Weekly Colonist

FRIDAY, JUNE 15TH, 1888.

THE MAN WITH A RECORD.

Our morning contemporary pats the two candidates for Victoria District on the back and pronounces them both to be good boys. The only objection it can find to Mr. James Tolmie's return is his want of a "record:" while the only thing it can find to recommend Mr. McIlmoyl to the electors is his possession of what Mr. Tolmie lacks. Does it matter not, then, whether a man's record is good, bad or indifferent, so long as it *is* a record; and is he just that much in advance of his adversary and has he in consequence a superior claim to the suffrages of a constituency? If this rule should be applied to all elections, we wonder where a man who has not before enjoyed Parliamentary honors would come in;—how he would ever find an opportunity to make a record if he is to be turned away from the threshold of public life because he has got none. In countries where certain men are considered as "born to the purple" the stand taken by our morning friend might be accepted as good, sound, practical sense; but in a country where constitutional government prevails and where all men have an equal right to gratify a laudable ambition to rise, it sounds very absurd. The strength of a kangaroo is said to lie in its tail. Mr. McIlmoyl's strength (according to the *Standard*) also reposes in what is behind him. Now, we submit that Mr. McIlmoyl's record is neither wholesome nor sweet, politically speaking. As a man and a citizen he is all that could be desired; but as a member of the legislature he was a dismal failure, because he suffered himself to be tied hand and foot to the policy of a government after he had had abundant opportunity of knowing that that policy was not in accord with popular sentiment. Let us see: Mr. McIlmoyl stood for political honors in 1882. He had represented Victoria district in the local legislature since 1878, and the occasion of his last standing was when the general elections came on. Now, if Mr. McIlmoyl's record was good, if he had striven zealously to advance the interests of his constituents, if he had carried out a tithe of his pledges and professions, is it not reasonable to think that the friends and neighbors who sent him into the house with a tidy little majority four years before would have renewed their confidence in 1872? In 1886 the peninsula electors manifested their confidence in Mr. John by re-electing him. Not alone that: They sent Mr. G. W. Anderson in to support the policy Mr. John had ably and forcibly advocated on the floor of the house since 1882. But what happened to Mr. McIlmoyl in 1882? How fared it with the gentleman with a record? When the votes came to be counted he was at first nowhere to be found; but after a long search he was discovered in the bottom of the political bag. It has taken his friends six years to fish him out and put him in a fair state of repair for another "shy." But Mr. McIlmoyl was not alone in his disaster. He had excellent company in his defeat. The supposed invincible T. B. Humphreys, then a cabinet minister, lost his election in the same district and at the same time. In spite of "metallic" influence and heavy road expenditure the vote stood thus:

John	113
McTavish	110
Humphreys	100
McIlmoyl	661!

Now had the gentleman with a record been true to his constituents, does anyone believe that he would have been discharged after four years' service with a reprimand so severe as that contained in the "record" quoted above? One of the chief complaints of his constituents against Mr. McIlmoyl was his abandonment of their interests in the Assessment Amendment Bill of 1879. The assessment act passed at the instigation of the Elliott government in 1876, imposed taxation on town and country equally. The act as amended by the Walkem Government with Mr. McIlmoyl's active support relieved municipalities of a tax on real estate for provincial purposes and placed it on the farming districts! The Act of 1879 further amended the Assessment Act of 1876 by providing that in each and every year the annual taxes remaining unpaid on the 1st day of March shall be deemed delinquent. Mr. McIlmoyl voted for this clause. The full force and scope of this grinding enactment will be better understood when it is stated that in the previous session (1878) Mr. McIlmoyl voted for a bill that imposed an addition of 25 per cent. to the amount of, delinquent tax, and provided, further, that "interest shall at once attach thereon after the rate of 18 per cent. per annum." Hon. Mr. Smithe, then leader of the Opposition, made a strong appeal on behalf of the "struggling settlers," who were alone interested in the obnoxious enactment so far as it related to the real estate tax (municipalities being exempted by the same act) but Mr. McIlmoyl failed to second his appeal, voted for the obnoxious clause and the bill became law. So runs a part of Mr. McIlmoyl's record. Every statement made will be verified by reference to files of newspapers or journals of the House. We ask every candid, unprejudiced elector whether it is a narration to which the Opposition candidate can point with pride and comfort? Mr. Tolmie may feel thankful that he is not the unfortunate possessor of a record of which his opponent has abundant reason to be ashamed and of which the constituency of the adjacent district expressed their opinion in unmistakable terms six years ago.

THE DEEP SEA FISHERIES.

The question of the deep sea fisheries of this province is a very important one, and is occupying the attention of the government as well as of our representatives. The position of the matter at present will be seen from a dispatch and its reply. On the 8th inst. Mr. E. Crow Baker, M. P., telegraphed Mr. John Tilton, deputy minister of fisheries, Ottawa, as follows:

What is intention of government regarding deep sea fisheries British Columbia for this season? Will a schooner be subsidized same as last year?

On the 10th inst. Mr. Tilton wired the following reply to Mr. Baker:

Steamer Douglas will be commissioned about middle of July for a two months' exploration of deep sea fisheries.

So that it will be seen that the good work begun in 1886 will be continued under more favorable conditions this year. The exploration of the deep sea fisheries cannot fail to prove of lasting good to the Province; judging by the result of the previous survey it is certain to prove successful. Why do not some of our enterprising citizens fit out a schooner and embark in this yet undeveloped trade? Surely on the cod banks of the North coast there is an opening for commerce. In a few years we hope to see them rivalling the Grand Banks of Newfoundland. Hundreds of crafts will fill the waters and a hive of industry be opened up that will prove a genuine surprise to everybody. It has been amply demonstrated by Inspector Mowat's researches that the fish are there; then why not at once begin the work of bringing them to market? Who will be the pioneer in this new field of labor?

EDITORIAL COMMENTS.

JOHN RUSKIN, in his recent lecture at Oxford, declared that "the whole meaning and power of true courtship is probation, and it ought not to be shorter than three years at least, seven being the more orthodox time."

THE King of Belgium recently presented the Sultan of Morocco with a little railroad completely equipped with rolling stock, including an improved drawing-room car. The Sultan was so delighted with the pleasing plaything that he has just conceded to a Belgian company the right to build forty miles of railway from Mequinez to Fez, although previous proposals of a similar nature have been persistently refused. It would appear as if a shrewd Belgian contractor had connived with King Leopold to overcome Sultan Muley Hassan's scruples.

"TORONTO THE GOOD" is undergoing another humiliation. The revelations that are just now being made in Judge McDougall's court would be enough to shatter a much sounder reputation for municipal virtue than even she possesses. It would be, of course, unfair to comment on the evidence, or affirm conclusions before the case for the defence has been submitted. But if there is any reliance to be placed on testimony, a system has been in operation for years which falls short in magnitude only of anything that ever occurred in Tammany Hall. If Boss Tweed were still on the scene he would have need to look out for his laurels.

NEW YORK and Chicago can both be held up as marvels in their growth of population. According to the thirteenth annual report of the Chicago Board of Trade, Chicago contains now about 800,000 souls as against 4,853 in 1840. In 1840 the population of New York city was 312,710; at present it is in the neighborhood of 1,600,000. Both New York and Chicago are admirably situated for a steady increase of population—the former harbor being one of the finest in the whole world, and as to Chicago *Lippincott's Gazetteer* puts it correctly in stating that "one of the principal causes of the prosperity and growth of the city (of Chicago) is its position at the head of the great chain of lakes, which form the grandest medium of internal navigation in the world."

* * * Is it any wonder, then, that Conservatives as well as Liberals feel that it is high time to raise a voice of warning against the appointment of a gentleman to so important an office as that of Minister of the Interior who has been characterized as the embodiment of all that is evil; who has been noted for his venality and inhumanity, to say nothing of the disgrace brought upon the country by his management of the Indian affairs?—*Times.*

This is choice language indeed in which to speak of a Canadian Lieutenant Governor! It might be pertinent to ask, however, by whom Gov. Dewdney has been so "characterized?" By a Mr. Jackson of Qu'Appelle to whom, perhaps, the governor refused to grant a whisky permit, or who at least considers himself as having a grievance of some kind. If the ravings of political and personal enemies of our public men from Sir John Macdonald down to—well, say Sir Richard Cartwright, were to be taken as gospel truth, as the *Times* evidently treats this Mr. Jackson's ebullitions of wrath, the most estimable gentlemen in Canada might be foully traduced. For shame, friend *Times*, on such small meanness!

THE JUBILEE HOSPITAL.

TO THE EDITOR—A chief feature of advancing civilization is the providing remedies for all the ills which flesh is heir to, and placing all supply within easy reach of its demand. Trades, businesses, professions, are established as near as possible to the centres of population. No one thinks of opening for the convenience of the public, whether civic or provincial, a restaurant at Cadbore Bay, a clothing store at Sangster's Plains, or a blacksmith's shop a mile from the high road. We should complain if the general post-office were at Colwood, and we require that churches and lecture rooms should be near the mass of the people who want to use them. Even the central school has been complained of as not sufficiently central, and in the less urgent case of orphans, the present home was given preference over proffered sites on James Bay, only for this reason.

This condition of accessibility applies, *a portiori*, to hospitals, for there is no need so immediate and urgent as that of the sick and suffering. The Christian gentlemen who, with the best intentions and admirable zeal, have decided to place the Jubilee Hospital far away, not only from the center of population, but also from the termini of travel, where the sick from the various parts of the Province must land who propose to resort to the *Provincial* Hospital for treatment, seem hardly to have given this view of the case their full attention. Something might be said in favor of the proposed site were it designed as a home for valetudinarians, incurables or insane people, but it is not easy to see why, when all other remedial agencies are required to be near the objects which they are destined to aid, the hospital should be so far away; why, for instance, a patient seized with an acute disease, or another struck with a sudden accident (like the policeman the other night) must be carried two or three miles out of the city, the doctor and friends following, instead of being treated right there. Our Roman Catholic brethren, whose sagacity in such matters is not inferior to their benevolence, have shown their appreciation of the mistake thus made by forthwith adding a wing to their already extensive establishment. The custom obtained by a shop on the Craigflower road compared with that of one on Government street may give some idea of the bustle of the healing art within the walls of St. Joseph's hospital, as contrasted with the stagnation which it may be feared will prevail within those of the proposed Jubilee hospital. And what of the working classes? St. Joseph's treasury for the suffering poor is we fear slender, and the Sisters' power (with all their will) of doing good is very much limited to the relief of paying patients. The common people are already saying that the Jubilee hospital is not for them. If a plebiscite were taken of the city on this question few, we apprehend, would vote for the proposed site. Beggars must not be choosers, it is said; yet this class, as citizens, have contributed, though indirectly, to the munificent public grant, and have as much right to a voice for its right application as the most liberal subscriber. Why then should their hospital be like one of those costly but useless presents which are wont to be lavished on jubilee occasions?

It is to be hoped that the committee, before committing themselves irrevocably in this matter, will give the fullest opportunity for a public vote, or at least a vote of the subscribers, on the question, and also call for a scientific opinion from the medical men of this city, of which latter class, it is said, none have been consulted as to this particular site. It may be doubted whether many of them, as experts, would pledge their professional reputation in its defence. Let this be done in a direct and ample manner, and then, whatever may be the decision, few will complain.

But if, whether with or without such sanction, the committee carry out their present design, it is virtually a home, and not a hospital, which they are proposing to erect; and a public hospital will still be a necessity for the city of Victoria. And it will serve the duty of the government to see that the Royal Hospital is not closed till a better can be erected in its room. If otherwise, the people will have to see to it themselves. If this view be correct the proceeds of an annual "Hospital Sunday" will find their legitimate channel. SUBSCRIBER.

THE SAANICH CONVENTION.

TO THE EDITOR — I observe that a convention, so-called, has been held in Saanich by some thirteen gentlemen of the opposite side in politics to the present government, to nominate a candidate to oppose Mr. James Tolmie in the coming district election. It appears that a few oppositionists in Saanich assume that they have a right to run the whole of Victoria district to suit themselves, and that, too, without consulting the electors of Lake and Victoria districts. Why was the so-called convention not held in some central portion of the district where the electors generally could attend and give expression to their views? Is it possible that Mr. Sluggett, the ex-defeated opposition candidate, and the *great* Mr. J. D. Bryant think that they are going to be allowed to run the large and influential districts of Victoria, Lake and Saanich? "Not much."

The gentleman of 43rd Psalm notoriety has himself been canvassing for weeks back, but finding no encouragement, nominated Mr. McIlmoyl for the sacrifice. Whilst the *great* Mr. Bryant, the leader of the convention, who also aspires to political honors, considers the time inopportune for his own candidacy, will no doubt in the "sweet bye-and-bye" come out for the fun of thing.

Mr. McIlmoyl is a very genial man, and it is strange that a gentleman of his political experience has allowed himself to be used as the "cat's paw" of a puny malcontent clique who have not sufficient influence to elect anybody.

That Mr. Jas. Tolmie will be elected there can be no doubt. He is the representative of the largest estate in the district and the greatest taxpayer. The electors have every confidence that he will represent the constituency well and be able to account for his stewardship. Furthermore, his election would strengthen our worthy member, Mr. Anderson, in his efforts in behalf of the district in the legislature.

The Opposition candidate would save his friends and the electors generally time, trouble and expense (to himself) by retiring and giving up the fight for a lost cause. CEDAR HILL.

June 11th, 1888.

REVISION OF VOTERS' LISTS.

TO THE EDITOR—Would you kindly inform me through your valuable paper whether there is any probability of there being a revision of the city voters' list for the Dominion parliament. It is now two years since the list was revised; in the meantime we have had a general election and literally speaking also a bye election for Ottawa, and, if Dame Rumor speaks truly, we are likely to have another bye election as soon as Mr. Baker has succeeded to the senatorship, and at the forthcoming election there are likely, nay, it is to be hoped that there will be more than one candidate in the field. At present I have only heard of one, and I must say, from what I have seen of him and his strutting about in black, I don't go a cent on him from his cane to his black plug hat. I have been here three years, but have no vote, and I would like to register, and that, too, opposite the name of some candidate other than the one in question. TRUE BLUE.

["True Blue" will find a solution to his query in the Statutes of Canada for 1887, chap. 5, entitled, "An Act to amend the Revised Statutes, chapter five, respecting the Electoral Franchise," which reads as follows:

"Whereas, it is expedient to dispense during the present year, one thousand eight hundred and eighty-seven, with the revision of the lists of voters prescribed by section fifteen of *"The Electoral Franchise Act;"*

Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

(1) It shall be necessary that any revision of the lists of voters prepared in accordance with the provisions of *"The Electoral Franchise Act"* shall be proceeded with during the present year, one thousand eight hundred and eighty-seven, but the lists of voters in force at the time of the passing of this act shall continue in force until the same are finally revised in accordance with the provisions of the said Act, in the year one thousand eight hundred and eighty-eight.

(2) No list of voters made and finally revised and certified in the year one thousand eight hundred and eighty-six, shall be deemed to be invalid or defective by reason of any want of qualification of a deputy revising officer.—ED.]

The wreck of the steamer Julia which blew up at South Vallejo a few months ago, has been sold at San Francisco for $615.

From THE DAILY COLONIST, June 13.

LOCAL AND PROVINCIAL.

Ald. Braden.

This gentleman's injuries are of a nature sufficiently severe to confine him to his bed for some weeks, but his many friends will be glad to know that the broken bones are knitting in a very favorable manner.

False and Peterson.

This evening at Jarvis Longhurst's the final deposit of $1,000 each will be made by Paine and Peterson's backers. It is said a large number of people not only from the Sound but from San Francisco, will attend the race.

Dr. McLeod's Former Pastorate.

The congregation of the Central Presbyterian Church, Toronto, decided to ask the Presbytery to appoint Rev. Dr. McTavish, of Lindsay, to fill its pulpit, which has been vacant since Rev. P. McF. McLeod's departure for this city.

The San Francisco Steamer.

Welch, Rithet & Co., agents of the P.C.S.S. Co., give notice that no steamer will leave for San Francisco on Saturday next. The Mexico, after arrival on Monday, will transfer her freight to the Uma tilla and will then leave again for San Francisco.

Domestic Tragedy at Portland.

At Portland, Oregon, on Monday last, a man named Shannon had a row with his wife which culminated in his shooting her through the temple, killing her instantly. The murderer then put the pistol to his breast, fired and killed himself. Both were elderly people, being over 50 years of age.

Another Death.

William Henry C. Johnson, youngest son of Edward and Mary Johnson, died at the residence of his parents, Rock Bay Cottage, John Street, on Sunday morning last at 7 o'clock, after an illness of only two days. The deceased lad was aged 13 years and 5 months, and his death is a severe loss to the afflicted parents. The funeral took place on Sunday afternoon.

Seeley's Challenge.

In reply to the challenge of J. H. Seeley, which appeared in the *Oregonian* of the 10th inst., Chas. Bush states that owing to his duties he cannot leave this city; but he dares Seeley to deposit $100 in Wells-Fargo's office in Portland, as forfeit, for a three-mile race at any time for $500 within twenty miles of Victoria. Bush further says that Seeley gained but one victory in his life, and that was a race in which he received a start of one minute from W. Cotaford.

Salt Spring Island Quartz.

Specimens of quartz from the ledge now being opened by the Brethour Bros. and John Newbiggin show free gold in specks. The ledge is said to be widening as the miners sink upon it.

Esther.

The ladies and gentlemen who are in the caste of Esther, which cantata was so successfully performed at Nanaimo under the leadership of Prof. Pferdner, will arrive to-morrow and appear at The Victoria on Friday evening. The orchestra will be composed of talented musicians well known in this city and as the theatre offers superior advantages, the cantata will be presented in a brilliant manner.

Prof. Menzies.

It was rumored last evening that Prof. Menzies had returned to Victoria, and was seen and spoken to on the street on Monday afternoon. He said he had never left the province and was to be found by the police if they wanted him; but did not consider it his duty to report himself at the police station. Several of the officers being questioned as to the above rumor, are doubtful as to its truth, believing that if Menzies is really in the city they would have some information of the fact.

Esquimalt the Choice.

Lord Sudeley called the attention of the House of Lords on Monday night to the superior advantage of Burrard Inlet over Esquimalt as a naval station on the Pacific coast. Lord Elphinstone on behalf of the government said that the authorities had been divided in their opinion on the subject, but after full consideration the government thought it unwise to transfer the naval station from Esquimalt to the Inlet, which in time of war might become a mere *cul de sac* for our ships. The government is prepared to spend £31,000 on armaments for Esquimalt; £10,000 on submarine stores and £10,000 on submarine buildings. The real question of the present time for the Imperial government and Canada was that of the garrison.

Bank of Montreal.

As an incorrect statement of Mr. Henry Yates' remarks at the annual meeting of the shareholders of the Bank of Montreal appeared in the *Times*, we reproduce the following from the Montreal *Star:* "Mr. Henry Yates, of Brantford, trusted that the directors would see their way to lay a more detailed account of the working of the bank before the shareholders. Although it was a very nice thing for a shareholder to handle his bonus, he did not complain that they had not got one, and he felt it was for the best, as he always had placed his most unbounded confidence in the management of the Institution, and knew them to be both capable and honest. Anything told to the shareholders by the directors he felt that all could put their implicit belief in."

The China Steamships.

When the steamship Batavia arrived off Victoria she was flying a flag for a pilot. The two Victoria pilots, who are always on the alert, approached her and asked Capt. Watton if he desired to come to Victoria. The captain asked if they had any orders, and the answer was given that they understood the China steamers were to call at Victoria. The captain got the pilot on deck and, after conversing awhile, Pilot Urquhart reached the steamer. "Have you any orders?" was asked. "No." "Where is the steamer to go?" "Vancouver, of course," replied Urquhart. That settled the matter and the Victoria pilots withdrew. Occasionally when the China steamers arrive the Victoria pilots, who generally meet her first, have gone ashore and spent several hours in hunting up a Vancouver pilot. According to the Canada Shipping Act, if a steamer flies a flag for a pilot within the district and a district pilot boards her, he is entitled to collect dues whether his services are required or not. The Victoria pilots are justly incensed that they should be so frequently put to considerable trouble without receiving any benefit. There is no reason why the steamers should not call at the outer wharf. They carry about eighteen feet of water, very often less than the San Francisco boats, which lie at the outer wharf in all weathers and at all stages of the tide. It is hoped the steamship companies will meet Victoria fairly and order the steamers to call here. It will avoid a great deal of agitation and perhaps injury to the company as well as the railway, if they meet Victoria half-way in its reasonable requests.

LOCAL BRIEFS.

There was no through mail from the east last evening.

The accountants appointed to overhaul the civic books are hard at work.

The fine family residence, No. 15 North Park street, is offered for sale. *

Some 27 Chinese, *ex* ss. Batavia, arrived down last evening by the Yosemite.

The Victoria Transfer Co. are shipping several hacks, horses and an omnibus to Vancouver.

The funeral of the late Eddie Francis took place yesterday from St. Joseph's hospital and the Reformed Episcopal Church.

Patterson's ranch on the Vancouver road was sold the other day to a party of capitalists in Westminster for the sum of $5,000.

In the police court yesterday an Indian was fined $5 for being drunk, and a case against Wing Chong, charged with malicious injury to property, was adjourned till to-day.

A German named Muller, who keeps a small fruit and cigar store on Yates street, near the Phœnix Brewery, was arrested yesterday afternoon on a charge of assaulting a commercial traveller.

"Well, I'll be hanged if that aint the cheapest suit of clothes I've ever seen," said a stranger as he stood in front of A. GITMORE's, gazing at a fine Blue Serge Suit in front of the door, marked Five Dollars. *

Mr. Stewart, C.E., has been instructed by the Canadian Pacific Railway Company to make a survey from Hope to Duck's station on their road. The distance is about 120 miles and if a feasible route can be found would effect a saving in distance of something like 50 miles.

MARINE.

Bark California arrived at Sydney on May 11th.

Steamer Badger was on the beach yesterday for repairs.

Steamer Barbara Boscowitz will leave for the north on Friday night.

Am. tug Ranier towed the bark Don Nicholas to Port Townsend last night.

Steamer Cariboo Fly was to have sailed for Comox last night with supplies for the mines. She will go north next week.

Part of the crew engaged by Capt. Morton of the ship Silverdale arrived on the Olympian last evening. Another batch will arrive to-night.

Tug Ranier arrived from Port Townsend yesterday, having on board several men who shipped on the bark Don Adolpho, which is now in Royal Roads lumber laden from Chemainus for Mexico.

In the annual spring regatta of the Atlantic yacht club at New York, the chief interest centered in the respective qualities of the new Burgess cutter Pappoose and the sloop Banshee designed by A. Cary Smith. The result was the defeat of the Banshee by 6 minutes and 57 seconds.

DIVISIONAL COURT.

(Before Sir M. B. Begbie, C. J., and Crease, J.)

Suter *vs.* Robson. This was a continued hearing of a motion for a new trial on an interpleader issue had at New Westminster upon the 18th May last, to test the validity of a bill of sale of the plant contained in the printing establishment of the *Mainland Guardian*, which said plant had been seized under a writ of execution issued in the suit of Robson *vs.* Suter.

At the conclusion of argument by counsel, the Chief Justice said;—I think there must be a new trial in this case; and it is of no use deferring our opinion or giving a written judgment upon it. It is a case where a claim is made of a most improbable character, and supported by the weakest and most impeachable testimony;—by testimony which a few years ago would not have been admissible at all, by the evidence of the claimant herself, who, along with Mr. Suter, the judgment debtor, comes into the witness box and swears that her claim is just, and really nothing else than that. Then, look at the story they tell; it is of the most improbable description. Here is a distressed young woman, left with a family of children eleven years ago, taken in by the charity of her uncle to keep house for him; and we are asked after a distance of eleven years, to believe that this arrangement was then made and has been existing, though none of her friends have been brought forward who ever heard before of any such arrangement; whereas, in an ordinary arrangement of this kind, a woman, if she attends to the household work and gets her board is considered to have been paid. No person was ever brought forward who ever heard of any suspicion of this claim for wages which is raised at the last moment, or, at any rate, is not made known until the day after the verdict for a large sum is given against Mr. Suter, and which claim sweeps away the property comprised in the bill of sale and other properties (because they are all very much to be considered and taken as one transaction, although the bill of sale is the only document impeached in these proceedings) which sweeps away every stick and tittle of the judgment debtor's property. It comes completely within, as far as I can recollect—although it has not been referred to here—the first case mentioned in Smith's Leading Cases—Twyne's case. These deeds give the whole of the property — not a particular property. Then again, continuance of possession in the transferror is a badge of fraud, although since Twyne's case, the statutable registration to a certain extent, nullifies the inference to be drawn from continuous possession. The claim is for a large sum, the greater part of which, if there had been any pressure, might have been barred by the Statute of Limitations; but there was no pressure of a claim upon an unwilling debtor; and it is quite clear that he did not in the least dissent to it. The whole debt is at once admitted by him without a murmur. It is part of the constitution under which we live, and under which we are proud to live, that the findings of a jury upon questions of fact ought to be final. But the court is bound to see whether the scales are held in an ostentatiously uneven manner or in an apparently even manner. Here, questions were very properly left to the jury, and the last question, though it is not, perhaps, absolutely decisive in the matter, is yet very material and to be taken into consideration, is as follows: "Was Suter at the time of giving the bill of sale in insolvent circumstances, or unable to pay his debts in full, or knowing himself to be on the eve of insolvency?" Now the jury show their animus in the case by their answer, for they simply say there was no evidence to show them that he was. That is to say, they have utterly forgotten the fact that Mr. Suter owes at this time a judgment debt of $1,000, and they have utterly forgotten Mr. Suter's own evidence that he has not a stick to pay it with. If that be the state of their minds, I, for one, cannot say that the least weight ought to be placed upon their findings in other respects. If gentlemen of the jury, coming to a conclusion upon six questions, show themselves in the seventh to be utterly forgetful of the most glaring facts in the case, they cannot be permitted to give a decisive answer to uphold a most improbable story, and there must be a new trial. The costs of this application, will, I think, be reserved.

Mr. Theodore Davie—The practice, I think, is that they follow the event of the second trial. It will be as well, perhaps, to give that direction.

C. J.—I will give it now; they are to abide the event. I have not gone at length into the case, Mr. Davie, because the jury in one of their findings have shown themselves so utterly unreasonable, and in fact that they are not in a state of mind to find upon the other six.

Mr. Drake, Q.C., and Mr. Atkinson for the claimant (Mrs. Suter). Mr. Theodore Davie, Q.C., and Mr. Bodwell for the execution creditor (Hon. Mr. Robson).

PROVINCIAL POLICE COURT.

[Before Mr. E. Johnson, Q. C.]

Robert Morton, master of the Silverdale, appeared on remand from yesterday, charged with stealing $30, consisting of one $20 and one $10 piece, the moneys of James Langan, the second mate of the ship.

Mr. Taylor appeared for the prosecution, and Mr. Theo. Davie, Q. C., for the defendant.

James Langan, sworn—The Silverdale is a British ship; was second mate, and on 30th May I was on board; had $30—one $20 and one $10 gold piece—in my chest lying on top of the inside in a brass bound pocket book; saw it about 12 o'clock on 30th May; missed it next morning at about half past seven; asked the steward; I'd seen him and the captain in my room; I charged the captain with taking it; he said he knew nothing about it; saw them in my room at about 11:30 p.m. My room was on the port side of the cabin in the poop; Capt. Morton is the master of the ship.

To the Magistrate—I shipped on her on 22nd May; I had been second mate about eight days; my pay was $35 per month; I signed an advance note for $40; the captain laid charges against me for combining to impede the navigation of the ship; this charge was heard on Thursday last and dismissed; I laid the present information the same evening.

Cross-examined by Mr. Davie—I joined the ship on the 22nd at Port Discovery; cannot say what I did with the cash from my advance note; I spent it around in a number of places; I spent about $10 of it; had been paid off two or three days from another ship and spent considerable money around the rum mills; a good deal of the money received from my advance note went in rum mills, but this money which was stolen did not; I kept this particular money in my pocket book; it was from home; my advance and the money from the previous ship I kept loose in my pockets; had about $38 from the previous ship; I got a $50 green-back from home; I had no occasion to use any of the money I got from home; I would not use it; I did not use it; I kept it in my pocket book; of the former ship money and the advance, I had $1 or $1.50 when I went aboard, and $5 I got from Turk, of the boarding master's gang, the night I left; this was all the money I had besides that in the pocket book; changed the $50 green-back into a $20 and $10 gold piece and the balance in silver; this occurred in Los Angelos, about a month and ten days before I joined the ship; came from San Diego to Port Angeles in a ship; took no revolver on board the Silverdale; the captain brought it from Port Townsend to Port Discovery and gave it to me after the ship was outside of Cape Flattery; it was on Monday the 28th May that he gave it to me, when the men would not turn to; it was my own revolver; he never asked me for it again at sea; he asked me for it last Friday, after the police court cases were finished; remember Wednesday night at Port Angeles; he made some expression, but never spoke about the revolver; got four marlin-spikes from the chief officer; one I put in my chest; when I went aboard all I had was the $30 in my pocket-book, and I got $5 from Turk, and I had some silver, but don't know how much; can't say if it was $5; didn't count it; can't say if it was as much as $10; didn't count it; can't say if it was as much as $20; it was not as much as $30; It was not as much as $20; can't say whether 'twas over or under $10; didn't count it; can't say whether it was as much as $15; didn't count it; think it was less than $10; know it was less than $10; don't know whether it was less than $5.

Q. Did you not just now say, "I had about $1 or $1.50 when I went aboard?"

A. Don't remember; it was the morning we first came to anchor in Royal Roads that I first spoke about my loss; I spent none of the $5 I got from Turk on board; I got money from the men to send for whisky from shore when lying at Port Discovery, and I sent for the whisky several times; did not go myself for I could not get ashore; can't tell how much I got not nearly how much; had it several times; all that I received from the men I expended for them in whisky; I received no money from anyone except to send for whisky;

Q. How much money have you paid Mr. Taylor in the case?

Objected to and objection sustained.

Re-examined—All of the silver besides the $5 which I got from Turk was spent in Port Discovery.

Thomas Humphreys deposed (examined by Mr. Taylor)—Was steward on board the Silverdale. Know accused and last witness. All three of us were on board on 30th May. Langdon kept his chest under the bunk in his room. Captain calledme about 11 or 12 o'clock at night on the 30th to assist him in looking for a revolver amongst Langdon's effects. Captain and I looked in the drawers and amongst his effects. Captain and I looked through his chest. Did not find a pocket book. Captain told me to to pull the chest from under the bunk. Think I opened the lid. Captain took a marlin spike out belonging to the ship. Don't know how long since Langdon had gone out. Captain told me he had been looking through the drawers before and could not find the revolver, and then he asked me to come and help him. It was just a few minutes before he called me that he was looking through.

His Honor—Have you any more witnesses?

Mr. Taylor—I should like to get some of the men from the gaol. I don't know what they might swear to, but think they would strengthen the case. A witness who was to be here is absent.

His Honor—I think I have heard enough of the case unless you have some very different evidence from what has been given; so far there there is not even a case of suspicion against the defendant. It is quite plain that having a mutinous crew and the second mate more or less in sympathy with them and carrying them liquor, the captain, for his own safety, searched to get the revolver which he had entrusted the man with.

Mr. Taylor thought otherwise and pressed for a remand to find out what the other witnesses would say.

Mr. Davie objected to a remand being granted to afford an opportunity of tutoring witnesses. If the witnesses did come forward and incriminate Capt. Morton no one would believe them after their prolonged silence. The ship is lying here under demurrage and expenses of $150 per day.

Mr. Taylor again pressed for a remand, but His Honor refusing to accede to the application, ordered Capt. Morton's discharge.

PERSONAL.

Ben. Young returned from the Sound last night.

Rev. W. Bolton came down from Vancouver last evening.

Aldermen Oppenheimer and Alexander, of Vancouver, are in the city.

L. L. Doane, of the Bank of British Columbia, Portland, is in the city.

Hon. J. H. Turner returned from California last night. Mrs. Turner and friends will be glad to learn, is much better.

Capt. Anderson, of the Alaskan, was in town yesterday on business connected with the steamer. He returned to Seattle this morning.

Capt. H. G. Lewis, Marine and Fisheries agent, has gone to the Sand-heads on the steamer Sir James Douglas on a special trip.

Capt. H. Robson Jones, Ben. Douglas, D. Drysdale, E. S. Scoullar, A. O. Hastings and G. Robertson were passengers by the Yosemite last evening from the Mainland.

Gen. J. Gibbon, U. S. A., and Miss Gibbon, Major and Mrs. Summers and Capt. Woodruff, of Vancouver Barracks, W. T., and Gen. A. Baird, of Washington, D. C., arrived on the Olympian last night and are registered at the Driard.

Charles Beak, who formerly carried on business as a wholesale and retail butcher in this city, returned from a trip to England on Monday night, accompanied by Mrs. Beak and seven children. Mrs. L. Metcalf, who has been absent from Victoria for two years, was also of the party. Mr. Beak says they had an enjoyable visit and a pleasant journey across the continent. While in England he purchased a very fine stallion, for which he paid $4,700, and this animal, with three others of high class breed, he brought with him as far as Kamloops, where they remain at present in charge of a couple of men.

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To take effect at 8.30 a.m. on Wednesday, April 25th, 1888. Trains run on Pacific Standard Time.

GOING NORTH. READ DOWN.	No. 4 Passenger Sat., Sun. and Mon.	STATIONS.	GOING SOUTH. READ UP.	No. 1 Passenger Daily.	No. 3 Passenger Sat., Sun. and Mon.
Dp 8.30 a.m	Dp 3.32 p.m	VICTORIA	Ar 1.00 p.m	Ar 7.00	
" 8.34	" 3.36	RUSSELLS Vic. W	" 1.05	" 6.56	
" 8.38	" 3.40	GOLDSTREAM	" 1.10	" 6.46	
" 8.53	" 3.55	ROBERTS	" 1.25	" 6.31	
" 9.00	" 4.02	SHAWNIGAN LKE	" 1.32	" 6.24	
" 9.06	" 4.08	MOST