LION
TAILS
Bottle
attan, Vermouth,
Whisky, Gin .....
OSS & Co.,
lent Cash Grocers.

Luncheons
OUR
.....20c.
.....25c.
.....15c.
, per lb.....35c.
choice, jar .....25c.
ERY COMPANY, LIMITED
89 AND 41 JOHNSON STREET.
ERY COMPANY, LIMITED
42 GOVERNMENT STREET.

ANGEL HOTEL,
Langley St. Mrs. Carne, Prop.
Temperance Family Hotel.

BRIEF TELEGRAMS.

Judge Alton B. Parker was formally on Wednesday notified of his nomination as the candidate of the Democratic party for the Presidency of the United States.

J. F. Miller, a former smelter, on Wednesday shot and killed his wife, attempted to murder his oldest daughter and then killed himself at Pueblo, Col. The daughter escaped death by running out of the house. No motive for Miller's act is known.

A severe windstorm struck the state fair grounds at Indianapolis on Wednesday. Chairs were overturned in the grandstand, but no one was injured there. One man was killed by the overturning of the gateman's house at the entrance to the grounds.

Captain Thomas Allnut Brassey, editor of the Naval Annual, speaking at Catfield, Eng., on Wednesday, said he was convinced that within three years the command will have passed from Great Britain to the United States. The latter country, he declared, is now building more battleships than England, and its resources are greater than are those of Great Britain, whose only hope of maintaining her supremacy on the sea was a federation through which the colonies would aid in building up and the maintenance of the navy of the Mother Country.

IOWA REPUBLICANS.

Moscow, Iowa, Aug. 11.—The Republican convention has adjourned after nominating Frank R. Gooding for governor and Dr. B. L. Steever for lieut.-governor.

BANK OF ENGLAND RATE.

London, Aug. 11.—The rate of discount of the Bank of England was unchanged to-day at three per cent.

The Manchester free library was established in 1634, but in 1608 the corporation of Norwich founded a free library, while Bristol's was founded in 1613.

BORN.

BROWN—At Nelson, on Aug. 6th, the wife of George A. Brown, of a son.
DAWSON—At Trail, on Aug. 2nd, the wife of Jas. Dawson, of a daughter.
MILLER—At Trail, on July 31st, the wife of J. F. Miller, of a son.
WAGSTAFF—At Nanaimo, on Aug. 4th, the wife of Fred. Wagstaff, of a daughter.
HOGLE—At Nanaimo, on Aug. 5th, the wife of Dr. Hogle, of a daughter.

MARRIED.

WILSON-BUSBY—On Aug. 6th, by Rev. E. Le Roy Dakin, H. M. Wilson to Miss C. M. Busby.
CHARMAN-HANCOCK—At Vancouver, on Aug. 6th, by Ven. Archdeacon Pentreath, Ernest M. Charman and Miss Julian W. Hancock.
BEGG-FREETHY—At Nanaimo, on Aug. 6th, by Rev. A. M. Sanford, James Begg and Miss Lillian Freethy.

DIED.

CHANTRELL—On the 11th, at Spokane, Wash., Minnie, the beloved wife of Jno. B. Chantrell.
PAULSON—At Rossland, on Aug. 6th, George A. Paulson, aged 37 years.
WATSON—At Vancouver, on Aug. 7th, Christina Watson, aged 22 years and 4 months.
SWITZER—At Vancouver, on Aug. 7th, Tobias John Switzer, aged 76 years.
MANNERS—At Cranbrook, on July 30th, Sarah Beatrice Manners, aged 20 years.
POWLEY—At Trail, on Aug. 6th, F. C. Powley, aged 55 years.

POWELL CHAMPION OF THE NORTHWEST

HE WON DISTINCTION YESTERDAY AFTERNOON

By Defeating Representative of the J.B. A.A.—He Outclassed His Opponent —The Championships.

(From Tuesday's Daily.)

"The best matches of the tournament" was the verdict of the enthusiasts who gathered at the Belcher street courts to witness the semi-finals in international singles between A. T. Goward, of the Victoria club, and B. P. Schwengers, representing the James Bay Athletic Association, and the finals in international doubles between Messrs. Goward and Powell (V. L. T. C.) and Rithet and Schwengers (J. B. A. A.) yesterday afternoon. Both games were closely contested, and the victories in either case were well earned. In the singles B. Schwengers was successful, defeating the ex-champion after a superb struggle by a score of 9-7, 6-4. The doubles between Rithet and Schwengers and Powell and Goward were won by the latter, the score being 8-6, 3-6, 6-3, 6-4. This contest was productive of some of the fastest play, the most prolonged rallies and really brilliant work that has ever been seen on local courts.

A great deal of interest centred in the singles between Messrs. Goward and Schwengers, and when the rival players faced each other quite a number had gathered to watch the match. They both appeared to have perfect confidence in themselves, and from the first stroke played with a dash which confirmed the opinions of those who had predicted a splendid exhibition. At first Schwengers walked away from his opponent, his smashes, easy drives and agility beating the ex-champion time and again. When the score had reached 4-1 Goward braced up, and through some excellent placing captured the following three games, making the score even. From then it was anyone's game for a time. First one and then the other obtained the lead until the score had reached 7-7. At this stage Goward gave Schwengers a number of opportunities to do some of his deadly smashing. This was just what the latter was waiting for, with the result that he captured the next two games and the set.

With the sun at his back, Schwengers was able to outplay his opponent at almost every point in the second set. After the first four games had been played, the players found themselves on an even standing, but from then Schwengers gained a lead and held it until he had scored the required six games. The Victoria club representative only managed to secure four altogether, so that the set, the game and the right to meet R. B. Powell for the championship of the Northwest was won by B. Schwengers.

A comparison between the style of Schwengers and Goward would not be out of place in this connection. Of the two the former is a much more "showy" player, having as pretty a straight out and backhand stroke as could be desired. His terrific smashes, which are generally accurate, as a rule send the ball over the heads of the opposing players should they happen to be at the back of the court. His long reach, agility and judgment help him when playing at the net, where he is most at home, although his lobs and drives from the back are mostly exceedingly well placed. It was this all round efficiency that defeated ex-Champion Goward. There is no doubt that the latter was a little off-color, or, with his experience, he would have given the younger player a harder match. He was out on the point in which he generally excels, namely, placing along the side lines. This was tried repeatedly, but his "eye" was out.

The doubles between Messrs. Powell and Goward and Rithet and Schwengers was perhaps more exciting than the single which preceded it. Facing the sun at the start, the former couple put up a grand game. Their combination, with one or two exceptions, could not be beaten, and their returns, a variety of lobs and smashes, puzzled their opponents not a little. It was only through careful steady play that Powell and Goward were able to capture the first set, winning the necessary two games after both sides had scored an even six.

It was easy for the James Bay representatives in the second set. They played with a vim that completely nonplussed their opponents, and almost before it could be realized had captured the set, 6-3.

In the next set, however, Powell and Goward changed their tactics and played a careful game. They prevented Schwengers from reaching the net by lobbing repeatedly, and when the opportunity offered Powell, taking a leaf out of Schwengers's book, smashed with good effect. This play continued for the remainder of the match, the J. B. A. A. boys putting up a plucky fight, but being unable to penetrate the opposing defence. Messrs. Goward and Powell therefore win the gentlemen's double championship of the Northwest by the score mentioned.

From Thursday's Daily.)

In a match replete with brilliant rallies, R. B. Powell defeated B. P. Schwenkers in the international single championship Wednesday afternoon at Belcher street court. There were a number of enthusiasts in attendance, and the progress of the struggle was watched with close interest. It was for the best three in five sets, and the British Columbian champion won in three straight sets, 6-3, 6-0, 6-3. No discredit is intended when it is said that Schwengers was completed outclassed at all points, and that after the first six games the result was admitted even by the most ardent admirers of the J. B. A. A. man. Powell was not allowed to walk away with the contest, however, every point being stubbornly fought, although the remarkable steadiness of the champion won for him the majority of games. Both excelled in net work, and rallies lasting minutes took place across the net, but in this also the superiority of the Victoria club representative generally won for him the point being contested.

When the players faced each other Powell had the sun in his eyes, but this did not appear to interfere with his play to any extent. His opponent settled down to a strong game from the start, winning on his serve repeatedly. This was continued up to the fourth game, when Powell managed to break in on the serve, capturing the following game with the set.

The change of courts did not appear to improve the playing of the James Bay man. The latter made some determined attempts to get in his smashes over the net, but his opponent was too cunning to allow this. Placing the ball now on this side and again at the other corner, or lobbing it to the back of the court, he kept Schwengers away from his favorite position. These tactics resulted as was expected. Point after point was gained by the champion, who ran up a series of six games before his opponent was able to win anything.

At the start it looked much as if the third set was to go to Powell by the same large margin. He gained several games by clever placing and judicious smashing before Schwengers awoke to a realization of the serious condition of affairs, and took a hand in the match. Recovering a little of his usual confidence he slashed, lobbed and placed in fine style and kept the champion running all over the court. In this way Schwengers secured two games, and when his opponent had made four he came along with a third. Then a struggle took place that was a pleasure to watch. Both men were on their mettle, and Schwengers placed drive after drive at a speed sufficient to stagger his adversary. The latter, however, retained his coolness, and when possible sent the ball back and waited for the return. This continued until the game reached "deuce," and then first one and then the other secured the vantage. Finally the cool, calculating play of the champion won out against the dashing aggressiveness of his opponent, and the score was 5-3. Schwengers seemed to lose his form in the last game, missing several rather easy returns. The game was close, however, and Powell had to play his best in order to secure the number of points necessary to win game, set and championship.

This concludes the first annual meet of the International Lawn Tennis Association. The latter is an amalgamation of the Vancouver, Seattle, Tacoma, Portland and Victoria tennis clubs, and was brought about through the efforts of R. B. Powell and other prominent enthusiasts, who were anxious that the championships of the Northwest should be competed for under the auspices of some organization of recognized status. The marked success of the initial meet augurs well for the future of the association.

The Northwest championships have been captured this year as follows:

Gentlemen's Doubles.

R. B. Powell and A. T. Goward, both of this city, and representatives of the Victoria club. Their opponents in the finals were J. A. Rithet and B. P. Schwengers.

Gentlemen's Singles.

R. B. Powell, of the Victoria club.

LACROSSE.

VICTORIA v. VANCOUVER.

On Saturday Victorians will have an opportunity to witness what promises to be an excellent exhibition of the Canadian national game. The Victoria and Vancouver teams will try conclusions and the local twelve will try hard to turn the tables on their opponents. They have been training steadily and are in the pink of condition. This was shown in the struggle with Seattle the other day, and officials of the club express the opinion that if the boys put up as good a game as they did against the Sound players it will keep the Terminal City stalwarts hustling. The game will be played at the Caledonia grounds and will commence at 3 o'clock as usual.

Referring to the approaching match the Vancouver News-Advertiser says:

"The local seniors will go down to Victoria on Friday, where they will play the day following. The team will be practically the same as that which represented Vancouver in the last two games, with the exception of Jamieson on the defence and Ritchie at his old place between the flags. Both these players will probably figure in the line-up. The team will be a strong one, and Victoria will have a busy eighty minutes endeavoring to score."

THE RIFLE.

RIFLE TEAM FOR OTTAWA.

Brief mention was made in the Times of the withdrawal by Corporal Miller, of New Westminster, of his acceptance of a position on the Ottawa team. Following is the Columbian's report of the meeting of the council held to consider Victoria's protests in the matter:

"A meeting of the council of the B. C. Rifle Association was held on Friday evening, the president, Lt.-Col. Wayte, in the chair, to deal with the protest filed by Victoria against the selection of Lieut. Chamberlin and Corp. Miller, of this city, as members of the Ottawa team. The ground of objection was lack of qualification according to terms prescribed; but in the case of Lieut. Chamberlin the protest seems to have been put in through misunderstanding, and was withdrawn before the council met.

"When the case of Corporal Miller was taken up, it was announced that in view of the protest lodged he had withdrawn his acceptance of a position on the team; so that it was not necessary to rule on this matter either, as the next man will now be called upon in ordinary course. It appears that the terms of qualification are not the same at Toronto and Ottawa as for the British Columbia competition, so that the fact that Corp. Miller had not put in the percentage of drills required here will not prevent his shooting as an efficient militiaman at the Eastern meetings. He will therefore go with the team, as an unofficial member, and no doubt his skill with the rifle will be of material assistance in securing the customary honors for British Columbia."

THE OAR.

CREWS SELECTED.

Preparations for the annual J. B. A. A. regatta are proceeding apace. This event will take place, as already mentioned in these columns, on the afternoon of Saturday, the 27th inst., and the races will be between eight James Bay crews, the winner to hold the Plimsoll cup for the ensuing year. The question of supremacy will be decided in heats, and the course from Coal Island to the club house has been decided upon. In training, the new lapstreaks are to be used, but it is necessary in order to give all an equal chance to limit each crew's time of practice to twenty minutes, sufficient to make an easy spin as far as Deadman's Island. Keen interest is being taken in this contest, and it is expected that each heat will be close.

F. Dresser, H. E. Hobbis, H. E. Hall, J. Finlaison and E. F. Geiger will compete in the junior single event. It has been arranged that the winner shall meet F. W. Heathcote in the senior singles.

The crews that will row in the junior fours, together with the time set aside for training, follow:

5 p. m.—Pat Andrews, stroke; W. W. Lang, G. Y. Simpson, H. E. Hobbis.
5.30 p. m.—A. McLean, stroke; D. Leeming, P. Austin, L. Foote.
5.30 p. m.—W. W. Wilson, stroke; J. Sutherland, E. Robinson, E. F. Geiger.
6 p. m.—F. Dillabough, stroke; K. Hughes, J. Moore, J. F. Jameson.
6 p. m.—E. Brown, stroke; E. Hughes, J. A. Lawrence, J. Jost.
6.30 p. m.—G. Knox, stroke; R. B. King, C. Welles, H. E. Boorman.
7 p. m.—C. B. Kennedy, stroke; T. Watson, J. Y. Simpson, V. Wolfenden.
7.30 p. m.—J. Donaldson, stroke; W. T. Andrews, A. D. Belyea, F. Dresser.

The Reason Why Oils, Plasters, Pastes, Etc. Do Not Cure Cancer.

Cancer is a constitutional disease often inherited, and no local treatment can do more than remove the diseased part, and the cause of the trouble remains in the system, and the trouble returns in 9 cases out of 10.

If you have a friend troubled with Cancer, tell them to send for our little booklet, "Cancer, Its Cause and Cure." Sent to any address for 6 cents in stamps.

V. Stott & Jury, Bowmanville, Ont.

LADYSMITH NOTES.

(Special Correspondence of the Times.)

James Johnston has opened the Gem restaurant here.

More ships coming in daily, and the prospects for work continue good.

The city fathers are still framing by-laws, and it is only right to say they are strictly attending to the interests of the city. A relief will be felt when the dog tax is enforced, as the city is overrun with vicious and worthless curs.

ARCHBISHOP OF CANTERBURY

Will Visit a Few of the Principal Cities in Canada.

London, Aug. 10.—The Rev. Randall Thomas Davidson, Archbishop of Canterbury, has issued a message to the clergy and laity announcing his forthcoming visit to the United States to attend the general convention of the Protestant Episcopal church of the United States and Canada, which will be held in Boston in October.

The message says that for the last two months information has been coming in steadily concerning the gain which competent men in Great Britain and the United States opine is likely to follow the visit of the Archbishop to the United States.

The Archbishop says he will also visit a few of the great Canadian centres, and will entail his absence for two months. The journey, he adds, is undertaken in the belief that it will promote closer amity in the common work of the church in combatting the evils which are rife both in Great Britain and the United States.

Hugh R. McIntyre, accountant of the Times Printing & Publishing Co., returned Monday from Winnipeg, accompanied by Mrs. McIntyre. In the Prairie Capital they were visiting friends for the past few weeks.

NEURALGIA, ITS CAUSE AND CURE.

Neuralgia is an unfailing sign of poor blood and weak nerves. In this weakened condition a little cold inflames the nerve and then the terrible suffering, which nerve pain always creates, renders life almost unsupportable. Applications may relieve for the moment, but neuralgia can be driven out only by the upbuilding of strength by new blood.

Nothing in the world can equal Ferrozone, which supplies the exact constituents which the nerves need to restore them to healthy normal action. Ferrozone increases the appetite, fortifies digestion, supplies the body with a stream of rich, red, life-giving and life-sustaining blood. No matter how chronic your case may be you may resort to Ferrozone with absolute, unfailing success. Neuralgia can be rooted out by Ferrozone, not only quickly, but the cure will be permanent.

Wood's Phosphodine,

Before and After.

The Great English Remedy, is an old, well established and reliable preparation. Has been prescribed and used over 40 years. All druggists in the Dominion of Canada sell and recommend as being the only medicine of its kind that cures and gives universal satisfaction. It promptly and permanently cures all forms of *Nervous Weakness, Emissions, Spermatorrhœa, Impotency,* and all effects of abuse or excesses; the excessive use of *Tobacco, Opium* or *Stimulants, Mental* and *Brain Worry*, all of which lead to Infirmity, Insanity, Consumption and an Early Grave.

Price $1 per package, or six for $5. *One will please, six will cure.* Mailed promptly on receipt of price. Send for free pamphlet. Address The Wood Company, Windsor, Ont., Canada.

Wood's Phosphodine is sold in Victoria by all responsible druggists.

The satisfaction of having the washing done early in the day, and well done, belongs to every user of Sunlight Soap. 10B

FLOUR HAS TAKEN A SHARP ADVANCE

INCREASE OF TWENTY CENTS PER BARREL

Quantity of California Fruit Was Condemned This Week on Arrival Here.

One of the features of the city markets during the present week has been an advance made on all lines of flour, amounting to 20 cents per barrel. The increase so far has only been applied to wholesale prices, but the effect will be felt on the retail quotations next week. No reason is assigned for the advance except that it is generally made at this time of the year when wheat is scarce.

New grain will not be in for a few more weeks, and there will be little on hand before next month. On the Island it has been taken in from the field in a number of instances, but this will not be threshed for some considerable time. Merchants say that the first new wheat will come from the Mainland.

Green groceries are this week depending principally on Island supplies. There is little in this line now coming from California.

Certain varieties of fruit are very scarce. Peaches have been in strong demand, but they have not been obtainable in large quantities. Until the Oregon fruit comes in, merchants will not be looking for a plentiful supply. Early in the week a quantity of green fruit brought in from California was condemned at the outer wharf, and this somewhat limited the local supply for the present week.

With fish dealers there has been a shortage of halibut and salmon. There has scarcely been enough for local consumption.

Hungarian Flour—	
Ogilvie's, per sack	$ 1.55
Ogilvie's, per bbl.	6.00
Ogilvie's Royal Household, per sack	1.55
Ogilvie's Royal Household, per bbl.	6.00
Lake of Woods, per sack	1.55
Lake of Woods, per bbl.	6.00
Okanagan, per sack	1.55
Okanagan, per bbl.	6.00
Moose Jaw, per sack	1.55
Moose Jaw, per bbl.	6.00
Excelsior, per sack	1.55
Excelsior, per bbl.	6.00
Oak Lake, per sack	1.55
Oak Lake, per bbl.	6.00
Hudson's Bay, per sack	1.55
Hudson's Bay, per bbl.	6.00
Enderby, per sack	1.55
Enderby, per bbl.	6.00
Pastry Flours—	
Snowflake, per sack	1.40
Snowflake, per bbl.	5.30
O. K. Best Pastry, per sack	1.30
O. K. Best Pastry, per bbl.	5.00
O K. Four Star, per sack	1.30
O. K. Four Star, per bbl.	4.90
Drifted Snow, per sack	1.30
Drifted Snow, per bbl.	5.00
Three Star, per sack	1.45
Three Star, per bbl.	5.75
Coal Oil—	
Pratt's Coal Oil	1.50
Eocene	1.60
Grain—	
Wheat, per ton	35.00
Oats, per ton	28.00
Oatmeal, per 10 lbs.	45
Rolled Oats (B. & K.)	5
Feed—	
Hay (baled), per ton	18.00
Straw, per bale	75
Middlings, per ton	27.00
Bran, per ton	25.00
Ground Feed, per ton	28.00
Carrots, per 100 lbs.	60
Vegetables—	
Beans, Island (string)	6
Island Potatoes (new), 100 lbs.	1.50
Cabbage, per head	5
Onions, silver skin, per lb.	4
Carrots, per lb.	3
Turnips, per lb.	3
Peas, per lb.	5
Tomatoes, per lb.	10
Tomatoes, Island (hot-house).	15
Fish—	
Salmon, spring (smoked)	15
Salmon, per lb.	10@ 12½
Cod, per lb.	8
Halibut, per lb.	10
Kippers, per lb.	12½
Bloaters, per lb.	10
Rock Cod	10
Bass	8
Farm Produce—	
Fresh Island Eggs	35
Butter (Delta Creamery)	35
Best Dairy	30
Butter (Cowichan Creamery)	35
Butter (Victoria Creamery)	35
Cheese (Canadian)	20
Lard, per lb.	12½@ 15
Meats—	
Hams (American), per lb.	20@ 25
Bacon (American), per lb.	22@ 25
Bacon (rolled), per lb.	20
Bacon (long clear), per lb.	20
Shoulders, per lb.	12½
Beef, per lb.	12½@ 18
Veal, per lb.	12½@ 15
Pork, per lb.	11@ 15
Mutton, per lb.	12½@ 18
Lamb, hindquarter	1.50@ 1.75
Lamb, forequarter	1.00@ 1.50
Fruit—	
Cocoanuts, each	10
Lemons (California), per doz.	25
Apples, per box	1.75
Apples (California), per lb.	6
Oranges, per doz.	15@ 50
Bananas, per doz	30@ 40
New Jordan Almonds (shelled), per lb.	60
Valencia Almonds (shelled), per lb.	50
Valencia Raisins, per lb.	8
Sultana Raisins, per lb.	15
Cherries (preserving), per lb.	12½
Apricots, per lb.	10
Apricots, crate	1.00
Peaches, per box	1.25
Poultry—	
Dressed fowl, per lb.	20@ 25
Ducks, per lb.	20
Dressed turkeys, Isl'd, per lb.	30

WHOLESALE MARKETS.

Potatoes (new), per ton	25.00
Onions, silver skinned, per 100 lbs. (Cal.)	2.50
Carrots, per 100 lbs.	1.75
Cabbage, per 100 lbs.	2.00
Cucumbers, per dozen	50@ 1.00
Butter (creamery), per lb.	23½
Eggs (ranch), per doz.	30
Chickens, per lb.	12½@ 20
Ducks, per lb.	12½@ 20
Apples (California), per box	1.75
Hay, per ton	17.00
Oats, per ton	27.00
Peas (field), per ton	45.00
Barley, per ton	30.00
Beef, per lb.	8
Mutton, per lb.	11
Pork, per lb.	11
Veal, per lb.	12½
Honolulu Pines, per doz.	3.00@ 3.50
Cherries (preserving)	10
Peaches	1.00
Plums	1.10@ 1.25
Pears (Bartletts)	1.75
Tomatoes (California)	1.00
Tomatoes (hot house)	2.00
Grapes (black), per crate	1.85
Grapes (Muscats)	1.85
Grapes (Tokay)	1.85
Nutmeg Melon, per dozen	1.90
Watermelon, per dozen	3.00
Grape Fruit, per box	2.75
Bananas, per bunch	3.00
Oranges	3.50
Lemons	2.50@ 3.00

THE JUDGE FINDS IN FAVOR OF PLAINTIFF

Full Text of Judgment in McFarland vs Burnett as Given by Mr. Justice Irving.

The full text of the decision handed down in Vancouver by Mr. Justice Irving in the case of McFarland v. Burnett is as follows:

This action is brought by the liquidator of the English Bay Canning Company (a company incorporated under the Companies' Act, 1897) to recover from the defendant certain shares in the United Canneries, Limited, issued to him as trustee for the English Bay Canning Company, on the ground that these shares were part of the assets of the English Bay Canning Company, and were transferred improperly by the defendant to the individual shareholders of the English Bay Canning Company.

The facts are not in dispute.

In October, 1899, the English Bay Canning Company and certain other canning companies in which the shareholders of the English Bay Canning Company were interested, contemplated the consolidation of their different canneries under one management, and it was decided to amalgamate their interests in one company to be called the United Canneries, Limited.

A resolution was passed at a meeting of the shareholders of the English Bay Canning Company to sell all the company's business, property and goodwill (except the season's pack, which was then in England) to the United Canneries, Limited, for $50,000, to be paid in fully paid up shares in the United Canneries, Limited.

At that time the English Bay Canning Company was indebted to the Imperial Bank and also to Powell Bros., of Liverpool, to whom the salmon pack had been consigned for sale on commission. It was then supposed that the pack would, when sold, realize a sum sufficient not only to pay off Powell Bros. and the bank, but also to leave a surplus for distribution among the shareholders. Events proved that this was an altogether too hopeful estimate. The pack when sold did not realize enough to satisfy Powell Bros.' claim.

Pursuant to the resolution the sale was made, and 500 shares of $1,000 each in the United Canneries, Limited, were issued to Mr. Burnett, who was the secretary and also a director of the English Bay Canning Company.

On the 13th of June, 1900, at a meeting of the directors of the English Bay Canning Company, the defendant was authorized to transfer 240 shares to the Imperial Bank as security for the balance due to that institution, and on the sale of the pack, to settle the balance due the bank out of the surplus of said sale, and to distribute the balance of shares held by him in trust, namely, 260 shares, among the respective shareholders.

The defendant, acting under this resolution, turned over to the Imperial Bank 240 shares, and after he had distributed to some of the shareholders the shares to which they were entitled under the resolution, it was found that the pack had not realized sufficient to satisfy the claims of Powell Bros. That firm thereupon recovered judgment against the English Bay Canning Company, and subsequently obtained a winding up order against that company. Mr. McFarland, who was appointed liquidator, now sues the defendant as trustee to recover the 260 shares, or rather the balance of them not turned over to him, viz., 127 shares.

The defence is that Mr. Burnett, who admits that he received the shares as trustee for the English Bay Canning Company, had been authorized by the shareholders to distribute these shares among them. I will assume that this was so, although there is no evidence to be found in any of the company's books that such a resolution was passed by the shareholders.

In the alternative, the defendant says that the directors by the resolution of the 13th of June, 1900, authorized him to distribute these shares, and that he is by one or other, or both, of these mandates exonerated from the trust.

As to the resolution of the 13th June, 1900, I will assume that it was passed by the directors (a fact which is certainly not proved so far as Mr. Winsor, who seconded the resolution, is concerned).

I have arrived at the conclusion that the plaintiff is entitled to judgment on two grounds. The first is that the shares held by the defendant as trustee being the assets of the company, it was ultra vires of the directors, and of the shareholders also, to distribute these assets among the individual shareholders. This seems to me to be clear if we go to the root of things. Effect must be given to all the consequences of incorporation. By the Companies' Act on the one hand limited liability is conferred on the shareholders; on the other, the assets of the company are to be responsible for the company's liabilities. The creditors have no debtor but that intangible thing the corporation, and that corporation obtains credit from outsiders on the faith of the implied representation that the capital shall not be returned to the shareholders until its liabilities are satisfied. If shareholders were to be at liberty to divide amongst themselves the capital of the company without observing the statutory requirements prescribed by the sections relating to winding up they would be disregarding one of the conditions upon which they enjoyed the advantage of doing business with a limited liability.

The directors of the English Bay Canning Company forgot that the shares which they proposed to distribute were the company's property; they made the mistake of dealing with them as if they were the property of the individual shareholders. The company is not a mere aggregate of shareholders. It is a separate and distinct entity. The directors are the trustees for that entity and not for the individual shareholders, and in their capacity of trustees for the company they owe a duty to the creditors of the company. They are quasi-trustees for the creditors, and as such are responsible for the application of the capital of the company for the purposes of the company.

Under the circumstances, the distributing of the shares without satisfying the liabilities was a breach of trust by Mr. Burnett. The fact that all the directors and all the shareholders sanctioned this breach of trust can make no difference so far as the creditors of the company are concerned.

The second ground upon which the plaintiff is entitled to judgment is that Mr. Burnett was not authorized by the resolution of the directors to do what he did. As I read that resolution, the distribution of the shares was not to be made until after the pack had been sold.

Mr. Burnett must deliver to the liquidator the 127 shares, or, in the alternative, pay to the plaintiff the value thereof at the time they were disposed of, which I find is $650 per share.

(Sd.) P. AE. IRVING, J.

THE GRAND TRUNK PACIFIC MEETING

Officers Have Been Selected - Work on the Western Surveys to Be Pushed.

Montreal, Aug. 10.—The organization of the Grand Trunk Pacific was completed here to-day. The officers are: C. M. Hays, general manager of the Grand Trunk railway, was elected president, and Frank W. Morse, third vice-president of the G.T.R., first vice-president and general manager. The other officers are: Wm. Wainwright, second vice-president; Henry Phillips, secretary; Frank Scott, treasurer; H. W. Walker, general auditor. The members of the executive committee are Messrs. C. M. Hays, Hon. Geo. A. Cox, F. W. Morse and W. Wainwright. The following are the directors who were named: C. M. Hays, F. W. Morse, W. Wainwright, W. H. Biggar, Hugh A. Allan and E. B. Greenshields, of Montreal; Sir Charles Rivers Wilson, Lord Welby, Col. Fred Firebrace, Alfred W. Smithers and John A. C. Lutton Brock, of London, England; Hon. Geo. A. Cox and E. R. Wood, of Toronto; John R. Booth, of Ottawa; and John Bell, of Belleville. After the meeting President Hays announced that no construction will be begun this year, but the surveys from Winnipeg to the Pacific will be rushed to completion. The Pacific terminus has not yet been selected.

Locomotive Engineers.

Montreal, Aug. 10.—The annual convention of the Canadian division of International Brotherhood of Locomotive Engineers was opened here this morning. W. S Stone, grand chief, presided. The ladies' auxiliary also held a meeting today. Both sessions were held in secret. There are between seven and eight hundred delegates present. A reception will be held in the Academy of Music this evening, at which addresses will be made by Hon. H. R. Emmerson, Minister of Railways and Canals; Grand Chief Stone, Mayor Laporte and others. To-morrow the delegates will be entertained by the railway companies, who have placed special trains at the disposal of the delegates to visit the shops of the C.P.R. and the carshops of the G.T.R.

Sons of England.

Montreal, Aug. 10.—It was decided yesterday by the Sons of England, who are holding the 27th annual session in this city this week, that union with the Sons of St. George, an order in the United States, was not feasible. The Supreme lodge, in session to-day, favorably considered the proposition to admit women to the order. Hitherto this has been refused. Effect will not be given to this until the next Supreme lodge. The lodge refused to extend the qualifications for membership to include all British subjects. The qualification will be still limited to English birth or parentage.

TYPOGRAPHICAL UNION.

St. Louis, Aug. 10.—The convention of the International Typographical Union to-day resumed consideration of the report of the committee on laws. A telegram of greeting and congratulation was received from Sam Gompers, president of the American Federation of Labor.

An amendment to the general laws providing that when a strike has been inaugurated, the executive committee should pay to the union involved, for not exceeding eight weeks, $7 per week per each member, was voted down on the advice of President Lynch.

A proposed new section of the general law providing that in no case should a charter be issued unless the scale of wages was at least $15 per week of 48 hours for job work, and $18 per week, eight hours per day or less, for machine work, was also voted down.

The Sufferers From Colds

Are numbered by Millions, not including those whose annoyance by association amounts almost to suffering.

And yet it is a fact, as capable of demonstration as any problem in Geometry, that Dr. Agnew's Catarrhal Powder Has, Does, Will Cure Catarrh and Colds. What are the Catarrhal Millions going to do about it?

Dr. Agnew's Heart Cure relieves heart disease in 30 minutes. 4

SCOTTISH EDITOR VISITS THE CITY

GIVES IMPRESSIONS OF THE DOMINION

A Country of Magnificent Distances and Matchless Resources—Was Agreeably Surprised.

Major James D. Miller, proprietor and editor of the Gazette, of Forres, Morayshire, north of Scotland, was a visitor to Victoria a few days ago. Mr. Miller is a veteran journalist, having begun his career in the fourth estate thirty-eight years ago, so that few indeed are the points of the profession that he does not know. He is an intimate friend of Lord Strathcona's, and his present tour across the Dominion is chiefly the result of the urging of Canada's grand old man.

For years Major Miller had resisted the inclination to cross the Atlantic, apprehending that the roseate reports of agents and correspondents had overdrawn the true condition of the country. But his trip has proved to him that instead of the greatness of Canada being grossly exaggerated, the "half had not been told." The Scot, he frankly explained to a Times representative, was of a suspicious nature and consequently accepted with considerable reservation reports of matters beyond his ken, which was doubtless the reason why the immigration to this country did not include more Scottish agriculturalists. Could they but see what he had seen of Canada he was positive that many farmers of his own shire would strike out for this country without loss of time.

And they would be a decided acquisition to the agricultural element of this country. Major Miller says that Morayshire is essentially a farming country, one of the richest in Scotland, and the industry is conducted in up-to-date fashion. Unfortunately, however, the farmers there are beginning to feel the competition from other sources. Wheat, which was formerly produced in abundance, is gradually dropping out of the market, being supplied to a considerable extent by the imported product. Barley and oats, on the other hand, are grown to a large extent and fetch the highest prices. Morayshire depends wholly on its farming resources; there are but few manufactures. Canada, Major Miller describes as a domain of magnificent distances. Its matchless resources, the sturdiness of its national character and the energy of its people have created an impression which is only possible from close range observation.

But what particularly impressed the major was the indomitable enterprise which produced the Canadian Pacific railway, a transportation system unsurpassed in any country in the world. He recalled the general opinion which prevailed, when, twenty years ago, Lord Strathcona drove the last spike in the huge transcontinental line. Then people criticised the proposal as madness, but the two decades have shown that, as a commercial speculation, it is unsurpassed.

Major Miller is a strong advocate of preferential trade with the Empire. He looks forward to the time when Canada will be the actual granary of the vast realm designated on the map by dashes of red, an evolution which he considers natural and inevitable.

Forres, where Major Miller hails from, is the birthplace of Lord Strathcona, of which both the town and the High Commissioner are mutually proud. It is quite a far cry to Victoria, but the journey has been so full of interest that it has ended a great deal too quickly. He is now in Tacoma visiting his sister, and on his return will take the Crow's Nest Pass route to the Territories. He is anxious to visit the vast grain-producing areas of which he has heard so much. Although his present trip is wholly for pleasure, so strong is the journalistic instinct that he could not keep his hands off "copy" paper, and quite a number of articles have gone to his home paper.

RESULT OF INQUEST

Held at Revelstoke in Connection With Recent Death of Young Woman.

At a coroner's inquest held on Thursday last at Revelstoke in connection with the death of Jennie Gamble, the jury returned the following verdict: "The jury, after due deliberation, has come to the conclusion that Jennie Gamble came to her death through blood poisoning, caused by a miscarriage, and exonerates the medical practitioners from any connection therewith."

The details of the case as published are as follows:

A young woman at the Queen's hotel, named Jennie Gamble, was delivered of a child a few days ago and was removed to the hospital, where she died. On account of suspicious circumstances surrounding the case, Drs. Graham and Sutherland were called on to make a post-mortem examination. As a result, Coroner Cross was instructed to hold an inquest, but, on account of his being a principal witness in the case, he could not do so. The Attorney-General was communicated with, and he instructed Coroner Morris, of Vernon, to hold an inquest. Accordingly, on Thursday last, a jury, consisting of Messrs. H. Cooke (foreman), F. Young, C. J. Aman, F. Bourne, Ed. Burridge and W. J. George, was empannelled. After hearing the evidence of Drs. Cross, Sutherland and Graham, and of Messrs. Davidson, W. Bews, J. H. Robinson, Mrs. Robinson and Chief T. W. Bain, the jury returned the verdict as above.

THE ICEMAN'S TROUBLES.—"My business," says John Gray, ice dealer, of Wingham, Ont., "is one of the most fertile fields under the sun for sowing the seeds for rheumatic suffering. For five years I was a great invalid, words cannot convey the faintest idea of my intense suffering and constant pain I endured. 6 bottles of South American Rheumatic Cure permanently cured me." Sold by Jackson & Co. and Hall & Co.—146.