, Ontario. Her husband died only ast September. -0-

-The steamer Umatilla arrived from san Francisco on Saturday night, and was followed in port Sunday evening the steamer City of Puebla on her ay to the Golden Gate. The latter had mong her passengers from Victoria A. Langley and bride, Miss C. Morrison, Misses Marsden and H. Clarke and

RHEUMATISM-WHAT'S THE CAUSE? WHERE'S THE CURE?-The active irrithis most painful of diseases ous uric acid in the blood. South rican Rheumatic Cure neutralizes the cid polson. Relieves in 6 hours and cures n 1 to 3 days. Sold by Jackson & Co. and lall & Co.-90.

'NEILL-At Ymir, on Jan. 18th, the wife of A. C. O'Neill, of a daughter. ROOKS-The wife of John L. Brooks, Oak Dale Farm, South Saanich, of a son both doing well.

'LAUGHLIN-At Nelson, on Jan. 16th, the wife of R. D. McLaughlin, of a daughter. ROWN-At Kamloops, on Jan. 17th, the wife of G. D. Brown, of a son. LEAN-At Kamloops, on Jan. 18th, the wife of Angus McLean, of a son. ANKIN-At Vancouver, on Jan. 19th, the wife of John S. Rankin, of a son. RETZ-At Revelstoke, on Jan. 19th, the wife of F. H. Fretz, of a son.

YLOR-At Revelstoke, on Jan. 11th, the wife of Thos. Taylor, M. P. P., of a son. MARRIED. DMITZER-DANIELS—At Vancouver, on Jan. 19th, by Rev. J. M. MacLeod, Paul G. Domitzer and Miss Dora A. Daniels. ARRETT-MURDOCH—At Vancouver, on Jan. 20th, by Rev. R. G. MacBeth, R. A. Barrett and Miss Mary Murdoch.

AY-ALLAN—At Nelson, on Jan. 18th, by Rev. E. H. H. Holman, Robert Day and Miss Eliza A. Allan. DONALD-BLANCHARD-At Nelson Jan. 20th, by Rev. Father Althoff, J. McDonald and Miss Rosalind Blanchard. COMBIE-WHITE—At Vancouver, on Jan. 20th, by Rev. H. G. F. Clinton, W. J. K. McCombie and Miss Elizabeth

YLOR-MORTON-At Vancouver, on Jan. 20th, by Rev. A. E. Hetherington, Ansel Taylor and Miss Margaret Mor-

XON-SHARPE—At Pitt Meadows, on Jan. 20th, by Rev. A. Dunn, Joseph Dixon and Miss Rhoda A. H. Sharpe. TH-LIVINGSTONE—At Lulu Island, on Jan. 20th, by Rev. J. S. Henderson, James Smith and Miss E. Livingstone. LKEM-LANGLEY—On the 23rd inst., at Christ Church Cathedral, Victoria, B. C., by the Rev. H. G. Finnes-Clinton, assisted by the Rt. Rev. the Lord Bishop of Columbia, Albert Godwin Langley to Mabel Sophie, daughter of the Hon. Mr. Justice Walkem, of Maplehurst, Victoria, B. C. eeking to rebut.

DIED

ENNAN—At New Westminster, on Jan. 20th, James McLennan, aged 32 years. RRING-At Kamloops, on Jan. 17th, Villiam J. Herring, aged 64 years. -At Vancouver, on Jan. 18th, John Rae, aged 54 years.

UITS and

tes St

CASE FOR DEFENCE HAS BEEN CLOSED

HEARD THIS MORNING

The Long Litigation is Now Drawing to a Close - Lots of Objections To-day.

(From Friday's Daily.) first witness examined at yesterras H. F. Bullen. He swore that new Alexander Dunsmuir in Vicin 1897 and 1898, and in the latter he met him a number of times on ess and socially. Witness and angry.

ot out of the ordinary, and he did been given in the first place. mble nor was his conversation ent. He never noticed any

camined by E. V. Bodwell, since this had been done he dethat it was not necessary.

Saw Alexander at the club several

Witness remembered a conversation at

itness saw him in that condition. me. He was not helpless, although aggered. On all other occasions his attitude in this action by saying he saw him he was sober.

across 900 feet of the bridge W. Gompentz was recalled and the anstatements of the colliery business 1900, 1901, 1902 were put in. P. Luxton he said his ledger

the debt of R. Dunsmuir Sons any, San Francisco, to R. Duns-& Sons, Victoria, on March 31st, 0, to have been \$357,998.93. This oney owed for coal and the indebts was divided as follows: Union \$102,936.41; Wellington colliery, 78.63; Wellington Colliery Com-Limited, \$2.283.89. R. Dunsmuir ned the indebtedness. The the San Francisco firm to the December 1st, 1900, red to \$458,888.10. This included e indebtedness in March.

This Morning's Proceedings. After a brief cross-examination of W

Mrs. Hopper was called by Mr Duff Thorne came to see her.

O give evidence in rebuttal.

Alexander Hinemann, excluded, and His Lordship so order- that Montford Wilson's interpr

ld show what particular evidence power.

ms were made to other questions, e upheld for the same reason.

ook's Cotton Root Compound.

and 2 are sold in all Victoria drug Hibbert Tupper. He was asked about colony will be presented the Comox fishing trip in 1898, in which council on January 25th."

requested him to let no one know, particularly the Dunsmuirs, as her mother in chief. was very sensitive on the subject. Mr. Wilson said that the Dunsmuirs already mother was present, the subject of Alex- ible statement. ander Dunsmuir's competence to make a will was brought up. The ground of attack on the will was discussed.

Mr. Davis objected to this last questo cross-examined Mr. Wilson as to will leave out that gull this time, Sir whether Mrs. Dunsmuir suggested there Charles." was anything wrong with Alexander | Sir Hibbert: "I don't believe there Dunsmuir's mind, and now they were trying to prove it by this witness.

Was a gull, your Lordship.'
Witness, continuing, said dine there. Alexander Dunsmuir had ness caught the first fish-

Dunsmuir had arranged for the Mr. Davis objected to this on the pairing of the steamer Bristol, but ground that the plaintiff's counsel was exander overruled his brother. Witted once. His manner of speech sent the night before. This should have

His Lordship upheld the objection. He pointed out that rebuttal evidence was in Alexander Dunsmuir between for the purpose of contradicting what a some witness had already stated. Mrs. Hopper said the statement of Mr.

could not give the dates of his | Agnew about her (witness) insulting with Alexander Dunsmuir in years mentioned. He always and Mrs. Agnew visited San Leandro in latter a shrewd business man. 1899 was incorrect. Mr. and Mrs. Agnew matter of the Bristo., Alexander | did not dine there during the visit. l his brother's plans as to dock- The discussion which took place be fler he had discussed the matter tween W. Brock, Judge Coyne and witcaptain. The latter at first ness was about Alexander Dunsmuir's thought the vessel should be condition, and not about her mother. but when he learned how long Brock wrote a letter to witness when she was in New York. She gave it to Judge Coyne, who tore it up,

s in 1898. He remembered James smuir calling at the club for his her in the afternoon. The latter was by intoxicated. That was the only witness saw him in that cardiffication. witness saw him in that condition.

Nevin told witness and Judge Coyne that he didn't know how soon he would

s saw him he was sober. s-examined by Sir Hibbert Tup-Witness had a conversation with Dr. e witness said the incident of the | Thorne in New York in 1901 regarding l was impressed on his memory Alexander Dunsmuir's will. The latter advised witness to consult a lawyer and ons were held about the same time said he didn't think things were all right. He asked witness about the agreement. displayed because he was struck with dominance of one partner over the loninance of one partner over the and afterwards told Wilson & Wilson to get a copy of the agreement for her. Witness and Judge Coyne saw Dr. Thorne in San Francisco. The latter said he would help her all he could in the suit. Witness, Judge Coyne and Mr. Witness and Judge Coyne and Mr. d he and Alexander Dunsmuir her father, discussed her father's drinkthe Trent river bridge on Septem- ing habits and said he was not compe-2nd or 23rd, 1898. They were actual tent to make a will, and everybody knew it. The doctor desired that his evidence on, paymaster at Wellington. Wit- should be taken by commission. An adi taken.

(From Saturday's Daily.)

Yesterday afternoon's proceedings of the will case were enlivened by a number of spirited tilts between Sir C. H. Tupper, K. C., and E. P. Davis, K. C. much to the entertainment of the spec

The rebuttal evidence of Mrs. Hopper vas continued when the hearing was re sumed. She said that Dr. Thorne told her that Alexander Dunsmuir became prejudiced against him for some cause of which he was unaware. He also stated that there should be no difficulty in proving that Alexander was incom tent to make a will in 1899. In July An adjournment was then taken until 1903, Dr. Thorne told witness at the Driard that the evidence he would give would not work to her disadvantage. Cross-examined by Mr. Davis, the witness said she could only give the submpertz by Mr. Duff this morning, Mr. stance of those conversations as she did vis announced that the case for the not take notes. Mr. Elkins, a friend, was visiting San Leandro when Dr.

Alexander Hinemann, attorney-at-law, Mr. Davis requested that all other witesses to be called for rebuttal evidence

San Francisco, was then called. On examination by L. P. Duff, K. C., he said of the California law when he stated t Mrs. Hopper was then examined by Mrs. Dunsmuir that if insanity wou . Duff. She stated she had heard the invalidate the will it would render ine of Mr. Wharton, who said that | valid the marriage was wrong. He read ges in the plans for the San Leandro | sections of the California code governing were made by Alexander Duns- the matter and the conditions under Witness said she made these herand described what they were. All
alterations suggested by witness
I she was at San Leandro were carDunsmuir was dead there was none who

could impeach the marriage. remembered a conversation with Witness had an interview with Mrs. expressed disapproval of Mrs. Hopper Duff was proceeding to question taking this action because it would distion with the will he wasn't in the same year. The doctor, he thought, on to act for her, when Mr. said that Alexander Dunsmuir's excested on the ground that coun- sive use of liquor weakened his mental

Cross-examined by Mr. Davis, the wit-Duff explained that in the ab- ness said his stenographer took down the stenographer's notes he this interview with Dr. Thorne. He consider it unprofessional for him to answer whether his fee in this instance

Ladies' Favorite,
Is the only safe, reliable regulator on which woman can depend "in the hour and time of need."

Prepared in two degrees of strength. No. 1 and No. 2.
No. 1.—For ordinary cases is by far the best dollar medicine known.

For special cases—10 degrees—three dollars per box.
Root Cempound. Take no other pills, mixtures and imitations are ous. No. 1 and No. 2 are sold and mended by all druggists in the Doa of Canada. Mailed to any address selpt of price and four 2-cent postage.

The Cook Company,

The Cook Co

Continuing, witness said that in June, 1900, she had a conversation with Mr. Wilson concerning her mother's health, The witness was proceeding to state after Mrs. Dunsmuir return from New When he had seen Alexander Dunsmuir York. Witness told Mr. Wilson that the before that trip, when Mr. Davis inter-New York doctors said she couldn't possibly live more than two years. She told buttal evidence. The plaintiff was tryhim what her mother's disease was, and ing to get in at this stage testimon

Sir Hibbert Tupper resented the suggestion that he was doing something unknew. In her conversation with Mr. derhand. He had done nothing in this Wilson in June 11th, 1900, when her case which warranted such a contempt-

he was rebutting.

He then questioned Mr. Brydon about tion. The plaintiff's counsel was afraid the trip. His Lordship: "I hope you

trying to prove it by this witness.

Continuing, witness said that Mr. and Mrs. Agnew visited her mother at San Leandro but once in 1899. They did not did not the first bird; with the continuing the said her did not fish nor did he shoot the first bird; with the continuing the said her witness.

a newspaperman. When the latter came Up to Monday, September 12th, Mr. to take them Mr. Dunsmuir became Lowe had the best catch. Witness never saw Alexander Dunsmuir do any shooting from the deck of the steamer. Counsel was about to question the wit-

ness regarding the conversation and cononly saw Alexander Dunsmuir inwas attempting to show that Mr. Dunsduct of Alexander Dunsmuir at dinner
when Mr. Davis interrupted with another objection. He also objected to the question as to whether Alexander Dunsmuir was rubbed with alcohol by his valet every night. His Lordship held that the matter

wasn't relevant. It didn't make much difference in the case if the alcohol was taken outside instead of inside on these Sir Hibbert then asked the witness Alexander Dunsmuir told him that there were people after him with guns and Mr. Davis objected. He insisted that counsel should show on the notes

the particular evidence he was trying Sir Hibbert said he would wait until mebody else turned up the notes for his learned friend, but he wouldn't do it. He wouldn't play devil for Mr. Davis. He had given his word as counsel that the evidence he was rebutting was given. This was the first case in

his experience in which his word was so persistently doubted. The question was ruled out. Ultimatethe proceedings were adjourned until this morning. To-day's Proceedings.

To-day's Proceedings.

An objection as to the method of computation. The vessel, her contended, should be valued as she stands to-day, minated this morning, after which coun-Mr. Davis suggested that the address be war. limited, each counsel having a day. This would give the plaintiff's and intervener's unsel two days and himself one. The matter will be decided on Tuesday

orning. When the case was resumed present valuation, to-day Miss Mamie Howe was called by the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness, Judge Coylie and Mr. Bir. Dun to give reductal testimony. Sale the suit. Witness the suit. Wi Counsel asked witness if Mrs. Agnew

fold her that two words from her (Mrs. damage to the vessel. Agnew) would settle this suit. Mr. Davis objected on the ground that this aid she took no notes of the conversa-

W. Le Poer Trench was examined by Sir Hibbert Tupper. He said he and Mrs. Trench were dining at the Driard when Mr. Cassidy and Alexander Dunsmuir were there. They were dining at separate tables. He never met Alexandr Dunsmuir before in his life. Mr. Cassidy brought Mr. Dunsmuir over to their table and introduced him to Mrs. Trench. Mr. Dunsmuir wasn't intoxieated, gay, jolly nor larky that night. This concluded the examination of witnesses, and after some discussion by ounsel regarding their summing-up the court adjourned until Tuesday next,

MARRIED ON SATURDAY.

Two Well-Known Young People United in Bonds of Matrimony.

At Christ Church cathedral on Saturday afternoon, Rev. H. G. Fiennes Clinton, rector of St. James's church, Vanuver, assisted by the Bishop of Coambia, united in wedlock Miss Mabel Sophia Walkem, only daughter of Hon. Mr. Justice Walkem, and Mr. A. G. Langley, youngest son of the late Mr. A. J. Langley. The bride was charmingly dressed in

wore a beautiful bridal veil and carried a bouquet of orange blossoms. She was given away by her father. Wilson in June, 1900, when her Agnew on April 11th, 1902. The latter and Godfrey and Ethel Rhodes were pages. The bridegroom was supported by his brother, Mr. W. H. Langley. Mr. thess as to whether Mr. Wilson grace her mother's name. He inter- Fred Pauline presided at the organ and mother that if she instituted suit | viewed Dr. Thorne some time in May of | rendered the usual appropriate selections.

dence of Hon. Mr. Justice Walkem. Afterwards the wedding dinner was partaken of at the residence of Mr. and Mrs. C. W. Rhodes. The newly-married couple left on nly rely on his recollection in the couldn't recall the whole interview. He Saturday evening for Arizona, where was the plaintiff's legal representative in Mr. Langley is following the profession objection was upheld. Similar this case in San Francisco. He didn't of mining engineer. He is a well-known Victorian, and for years was assistant give evidence in the witness box. He book-keeper for the firm of Langlev & was called to give testimony relative to Co., which was established by his father the law of California. He refused to Many handsome present were received

> Salt Rheum, Scald Head, Ringworm, Ec. her at \$17,500. He had a good deal to zema, Itch, Barber's Itch, Ulcers, Blotches, do with the buying of vessels, having Chronic Erysipelas, Liver Spots, Prurigo, Psoriasis, or other eruptions of the skin-Baroda, taken over by R. Dunsmuir & what Dr. Agnew's Ointment has done for Sons. The Abby Palmer had a good others it can do for you cure you. One rating, and he would put her in the application gives relief. 35 cents. Sold by medium class. He considered that it Jackson & Co. and Hall & Co.-87.

and groom in Victoria and others points.

ster petition, signed by 45,100 white male adults resident in the Transvaal, request"ten cents a dozen." A Johannesburg dispatch says: "A mor ing the passage of the law providing for the importation of Asiatic labor in the colony will be presented to the legislative dence thus far has been to the effect

EVIDENCE COMPLETE AND ARGUMENT HEARD

Strong Point Raised as to Value of Abby Palmer - Victoria in From Orient.

(From Friday's Daily.)

In the Admiralty court on Friday before Mr. Justice Martin, assisted by two nautical assessors, Commander given his consent the night before to have photographs of the place taken by story, my Lord."

Sir Hibbert: "I knew that was a fish Parry, of H. M. S. Egeria, and Commander Sanderson, of H. M. S. Grafton, the trial brought by the owners of the numerous cases of salvage to show that steamship Vermont against the barque in none did the percentage of the award Abby Palmer for salvage to the amount given exceed 12 per cent. The average of \$25,000, for the rescuing of the latter,

remuneration. J. A. Thomson, inspector of boilers, was the first witness called. He had made a valuation of the Abby Palmer and put it down at \$35 a ton, or \$68,000 was in an utterly helpless condition: that in all, when the ship was placed in good condition. The cost of repairing he set down at \$30,000. Estimating the ship's value when new at \$50 per ton, he reckoned on ten years' deterioration according to the life of the vessel. The whole rigging of the ship was a wreck.

had based his valuation on the American classification, which the vessel had classification, which the vessel had ing that they had given up all hope; that they had given up all hope; that rigging of the ship was a wreck. He the vessel could therefore not be classified with the Columbia, which had different register and was 21 traces of the country Capt. Collister, inspector of hulls, was next called and was about to explain what the ship was valued at when W. D. Taylor, counsel for the defence, raised

The objection was overruled and examination of the witness was proceeded article which might be of temporary serwith, Mr. Taylor questioning the captain vice. Both counsel promising to look up

J. K. Kibbeck, manager of the Albion Mr. Duff to give rebuttal testimony. She aid she had a conversation with Mrs. ed. He had made an estimate in detail Palmer, and placed it at \$33,000.

Witness then described in detail the cross examination of the witness, whose evidence Mr. Duff was seeking to rebut.

The question was allowed, and the carmination. This was to have been chinaman arrived on the steamer for The question was allowed, and the straintation. This was to he like the straintant of the straintant o

J. McDouga, of Bodwell & Duff's office, on being sworn, stated that he had served Captain Johnson before 12 o'clock. Captain Johnson, of the Abby Palmer, same effect, neither, however, that their watches corresponded with fied that the appointments were served

(From Saturday's Daily.)

When the case of the Vermont vs. Abby Palmer was resumed in the Admiralty court yesterday afternoon, the declarations of Captain Hayes and other nembers of the crew of the steamer were read by J. H. Lawson. It related in detail the story of the finding and salving of the Abby Palmer from a perilous

Captain A. T. Walbran was then called to give information on the surrents and tides of the West Coast where the distressed vessel had been picked up. Captain J. S. Gibson, of Chemainus, tified as to the value of the Abby Palmer. He was a master mariner and duchess silk with rose lace insertions, and having been one of those who had purvaluation he had placed on the Abby Palmer. As a commercial proposition he said that he took the Abby Palmer to be worth about sixteen or seventeen thousand dollars. Cross-examined by E. V. Bodwell, K. C., witness said that he re-Following the ceremony a reception was held at 153 Blanchard street, the resiand of heavier metal. He knew from the different classification of the vessels. The Columbia might be worth nore if placed in American trade. He hoped to see her soon placed under the American flag. There was at present, however, a big lot of disengaged tonnage in American trade. When in a proper state of repair he would consider \$50,000 as a good price for the Abby Palmer. Captain E. S. Amesbury swore to hav ing made a survey of the Palmer for R. from the numerous friends of the bride P. Rithet & Company, and to having valuated her as she stands at \$19,000. Captain Freemen also examined the HAVE YOU A SKIN DISEASE?—Tetter, craft for the same firm, and appraised

lately arranged for the purchase of the would take \$30,000 to repair her. All depended on the market as to the value of a vessel. At present there was a ten cents a dozen."

Captain Johnson, master of the Abby pleted state. For a tourist vessel the Princess Victoria will present ideas of comfort and luxury not seen on any point on the 20th of last month. Both Palmer, was the next witness. His evi-

-81

she was not in immediate danger of sinking. He knew the locality well, having sailed back and forth along the course rooms, one in the forward end, and the for upwards of twelve years. After the rigging had fell there was still about 40 feet of the mast left, and on this he would have rigged a jury sail. He had signalled a sailing vessel prior to the Vermont. He was still in the witness box when the court adjourned until 10.30 this stood, will be quite in keeping with the When the case was resume this morning Capt. Johnson concluded his evidence. Capt. J. G. Cox gave as his valuation of the Abby Palmer \$18,000. H. F. Bullen

thousand dollars; Robert Sudden, owner, stated that he had bought her by tender woods of handsome design. in San Francisco six years ago for \$27,-000, which price included an outfit with the vessel, and a sailor named Reniels THE EMPRESS COLLISION. told of the experiences of the Columbia under somewhat similar circumstances

when that ship manoeuvred about for 11 days after disaster overtook her. This witness's evidence closed the case for the defendant. W. J. Taylor, counsel for the Abby Palmer, then delivered argument in an able address, in which he quoted from given was 11 per cent. It had been shown by several witnesses, counsel rewas begun.

E. V. Bodwell, K. C., representing the plaintiffs, in stating the case, said that plaintiffs, in stating the case, said that there could be no question about the services rendered by the Vermont to the distressed ship. The only wind to services rendered by the Vermont to the distressed ship. The only point for discussion would be that of the amount of remuneration.

over \$1,800, and this he argued should not be exceeded in the present case. Mr. Taylor also argued to the effect that the Abby Palmer could have rigged up a sail or so and in this way kept hered. or so and in this way kept herself from was very conflicting. The naval assess-

going ashore. E. V. Bodwell, K. C., for the plainher valuation given by witnesses for the defence was that based on a forced sale, which was an unjust way of appraising her under the circumstances; that the vessel when rescued was drifting and likely to go ashore within 48 hours if she did not sink in the meanwhile; that when picked up by the steamer only sions, saving property and probably the lives of those aboard. He further thought the compensation to the steamer should be such as would encourage vessels to render assistance in such cases to distressed craft.

His Lordship asked counsel on both sel on both sides discussed the procedure not on commercial conditions, which sides to submit what authorities they to be adopted in addressing the court. might arise as, for instance, in time of could find on appraising a vessel by what is known as market valuation. He did not look upon a vessel as a horse or an somewhat closely on the question of authorities bearing on the subject, the court then adjourned.

FROM CHINESE PORTS. Sound and in the East, the Northern when she arrived in the position he described with regard to the overtaken vessels. damage to the vessel.

Mr. Bodwell asked to be allowed to submit the declaration of Capt. Haynes, of the steamer Vermont, but Mr. Taylor densignment of 419 bales of silk which the Quangtai starboarded.

Scribed with regard to the overtaken vessel, the two vessels being on convergent courses. It was, however, no proof that the Quangtai starboarded.

Avenue Traction Company, which is now the second the declaration of the Pittsburg railway system the Quangtai starboarded. consignment of 419 bales of silk which. couple of affidavits to prove that the steamer Manauense, and 19 Chinamen papers were not served until 12.04 p.m. Victoria passed a steamer loaded and bound in this direction, but the weather being hazy at the time could not distin-Captain Johnson, of the Aboy tames, guish what she was testified to having been served after 12 ever, may have been the C. P. R. freighto'clock according to his watch, and Captain J. G. Cox gave evidence to the the Far East, the Far East.

EMPRESS TO BLAME.

A copy of the Daily Advertiser, Yokohama, received by the SS. Vcitoria Satur-The court then adjourned for half an day contains a telegram from Shanghai stating that judgment was given on the different positions in which the men the 29th December in the case of the inking of the latter. The judgment was that the Empress of India was blamable. case.

KESTRAL ON DUTY. The Dominion government fishery ruiser Kestral, Capt. Newcombe. ar ived from the Terminal City to take up quarters here until the D. G S. Quadra is again in commission. will take until about the beginning March before the Quadra is again ready for sea. Her machinery has been taken chased the Columbia, another dismasted apart, and the work of renovation and vessel in Esquimalt, was asked what painting throughout the ship is in pro-In the meanwhile the Kestral gress. will be kept on hand, and in case of emergency will be able to take the place of the larger vessel.
Some days prior to the foundering of

the Clallam it will be remembered Capt. Gaudin, agent of marine and fisheries had written to the department at Ot tawa asking for the service of the Kestral, but before a reply could be received to this communication the disaster to

the Sound steamer occurred. The Kestral is a stranger to this port, although heretofore fully described in these columns. Since her construction at the Terminal City a year or so ago she has performed a good service for the government in protecting the fisheries of this province, and it is only within the last few weeks that she completed a trip to the northern coast to investigat e reports concerning poachers. The vessel has taken up a position in the bay, and her odd lines and rather formidable appearance receives consider

THE PRINCESS VICTORIA. Although, the new C. P. R. ferry rincess Victoria has been lying at her wharf, James Bay, for several weeks activity aboard her has not ceased. Every day sees a force of mechanics at work, and when the steamer enters service again the interior will be a revela tion to those who saw it in its uncom that when the Abby Palmer was rescued other craft entering this or any other passengers and crew were sared.

finished in woods giving a mahogany effect, and the furnishings, it is underimportant position in commercial life which the steamer is to fill. There is a great deal of work to be done on th ressel before she will be again ready for commission. Much of that which only served a temporary purpose is being resaid the vessel was worth ten or fifteen moved, and has been

A Kobe Herald received by the steen r Victoria on Saturday gives details o tae decision, announced heretofore, in make its own iron and steel and for the Empress-Quangtai collision case tried three and a half years he experimented in the British Supreme court, Shanghai. In a summarized report of the judgment given by Sir H. S. Wilkinson, His Lordship is quoted as stating that the vessels came within the rule that any vessel overtaking another shall get out of the way of the other, and that the burden of Mr. Swaney was a farmer's boy and proof was on the defendants to show an excuse for the decision. This burden the defendants had endeavored to disors were, however, clearly of opinion that the cruiser did not starboard, and after carefully considering their reasons and the evidence his Lordship concurred. This conclusion was supported by the plans put in and also by the record of

which his Lordship deduced that the collision could not have occurred in the way suggested by the defendants, and that the distance between the two vessels at the time the cruiser was alleged to have starboarded must have peen considerably less than those on the Empress of India supposed. The evidence in regard to the junk was analyzed losely, and the assessors came to clusion that there was no junk at all, out that what was seen from the Em ress was the loom of the fore part of e cruiser with the topmast housed.

As to the widening out of the stern light of the cruiser on the mail steamer's starboard, which was another argument in favor of the theory that the cruiser had starboarded, the court neld that the first widening out to one int was explained by the two vessels being on parallel or almost parallel ourses, while, as to second widening, its cause was that the mail steamer was overhauling the cruiser on a course that was converging with that of the cruiser, the two vessels being much nearer than was realized on the mail steamer. The statement entered in the Empress's log book by a passenger represented in the With 400 tons of general cargo for court's opinion what would present itself Victoria and 1,500 tons for points on the | to a spectator in the overtaking vessel

His Lordship found that the collision vas brought about by the alteration of the course of the mail steamer at 11.38 he later sold to the United Traction he course of the mail steamer at the so as to cross the course of the cruiser, company.

"He then promoted the company that "He then promoted the company that lookout. The responsibility for this failure was on the officer of the watch Highland bridge across, the Youghiogcumbent to keep a good lookout that he was hauling in his own vessel more osely to the course of the cruiser. His Lordship was satisfied that he did new iron bridge across the same river collision took place in consequence. The collision took place in consequence. The well known financiers had been working lision could not have taken place as to float a company that would build an stated in the preliminary act of the cruiser, and there were also divergences in the statements of the cruiser's wit sses, but these were accounted for by were placed, and there was no need to collision which occurred on the 17th of August near Swatow between the was sorry to hear the suggestion made was built and not been able to work through more than two years. The extension steamer Empress of India and the Chinese cruiser Chingtai, resulting in the down deliberately, and held that the statement had been distinctly disproved. His Lordship found that the Empress of The Chinese government thus won the India was alone to blame and made the built a street car line from McKeesport usual decree against the owners for damages and costs, with the usual reference to the registrar and merchants.

MOANA'S SAILING DATE The sailing date of the Canadian-Ausalian liner Moana has again been changed. She was scheduled to sail for Australia on January 29th, but, by the new arrangement, she will not depart until February 2nd. She will proceed direct to Sydney, cutting out calls at Honolulu, Suva and Brisbane. It is expected that repairs to the four years ago he attempted to form a

Moana at Esquimalt will be completed towards the end of this week. The lines in the city. It was then he discovered to the city of the cit Moana has been in Esquimale for the last couple of mouths as a result of injuries sustained at William Head. She was placed in dry dock, after some days' delay, just prior to the floating of H. M. S. Flora, and having to make way for that vessel on the latter's arrival, a coffer dam had to be constructed to be adjusted to her stern in order that repairs might be completed. Since this the work on the steamer has proceeded expeditionsly. Had it not be for the many interruptions in regard to docking the vessel, however, her repairs would have been completed long ago.

SAILING VESSELS LOST.

A Nagoya dispatch reports that the Kuten Maru, a sailing ship, was wrecked off Matoya. The captain and eleven of the crew are missing. The Awodama Maru, another sailing vessel, shared the same fate in a storm during her voyage Ise from Tokio. Six of the crew were drowned, only one person suc ing in reaching Matoya port and being saved.

Oriental advices received by the Vic toria on Saturday also tell of the strand ing of Niskikikawa Maru and out of 56 passengers aboard four were lost, in addiOF HOMER SWANEY

Deceased, Who Was Prominent in East. Did Much to Develop Western Resources.

The remains of Homer H. Swaney, e of the victims of the Clallam dis aster, were borne to the grave at Port Townsend on Friday, the funeral being held under the auspices of Townsend Commandery, No. 9, Knights Templar. The deceased came to Puget Sound four years ago, imbued with the conviction that the Pacific coast should be able to make its own iron and steel and for and worked and developed his ideas until it became a proved fact that all the raw materials exist in the West for the mak ing of the best iron and steel in the world.

was early cast on his own resources. He was a graduate of Monmouth College, Monmouth, Ill., also studied at the voted columns to his life. The following which appeared in the Pittsburg Dis-

patch will be of interest:
"Homer H. Swaney was one of the most energetic and successful men of Alleghaney county. He was born at Hookstown, Pa:, 47 years ago. He was known among business men from New York to San Francisco as one of the shrewdest and most daring promoters of the country. With little or no capital, he organized and promoted enterp Alleghany county and on the Pacific coast that to-day are estimated to be worth millions. At the time of his death he was president of the Pacific Steel Company at Irondale. He has been absent from McKeesport since 1901, when the Irondale works were placed in

"Mr. Swaney's first big enterprise was promoting of a company of Pittsburg and McKeesport capitalists, who erected the Riverton bridge across the Monongahela river, connecting McKeesport and Duquesne. Following, closely on this he organized the White Traction Company, operating a street car line from Duquesne to McKeesport, which is now a part of the yellow-line system of the Pittsburg Railway Company. He next secured a charter for the Dravoshurg and Glenwood traction lines and secured the right of way from Dravosburg to Hay's station, where he secured a chart-

er for the Glenwood bridge.
"With the backing of Thomas Brown & Brother, prominent capitalists of Baltimore, Md., he paid \$420,000 for the McKeesport & Reynoldton Street Railway Company at McKeesport, and later Keesport to Glenwood to the Second of Chilhonn park. At that time he also controlled the right of way from the Glenwood bridge to Homestead, which

n the bridge, on whom it was the more heny river at McKeesport, the company that built and now operates the bridge across the Youghiogheny river extension of five miles of street car lin from McKeesport to Wilmerding. They did not seem able to succeed. They finally went to Mr. Swaney. He accomplished in twenty-one days what they had not been able to work through in was built and paved for the entire five miles, and for his work in deal Mr. Swaney was paid \$65,000.
"Six years ago Mr. Swaney organized

to Versailles, and opened Versailles park pleasure park, four miles above Mc Keesport. Four years ago he planned a traction route from McKeesport to Connellsville and secured right of way s far as Scot Haven. The Versailles Traction Company was then sold to the Fittsburg, McKeesport & Connellsville Street Railway Company, which now operates the line within a few miles of West Newton.

"For the past five years Mr. Swaney had been making business trips to the Pacific coast, and while in Seattle about company to consolidate all the traction ered an abandoned iron mill at Irondale. "He immediately planned the forma-tion of the Pacific Steel Company. The

company was formed and experienced ironworkers taken West from Pittsburg district. The first iron was made in De cember, 1901. Some of the iron used in the construction of the new battleship Nebraska, now on the docks at a Seattle shipyard, was manufactured in part in the Irondale works.

"Mr. Swaney was in Pittsburg on De-cember 19th last for a few hours on his way home from New York City, where he conferred with capitalists with a view of enlarging the Irondale works and uilding a steam railroad from Seattle to Port Townsend, for which he had already secured a right of way around the Strait of Juan de Fuca. It was probably while on business connected with the new rail-toad that he met death on the ill-fatel steamship Clallam. He was estimated be worth in property more than a illion dollars. Mr. Swaney leaves a widow and two

Lever's Y-Z(Wise Head) Disinfectant Soap Powder is a boon to any home. It disinects and cleans at the same time.

children.

At certain chemical works at Hanover they supply radium at 13 fr. a grain in stead of at 500fr., the price it fetches in