The Colonist.

FRIDAY, MAY 10TH, 1889.

INDEPENDENCE IN PARLIAMENT.

We like to see the News-Advertiser, of Vancouver city, holding forth on the subject of independence in parliament. Its views on that matter are unfortunately not new. In fact our heavy contemporary seldom ventures to be original. It evidently regards independence in any shape as a high crime and misdemeanor. It denies the existence of political independence altogether, and would have the representatives of British Columbia in Parliament to be out-and-out party men. It would have Victoria and the other British Columbia constituencies send men to the House of Commons without wills or opinions of their own, to be nothing more than breathing and talking machines, to be operated upon by the party leaders. If the News-Advertiser is right the people of this province are very foolish in going to the trouble of holding elections to choose men to send to Ottawa. It would be much easier and less expensive to get some ingenious mechanic to construct a few wooden dummies, properly jointed, which could stand up or nod whenever Sir John Macdonald, or some other party leader, pulled the strings, or touched an electric button. Mind and will and conscience are not required for such puppets as the News-Advertiser would have the province send to Parliament. All that is required are well made and nicely dressed tailors' blocks labelled "Tory" or "Liberal," as the case may be.

Our contemporary declares that since we require the representative of the people to have a will of his own, and to possess a conscience which he refuses to place in any man's keeping, we "have little knowledge of the practical operation whereby the business of the country is carried on in the House of Commons." It is perhaps possible that we know a little more of this "practical operation" than the News Advertiser imagines. We have seen the means that are at work in Ottawa to convert representatives into mere party machines, and very ingenious and varied those means are. Independence is as much disliked in Ottawa as it is in the office of the News-Advertiser, and many influences in the Parliament buildings and out of them, social as well as political, are set to work to deprive the representative of any independence that he is supposed to possess. The object of these influences is to make him a pliant tool in the hands of his leader. As soon as a representative in the interests of his constituents appears disposed to act independently and to vote against his party, he finds himself in a new atmosphere. He is regarded with coldness and suspicion. Coolness takes the place of cordiality, and covert sneers or open reproach of compliments and friendly greetings. It is not much to be wondered at that under such circumstances and amidst such surroundings the sense of duty of the representative becomes blunted and that his zeal for the interests of his constituents and his province grows cool. Party wants him and it is melancholy to admit that after a brief struggle in the great majority of cases, party gains complete possession of him. So strong and so numerous are the influences in Ottawa that bind men to party that very few of the representatives of the people have the strength to resist them, even when they believe resistance to be their duty. To excuse themselves for their weakness and want of fidelity both to themselves and those whom they represent, they ask the question which the News-Advertiser suggests, "What could four or five members do alone?" The proper answer to this question is not the one which the weak-kneed member or the partisan journalist expects. Four or five members, who believe that they are right, who are convinced that their duty requires them to act independently of their party, can do a very great deal. No government is so strong that it can afford to regard with indifference the defection of four or five of its supporters. The loss in numbers would be important, but the moral effect of the independent attitude which they assume would be more important still. Four or five men who possessed strength and firmness to resist the enervating and demoralizing influences that would be brought to bear upon them, would be capable of accomplishing a great deal. They could obtain anything reasonable they asked for, and men capable of taking such a stand would not be likely to make upon the government they supported an unreasonable demand. Even one member who would not allow himself to be talked over or wheedled into refraining from agitating for what he believed his constituents had a right to obtain, can effect more than our contemporary has any idea of.

The News-Advertiser prudently abstains from going into particulars. It confines itself to a general and vague protest against independence in Parliament. It does not venture to say that what the British Columbia members asked for was unreasonable or out of the power of the Government to grant. On the contrary, it knows that their requests were most reasonable, and the Government was, or ought to be, competent to grant them both without a moment's hesitation. To place mining machinery on the free list is nothing more than a measure of justice to the miners of this province. They help to protect other industries, and all the protection they wanted was to be freed from this burden. To require the subsidised Japan and Australian steamships to call at Victoria, the principal commercial city of the province, lying directly in the track of the steamers, was nothing more than the duty of its representatives. There should have been no need to make the request in the first place, and when it was made it should have been granted as a matter of course. The people of British Columbia had a right to expect that their representatives would make firm stand on both these matters, and to insist upon them independently of all mere party considerations. In fact the party which they supported could not have been in the slightest degree injured if mining machinery had been placed on the free list, and if the Government had promised that it should be a provision of the contract with the steamship company that the steamers call at Victoria. These matters do not affect the Dominion in the slightest degree injuriously, but they are of very great importance to British Columbia. The representatives of the province therefore were perfectly justified from every point of view in insisting upon having their requests granted, no matter what the party said either in caucus or on the floor of the House of Commons. They should vote for resolutions in favor of extending these measures of justice to this province, no matter who might move them. The Government should not have placed them in the position of either voting against them or being false to the interests of their constituents, but when the alternative was placed before them they should not hesitate a moment in preferring their province to party. It would be different if the choice was between the province and the general interests of the Dominion. But the interests of the Dominion were not involved in either of the matters which it was the duty of the members from British Columbia to urge. As the News-Advertiser represents no one except its proprietor it may for a time sacrifice the interests of the province to those of a party with impunity. But it will be impossible for the men whom the province sends to Parliament to pursue that course without being made to feel that they have made an improper choice.

FOR PEACE.

The Rev. James Barclay is perhaps the most talented of the Presbyterian clergymen of the city of Montreal. He had the honor of being asked to preach before the Queen at Balmoral and crossed the Atlantic a year or so ago for that purpose. He did not attend the monster meeting that was held in the Queen's Hall, and he wrote a letter to the Star commending a moderate and sensible article that appeared in that paper on the meeting. The following is the letter:

SIR,—I read with great satisfaction your short article on the anti-Jesuit meeting. If only the question could be discussed in such wise and temperate manner, great good might result. Ad captandum speeches by excited orators from Ontario who condemn wholesale the action and impugn the motives of the leaders and the vast majority of our public representatives in both parties in the Dominion, and local speakers who pose as the leaders of public sentiment, and unthinking applause momentarily accorded to them, afforded poor hope of a satisfactory or righteous settlement of this or of any question. There are many earnest Protestants, and I doubt not many loyal Roman Catholics, who deprecate sincerely the recent legislation, but who deprecate quite as sincerely and strongly such meetings as that of Thursday evening, as likely to lead, if they lead to anything, to lamentable and disastrous results. A little less abuse of Roman Catholics, and a little less attempted proselytism on the part of the Protestants, and a little more manifestation of the broader spirit and the higher life Protestantism boasts itself capable of producing, would do a hundred-fold more good than any amount of angry declamation. A religious war is surely the last thing we wish to see in this Dominion, and I envy not the man who has any hand in kindling such. Let us by all means study the things that make for righteousness, but let us not forget the things that make for peace. JAMES BARCLAY.

875 Dorchester street.

This letter has given great offence in some quarters, and Mr. Barclay is denounced and sneered at by several newspaper correspondents. But the rev. gentleman takes no notice of their abuse. His letter, it is said, has done much to allay the agitation that was raised by the speakers at the anti-Jesuit meeting and to promote good feeling between the Protestants and Catholics in Montreal. It is not a little singular that the citizens of Toronto are much more excited by the refusal of the Government to disallow the Jesuits' Estates Act than are the Protestant inhabitants of Montreal. Had it not been for the agitation that was raised in Ontation very little would have been heard about disallowance in Protestant Quebec.

A CHANGE OF VIEW.

The Toronto Empire has directed attention to the fact that the Globe is not the only paper which has within a year made a flop on the Jesuits' Estates question. People generally are not prepared to hear that the Mail, which has taken the lead in the anti-Jesuit agitation has made a complete change of front with regard to the constitutionality of the Estates Act and the Act for the Incorporation of the Order of Jesus in Quebec. Not ten months ago the Mail contained the following remarks on the subject of those laws:

"It is reported from Ottawa that an effort is being made to secure the disallowance of the compensation bill, which has just passed its third reading. BEYOND QUESTION, however, THE QUEBEC LEGISLATURE IS WELL WITHIN ITS RIGHTS IN PASSING THAT MEASURE, AS WELL AS IN PASSING THE JESUIT INCORPORATION ACT OF LAST YEAR."

It will be noticed that less than a year ago the Mail took precisely the same view of the constitutionality of the Jesuits Estates' Act as the Government does now. We presume that it then gave its readers an honest and unbiassed opinion. The Government has not changed its mind in the interval but the Mail has. Why cannot the Mail give the members of the Government and of the majority of Parliament credit for being as honest and as disinterested as it was itself less than a year ago. It is quite possible that it has become convinced that its first opinion was erroneous, but though it has changed its mind it should not quarrel with those who still hold to the view they had formed when the law was enacted. The reader of some of the Mail's late editorials is led to the conviction that in the opinion of its editor the man who maintains the Jesuits Estates Act is constitutional is either fearfully and wonderfully stupid or utterly insincere and unscrupulous. No one would suspect that the opinion which it now so unsparingly condemns was only a few months ago its own.

Severely Burned.

"I burned my hand severely, and did not know what to do till a friend ran in with some Hagyard's Yellow Oil and applied it, and it drew out the pain and healed it in a few days. I would not be without it." Mary Lepard, 59 Cecil street, Toronto. *sun-w-f

CANADA'S CLIMATE.

Owing to the winter carnivals and the thousands of photographs of winter scenery and of Canadians clad in furs and blanket suits that have been sent across the ocean, the people of Great Britain are still under the impression that the Canadian winter extends through the greater part of the year. It is hard to make many of them believe that the April weather in the North-west is delightful. But in Edmonton, which is very far north in latitude 53° 30', the thermometer in the second week in April ranged between 74° and 32°. Further south it was warmer still. There are very few even in Ontario who believe that on this side of the Rocky Mountains there is no winter at all in the Candian sense. In British Columbia farming operations need not be discontinued at all. There is little or no frost in the ground and snow seldom falls. The spring comes early in March. In April the fruit trees are in blossom and the gardens are gay with flowers. In the beginning of May early vegetables become plentiful and the later kinds are well advanced. It will. we fear, take some time yet to convince the people of Great Britain that the Canadian summer is delightful and that the climate of British Columbia all the year round is as pleasant as that of any part of the continent. We have here neither the severe frosts of the winter nor the scorching heat of the summer of Eastern and Northwestern Canada.

ALBERNI NEWS.

(Nanaimo Free Press.)

The farmers at Alberni are busily engaged in putting in their crops, and this year the area under cultivation in that valley will greatly exceed that of any previous year.

The settlers are well pleased at the Provincial grants for roads, and expect in a few years, at the present rate of progress to have the settlement intersected with good roads.

The visit of the lumber kings to Alberni has also inspired confidence, and the settlers feel more than joyous in regard to the future.

Mr. David Little still remains dangerously ill, and with but little if any change in his condition.

A petition was circulated and largely signed by the settlers of Alberni, expressing their confidence in the honesty and integrity of Mr. Frank McQuillon, and stating that from their knowledge of his character and habits, they cannot believe the statements that have been made in regard to his setting fire to a house in that district, and for which crime he now stand committed to stand his trial.

The roads are in good order and the spring work is well advanced.

The general health of the district is excellent.

BURGOYNE BAY.

[From Our Own Correspondent.]

The Blue Ribbon convention of the 4th inst., was the largest in the history of the association. Besides those from our immediate vicinity there were many from Beaver Point, Vesuvius and elsewhere, so that the seating was far from ample. The programme was in keeping with the number present and the temperance cause. Time seemed to pass too quickly yet each and everyone expressed his full satisfaction. Our mention must fail to do justice. Mr. Horel led in prayer and the opening hymn was sung by many voices. Mr. Welsh, song, highly encored; Mr. Geo. Shepherd, violin solo, called back twice; Mr. Brooks (of Victoria) song, "Far, Far Away," displaying true musical powers; Mr. Sevigne, (teacher Beaver Point) song, of such merit as to be called back twice and each rapturous; Vice-President Mrs. Lee, song and recitation, both aptly rendered; Mr. Horel, ever the foremost to advance the good cause, made very practical and interesting remarks on the manufacture and sale of liquor, encored; Mr. Secretary Pollard, song and recitation, the latter very amusing; Mrs. Shepherd, accordeon, a musical treat; Misses G. and L. Horel, Mr. Lee and Master L. Horel, excellent readings and recitations; Mr. John Plough, violin solo, recalled; Messrs. Geo. Shepherd and Townie, unsurpassed instrumental music; Mrs. Horel, a most pathetic reading; Mr. Henry Pollard, song, as usual good; Mr. Carmile, a musical treat; Mr. Perkins, song, not behind former distinctions; President's remarks, when Mr. Shepherd was called and certainly his was fitting for the close. I must not omit to mention some of those that were not called for want of time: Mr. G. Furness, Mrs. and Miss Haskins, Mrs. Rogers, Miss Plough, Mr. S. Maxwell, Masters J. and D. Maxwell, Messrs. Anderson, Ackerman and Raby.

WELDON'S EXTRADITION BILL.

The extradition law, recently passed by the Dominion parliament, names the following list of extraditable crimes, viz:

Murder, or attempt or conspiracy to murder; manslaughter; counterfeiting or altering money, and uttering counterfeit or altered money; forgery, counterfeiting or altering, or uttering what is forged, counterfeited or altered; larceny; embezzlement; obtaining money or goods or valuable securities by false pretenses; rape; abduction; indecent assault; child stealing; kidnapping; burglary; house-breaking or shop-breaking; arson; robbery; abortion; perjury or subornation of perjury; piracy by municipal law or law of nations committed on board of or against a vessel of a foreign state; criminal scuttling or destroying such a vessel at sea, whether on the high seas or on the great lakes of North America, or attempting or conspiring to do so; assault on board such a vessel at sea, whether on the high sea or on the great lakes of North America, with intent to destroy life or to do grievous bodily harm; frauds, committed by any banker, agent, public officer of municipal or other corporations, made criminal by any law in force in the country in which the crime was committed; revolt, conspiracy to revolt by two or more persons on board such a vessel at sea, whether on the high sea or on the great lakes of North America, against the authority of the masters; any offence which is, in the case of the principal offender, included in any of the foregoing portion of this schedule and for which the fugitive criminal, though not on the principal, is liable to be tried or punished as if he were the principal; malicious action with intent to injure persons in a railway train.

When Baby was sick, we gave her Castoria,
When she was a Child, she cried for Castoria,
When she became Miss, she clung to Castoria,
When she had Children, she gave them Castoria.

"I Was Suffering."

Says S. S. Shewfelt, of Kingsley, Man., "from weakness and loss of appetite, with a severe headache, and could scarcely walk. My first bottle of Burdock Blood Bitters enabled me to walk about the house, and when I had taken the second bottle I found myself entirely cured. *sun-w-f

An Unwelcome Guest.

Disease in any of its myriad forms is never welcome, and the end of its visit is always rejoiced at. Burdock Blood Bitters cures all diseases of the stomach, liver, bowels and blood, giving life and hope with every dose. *sun-w-f

RED BUFFALOES.

Six Hundred of the Animals Gathered on One Plateau.

Danite Wyckliffe's Awful Fate—The Romantic Death of an Indian Brave and His Bride.

Indian tradition as well as white lore tells that seventy-five miles north-west of Meeker, Colorado, is the most wonderful cattle ranch in the world. Within a space five miles in length and a half mile in width roam a herd upon whose sides the branding-iron has never been placed, and around whose horns the lariat has never been tightened. But a score or even fewer of them have ever seen a man or horse or other animal of their kind, and in truth their kin, except at a distance of nearly six hundred feet above them. The Ute Indians call them "p'chek-up," or red buffalo. And yet, if an Indian who has seen them should be asked about it, he would laugh and shake his head, and all the information obtainable would be: "P'chek-up; 'em red; no ketch 'em." There are more than six hundred of this herd, and yet no man owns them; nor is there a man, white or black or copper colored, who has ever been able to possess a single hoof of these fat and tempting beeves.

The cattle are in a prison. Out of it there is one method of escape, but to travel that road means death to the adventurous one. There is no way to get in, except it be by use of a rope a thousand feet in length. As the Indians say, "Heap see 'em; no ketchum; no come away." On the two long sides of the oblong space in which these cattle roam rise precipitous and even concave rocks for 500 and 600 feet—yawning black and insurmountable. At either end seethes and rushes the Yampa or Bear River. For miles above and for miles below it plunges on in its headlong haste to reach the arms of its parent, the scarcely less tumultuous but deeper Green River. Like the wonderful flat-top mountains of Colorado, this home of the imprisoned herd has no likeness in the world. It recalls in its inaccessibility the marvelous stories of the valley of verdure into which Mayne Reid's adventurers only found their way by the assistance of the balloon.

HISTORY OF THE HERD.

The story of the way in which these cattle came there is as strange as their existence is curious. Fifteen years ago, when the government troops were pursuing the Mormon murderers of the innocent victims of the Mountain Meadow massacre, the Danites, or Avenging Angels of the Mormons, fled for their lives into what was then literally the wilderness. A few of those who had been the blindest followers of Lee, the Mormon fiend incarnate, whose hands were red with the blood of women and children, found in the wanderings a pretty valley on a stream which flows from the Wasatch range into the Green river. They stuck their stakes, built their camp fires and during the night their sagacious leader had a vision which told him there to stay. They could hardly have chosen in all Utah a more fertile or more isolated spot. They called it Ashley, and about them have since gathered more of their sect, until where the refugees posted their picket of guards on the lonely nights of the first summer has grown a thriving village. It is one hundred and forty miles from the Union Pacific railroad south and one hundred and forty-five miles north of the Rio Grande Western. Until within five years it has been isolated entirely, but now it is but thirty miles from the Utah reservation, and furnishing supplies for the agency forms quite a business for the community.

It is the tenet of the Danite that robbing or theft from a Gentile is no crime. So it was thought to be only a cunning trick when John Wyckliffe, one of the Mormon settlers of the new town, and his three sons made a night sortie on Henry's ford, in Wyoming, and carried away 800 head of cattle ranging there. This was in 1876. The owners of the cattle discovered the loss of the stock a few days after they were gone and started in pursuit. The Wyckliffes had their friends along the trail and were warned by signals of the coming of the pursuing party. Accordingly they drove the cattle as fast as they could travel along the Bear, with the intention of reaching the Elk Mountain country in Northwestern Colorado, where they would be practically safe from detection and their stock also could secure the most succulent of feed.

A STAMPEDE IN A STORM.

The thieves and the stolen herd had reached a mesa of inviting grass at sundown one day and halted to camp for the night. A terrific storm arose. The lightning flashed incessantly and the thunder pealed and cracked with unintermitting fury. The four men desperately held the terror-stricken cattle by riding about them constantly. But the wild fearfulness of the furious storm excited the brutes beyond measure. They surged and ginned, every moment growing less subject to control. All at once, as if by one mad impulse, they stampeded.

A stampede of cattle by day is calculated to strike terror to any heart lest there should be some human being in the pathway. A stampede by night and during a furious thunder storm, with the lightning revealing the huge mass of frenzied brutes hurling itsel on like a living catapult, frantic with fear and as restless as the storm itself, is one of the grandest and most appalling spectacles. All the mad might of frenzied animate force is aroused; and self-destroying as well as destroying all in their way, they rush on until they fall deadlike or plunge into some abyss.

John Wyckliffe and his sons met their fate amid the lightning's glare and the thunder's roar. They endeavored to head off the stampeding herd. Instead they and their horses were swept on and driven, in the terror to escape the charge of maddened animals, over the brink of the awful precipice which frowns up from the waters of the Bear. After them plunged the whole fright-crazed herd, and down to the bottom of the fearful fall went horses and riders and horned creatures.

SURVIVORS OF THE STAMPEDE.

Out of this plunge of life to what was seemingly certain death for all, a few of the herd were not killed. Those which had gone ahead formed a cushion of death. Maimed, stunned, but still invested with a spark of life, when the dread storm was over the living cattle crawled out from the mass beneath them and formed a nucleus for the herd which now roams at will within their rocky confines. On the bank of the river, stretching back a few hundred yards, grow succulent grasses, and upon this the cattle have propagated and thrived. In looking over the edge of the precipice one can see that they are small and as wild and agile as deer. They have been shot at to see the effect, and have learned to regard the appearance of a man, whether Indian or white, as a menace, from which they flee, clambering over rocks and through underbrush in the chase to a point of concealment.

The place where the thieves and their horses and the herd fell is plainly marked by a pyramid of bones which rises to the height of twenty feet. The ghastly reminders and relics of the human and animal victims of the terrible leap shine forth white and glistening when the sun is high and reaches that spot with its full glare. The progeny of the surviving animals from the fall are fat and sleek, though, and have their sunny beds, deer like, where they lie for warmth in the winter, and to them the monument of skeletons is no source of disquietude. There is no fierce mountain lion or more dangerous bear, nor, in fact, any other animate thing within this cow garden of Eden. As yet, too, no man has been able to reach or disturb them.

The Utes have a tradition that savors of a romance connected with this wonderful spot. It is that a young buck who was of Piah's renegade band became enamored of a young quarter-blood Sioux squaw and sought to take her to his tribe. The Utes have a virtue, if such it may be called, of total prohibition from mingling with the whites in marriage relation. Even where there have been instances of women of their tribe becoming too familiar with white men they have invariably been visited by the severest punishment, the progeny destroyed, with the almost equal certainty of killing the indiscreet squaw. So, for "Se-ne-jaho" and his wife they had no welcome. Added to her three-fourths white blood was the still worse odium that the only Indian blood in her veins was Sioux, a tribe which the Utes hate as they hate no white or other living being.

The bucks drove "Se-ne-jaho" and the woman away. After weeks of outlawry, often pursued and clinging to an existence of terror, the young buck and his squaw determined that they would seek the Cattle valley, which the Indians call the "Lower Earth," and try to find access. Once there they could dwell in peace, and would be rich in possession of hundreds of animals, the flesh of which they could eat, while from the skins they could make their clothes and a teepee. They tried a score of ways in which to gain access. Descent was death. The rapids of the river was the only course. The buck patiently made a dugout from a log and a paddle from a limb. Twelve miles above they launched the rude craft, themselves lashed in it, and went whirling and shooting on downward. When they emerged from the dark walls into the opening which they had hoped would be their impregnable refuge, the dugout was bottom up and already splintered by contact with a thousand jagged rocks, while it bore on in the resistless current two lifeless and bruised bodies. This remarkable spot is where Blue Mountain and Cross Mountain, both well known landmarks for the hunter, savage and white, rear their precipitous sides out of the Bear river.

WHERE THE BUFFALOES GRAZE.

The animals on the top of the big mesa are extremely shy of hunters, and two or three schemes which have been tried to capture them have always failed. Several parties of Ute Indian hunters who make the "Book Plateau" their hunting grounds, have attempted to climb the rugged steep that leads to the top, and one Indian who succeeded in scaling it for forty or fifty feet was killed by falling from his perch. The Indians describe the animals as strongly resembling the moose, although of larger frame and antlers. They do not attempt to account for their presence on top of the tableland, to which there is no road or access, simply affirming that the animals are there, and that "Indian no catch 'em." A party of scientific tourists who saw the animals from a distance with the aid of a powerful field glass, could give no logical reason for the presence of the remarkable tenants between land and sky.

The other most curious physical formation which has separated animal life from the possible approach of man is one of the Flat Top mountains, in Garfield county, Colorado. This mountain stands up like a gigantic cube. Among the now living witnesses of the accuracy of the statements made by the Indians of the existence of the cattle in this inaccessible valley is Alexander Powell, more familiarly known as "Coon," who makes his headquarters in Meeker. Powell is an intelligent man, of a good Virginia family, but like many others who drifted west years ago, has lost both ambition and a desire to return home. He has spent ten years earning a precarious livelihood as a guide and trapper and has frequently visited this particular spot.

ANOTHER B. C. CASE BEFORE THE PRIVY COUNCIL.

The case of Clark & Martley versus Carson & Eholt, which was decided by the Supreme Court of Canada last week, bids fair to become a "cause celebre." In fact its circumstances have already classed it amongst the most peculiar which have arisen in this province. The action was commenced on the 7th July, 1884, by Messrs. Carson & Eholt to settle the title to certain privileges claimed to the waters of Pavilion Creek, Lillooet District, and was tried before Chief Justice Sir Matthew B. Begbie, who heard the case on the 20th March, 1885, and gave judgment against Carson & Eholt, holding Messrs. Clark & Martley entitled to the privileges and awarding to Clark $500 and to Martley $200 damages for the plaintiffs' infringement of their rights. The Chief Justice also gave an injunction against the plaintiffs. From this judgment Carson & Eholt appealed to the Full Court, consisting of Justices Crease, McCreight and Walkem, who on the 20th August, 1885, reversed the decision of the Chief Justice and gave $1800 damages and perpetual injunction against Clark and Martley, who, in turn, brought an appeal to the Supreme Court of Canada. The latter appeal was argued at Ottawa in November, 1886, by Mr. Samuel Blake, Q.C., and Mr. Bodwell, for Clark; and Mr. Dalton McCarthy, Q.C., for Martley; Mr. Christopher Robinson, Q.C., and Mr. Eberts appearing for Carson & Eholt. Their lordships of the Supreme Court of Canada reserved judgment, which stood in abeyance until the October term of 1888, when the Court directed the case to be re-argued, and it was accordingly again called up for argument in the month of November, 1888, when the Court without hearing Mr. Blake and Mr. Bodwell, who again appeared for the appellant, called upon Mr. Robinson to support the judgment of the court below, and upon the conclusion of his argument intimated that they did not desire to hear appellants' counsel, as they had made up their minds to reverse the judgment of the Full Court, and to place the damage at $500 in favor of Clark and $100 to Martley. As the case was an important one, their Lordships would give written judgments.

On the 30th of April, as previously announced in our columns, the Court gave judgment dismissing the appeal of Clark and Martley with costs. It appears that the judges differed in opinion—the Chief Justice and Mr. Justice Strong being for reversing the judgment of the Full Court, and restoring the judgment of Chief Justice Begbie, but being over-ruled by Justices Taschereau, Gwynne & Fournier, who held that the appeal must be dismissed, the damages against Clark, however, being reduced to $600.

Mr. Clark has determined to carry the case further, and has given instructions to his solicitors to appeal against the decision of the Supreme Court of Canada to the Privy Council, and we understand that Capt. Martley will also join in the appeal. The case will probably come before the Privy Council in July next.

From Ocean to Ocean.

Fishermen and miners in Nova Scotia, mechanics and farmers in Ontario and Quebec, hunters and trappers in the Territories, and gold miners in British Columbia, use and praise Hagyard's Yellow Oil, the great internal and external remedy for all pain. It cures rheumatism, neuralgia, sore throat and croup, and is the reliance of thousands. *sun-w-f

Lotta, the actress, while performing at the opera house in Easton, Pa., fell very heavily upon the stage. The audience did not realize that she was injured, but she left the stage, and a few minutes afterwards her stage manager announced that she was in great agony from the effects of the fall, and that she could not appear again. The curtain was rung down and the audience dispersed.

FROM THE CAPITAL.

Closing Proceedings in the Dominion Parliament.

The Record of the B.C. Members—Combines Bill—The Minister of Militia—Mr. Chapleau's Return.

(From Our Own Correspondent.)

OTTAWA, April 29.—Before this letter reaches Victoria the third session of the sixth Parliament of Canada will, unless something unforeseen happens, be at an end. The session itself has been what is usually termed an "off" one. Nearly three years have yet to run before this Parliament will have run its course, and according to present arrangements we shall have three more sessions before dissolution. "Man proposes but God disposes," and if the G. O. M.'s propositions are capable of being carried out the following will be the programme:

1890.—The ordinary session.

1891.—The decennial census taken early in the year. A short session of Parliament called together early in January, with a fall session (September or October) for the purpose of passing a redistribution bill based on the results of the census. The measure having received Her Majesty's assent the appeal to the country will follow. When the seventh Parliament of Canada meets it is expected that the B. C. contingent instead of being six will number seven or eight, the redistribution bill in all probability giving the province two or more members.

The session just closed has not been a brilliant one, but some useful measures have gone through. The British Columbia contingent, though small in numbers, has done its work well. Col. Prior, who, in consequence of the absence of Mr. Baker, has had a good deal of extra work placed on his shoulders, has stuck to his work day and night, and I feel satisfied that his constituents will rightly appreciate his efforts. Besides straightening out the "C" battery affair and getting the appropriations for the completion of the barracks, he secured the grant for further harbor improvements, and through his instrumentality the Skeena River appropriation was also obtained. Col. Prior's voice has not infrequently been heard in the chamber, and on every occasion on what he has spoken his utterances have commanded respect. His speeches on Victoria's growth and prosperity, the calling of the mail steamers at your port, the Behring's Sea affair, in addition to his views on military matters, stamp him as the right man in the right place, thoroughly alive to the wants of his constituency.

Mr. Barnard, another Victorian, has applied himself assiduously to his parliamentary duties during his first session. He has striven hard to secure for his constituency that boon which would so greatly aid its development, viz: The free admission of mining machinery, and although at present there is nothing tangible in sight, he is hopeful that something will be accomplished this year. His maiden speech yesterday was terse, pointed and well phrased, and the round of cheers which he received from his brother members on resuming his seat was a deserved tribute to his effort. Mr. Barnard has the making in him of a hard working and useful member.

Mr. Gordon is not very ostentatious in his work, but devotes himself energetically to the interests of Nanaimo. He has put in a lot of good work in a quiet way, the results of which are seen in the supplementary estimates. Mr. Gordon has a quality of independence in his constitution which asserts itself now and again. In caucus the other day he is reported to have come out flat footed in his denunciation of departmental interference with his patronage, and the result will likely be that Mr. Gordon will be consulted hereafter when changes are to be made.

Mr. Mara has performed excellent service in the house this session. Now and again he participated in the debate, and his views always command respectful attention. His constituency does not ask for much, although this year it has been successful in securing the subsidy to the Shuswap and Okanagon road, as I intimated would be the case some weeks ago.

Mr. Chisholm, with a constituency growing both in size and requirements, has had his hands full. His unfortunate illness, which struck him down about six weeks ago, has effectually prevented him from attending to his parliamentary duties, but his correspondence and departmental matters have been well looked after by his private secretary, so that the interests of his constituency has not suffered in the slightest degree. It would appear doubtful whether the old "Argonaut of '49" will ever see the Pacific Coast again.

Dr. Roome, M. P. for Middlesex, has been unremitting in his attendance on the "Doc," while his niece, Miss Chisholm, and Mrs. Sedgwick, wife of the deputy minister of justice, have tended to his wants as if they had been his own daughters. If he recovers sufficiently to be removed from the Russell House and to travel, his friends are anxious that he should be taken to his native place, Antigonish, N. S., but whether this can be done or not it is for the future to decide.

THE SECRETARY OF STATE.

Mr. Chapleau has returned from Europe greatly improved in health. On taking his seat in the Commons on Thursday he met with a cordial welcome from Conservatives and Liberals alike. The night before his arrival at Montreal was made the occasion of a great demonstration in his honor. Mr. Chapleau's followers are tremendously enthusiastic—he has more personal friends than either Sir Hector or Sir Adolphe and whenever he goes away for a few weeks, at a moment's notice on his return his friends will gather in their thousands to give him "welcome home." The demonstration of Thursday is suspected to have been arranged to boom Mr. Chapleau for a more important cabinet position. The portfolio of Railways and Canals is one of the most important in the gift of the government, but Ontario Conservatives are hopeful that Sir John will never give it to a French Canadian minister. If he does, then "good-bye" say the English-speaking population "to anything like a fair distribution of offices." On the other hand, supposing a French Canadian Minister of Railways were disposed to do the fair thing by both nationalities he would ruin his political future with his own compatriots. For these reasons, which have been brought to Sir John's attention very forcibly within the past few weeks, I am disposed to think that the new Minister of Railways will not be a French Canadian.

THE COMBINES BILL.

Clark Wallace's Anti-combines bill has passed both Houses although shorn a good deal of its force. At the last moment the Toronto trade unionists raised an uproar against the measure on the ground that it was trenching on their rights and prerogatives under the Trade Unions Act of 1872. When in the latter year under an old statute Hon. George Brown sent to prison thirteen of his printers employed on the Globe, one of the thirteen being E. F. Clarke, the present honored chief magistrate of Toronto, there was a storm of indignation in all parts of the country that the workingmen of Canada should not be allowed to exercise the same privilege of union as possessed by the workingmen of Great Britain. Sir John Macdonald paomptly stepped into the breach and passed the Trade Unions Act, the great charter of the workingmen of Canada. That measure was supposed to apply to the working classes only, but only last week it was discovered that the interpretation clause of the Trade Unions Act defined a trade union to be a combination for regulating the relations between workmen and masters, "or for imposing restrictive conditions on the conduct of any trade or business."

This is precisely what trusts and combines do, and it would therefore appear that unless the Wallace bill were passed, trusts and combines are legal in Canada. Clause 22 of the Trade Unions Act, which declares the purpose of a trade union not unlawful, is therefore practically declared to be void so far as the combines bill is concerned, but the Act itself still gives trades unions among workmen their ancient rights and privileges. Mr. Wallace has made a good fight with his bill, and has secured to the consumers the means for securing their food, fuel and clothing at reasonable prices.

MILITIA CLOTHING.

Sir A. P. Caron has run the gauntlet of a scathing fire of criticism, and although he now breathes freer yet it cannot be said that he has passed through the ordeal unscathed. Mr. Mulock made the investigation before the Public Accounts Committee relative to the quality of the clothing supplied to the militia, the text for a general onslaught on the administration of the Department. With regard to the clothing his complaints fell short of the mark. There was a concensus of opinion among military men in the House that the later issues of Canadian-made uniforms cannot be excelled by English manufacturers although, undoubtedly, the first issues of the Canadian products, particularly in the scarlets, were of indifferent quality. These defects have, however, been overcome, and the Canadian scarlet cloth is acknowledged to be equal to that made in any other country. The contract price for Canadian-made uniforms is higher than the tender put in by Webb & Co., the army tailors of London, but when to the London price is added freight charges to Liverpool, packing charges, freight charges to Canada and the cost of exchange between Ottawa and London, the difference between the two is practically nil. Mr. Mulock gave Sir Adolphe some hard knocks, which were emphasized when the division was taken by Messrs. Wallace and Canon, both Conservatives, voting non-confidence in the minister while a large number of the ministerialists abstained from voting.

CONDENSED DESPATCHES

The Marquis of Queensberry is in Toronto.

Lord Lonsdale reached Winnipeg on Tuesday night.

The nominations in Compton take place to-day, May 9th.

The round house of the C. P. R. at Ignace, Man., was wrecked by a high wind Monday.

There was a heavy rain fall throughout Manitoba on Tuesday, which greatly benefitted the wheat.

Miss Hargrave left Winnipeg for Japan on Tuesday night, to teach in the mission schools there.

The argument in the Jesuit-Mail case at Montreal has been postponed until Thursday morning.

Mrs. Wm. Muchmore, a Kingston widow, jumped from a steamer into the Rideau canal and was drowned.

The banks of the Saguenay river, Quebec, are overflowed and almost all the bridges between Chicoutrin and St. Alpons have been swept away.

Ten or twelve boys have within a short time been committed to the insane asylum at Napa, whose insanity has been traced directly to the smoking of cigarettes.

The funeral of the eleven unidentified victims of the Grand Trunk railway disaster took place at Hamilton yesterday and was attended by thousands. There were eleven hearses.

Albert Peterson, who escaped from Stony Mountain Penitentiary seventeen years ago to Dakota, returned to Winnipeg on a visit to friends on Tuesday and was re-arrested.

The Quebec appeal court has given judgment in the protracted Salvation Army case. The verdict against the army was unanimously set aside as contrary to the evidence, and a new trial granted.

The Michigan senate has passed the bill prohibiting the sale of tobacco to minors under 17 years of age, and the Jackson bill prohibiting the manufacture and sale of cigarettes. Both these bills have passed the house and only require the signature of the governor to become laws.

It is reported that a Kurdish chief, who recently escaped from prison, gathered a number of followers and attacked an Armenian village. The band seized several prominent men of the village, pouring over them petroleum, to which they set fire and then watched their victims slowly burn to death.

Washington Irving Bishop, the mind reader, has been married again to Mabel Clifford Faber Bishop. This action was taken to put at rest all doubts which might be taken as to the legality of the previous California marriage on account of the granting of a divorce to his first wife.

A smash-up occurred on the C.P.R. on Saturday morning between Monmouth and Beansejour, resulting in the destruction of considerable property. Ten or twelve freight cars were thrown from the track, eight of which were badly smashed, their contents strewn about. The freight in the damaged cars was billed to Vancouver.

At a meeting of the Methodist mission committee, at Toronto, plans and estimates for the proposed mission buildings for Chinese work in Vancouver and Victoria were carefully considered. The erection of buildings at Vancouver at a cost of $1,815 was authorized, but the plans for the buildings in Victoria were not considered satisfactory.

At Osceola, Florida, a number of women have been attacked recently by a tramp negro, who attacked them with a knife after the manner of "Jack the Ripper." It is reported that the body of a colored girl was found in the woods on Friday night slashed horribly. The negroes are in arms searching for the murderer. He will be lynched if found.

Major W. P. Smith, a well-known druggist of Halsey, Oregon, hired a team a week ago and left for the foothills, to collect certain accounts. In some unaccountable manner he became lost, and wandered into the mountains; remaining without food for nearly a week. He was found on Saturday in an almost famished condition and taken to his home in Halsey. He is quite aged, and his poor sight was doubtless the cause of his becoming lost.

Chas. Davis, of San Francisco, who had been out of work some time, came home on Saturday night, and took a razor from a bureau with the intention of cutting his throat. His sister divined his intention and sprang at him, screaming loudly. A fierce struggle ensued in which Miss Davis was terribly cut in the hands. Finally Davis wrenched the weapon from his sister's hand, and before she could interfere he had cut his throat. He fell bathed in blood and life was soon extinct.

The Duchess of Marlborough attracted a great deal of attention at the drawing-room on Friday, and, it is said, created a decided sensation on account of the attention shown by the Queen to an American-born duchess. No woman there attracted so much attention. Her rich but unostentatious dress and dignified but easy demeanor charmed the Queen. Two papers take occasion to say that she looked every inch a duchess, and some admiring American ladies, who watched her critically, say she looked every inch a queen. The duchess was introduced to the Queen, and, as usual when duchesses are presented, Her Majesty held out her right cheek for her to kiss. It is a long time since the Queen was kissed by an American-born duchess, probably not since the Duchess of Leeds, who died many years ago.

BOARD OF ALDERMEN.

The City Council met as usual last evening at the regular hour. Present: Mayor Grant in the chair and Ald. Harris, Coughlan, McKillican, Harrison, Goodacre, Wilson, Styles and Vigelius.

COMMUNICATIONS.

From R. Davidson requesting that repairs be made to the sidewalk in front of his property on Chatham street. Referred to the Street Committee.

From Jno. McKinley, applying for the position of caretaker of Beacon Hill park. Laid on the table.

From W. Heathorn asking for a new sidewalk in front of his new premises on Langley street and requesting that two-inch plank be used, the difference in the cost of the lumber to be paid by him. On motion the communication was received and the request granted.

From Henry S. Mason, stating that the £100 donation of books from Mr. Galpin had been handed over to Mr. McGregor for the public library.

On motion of Ald. Goodacre and Harrison, the communication was received and the clerk instructed to thank Mr. Galpin, through Mr. Mason, for his generous and very handsome donation.

From A. Henderson, calling attention to the necessity for repairs on Wharf street, near the C. P. N. Co.'s dock. Referred to the street committee with power to act.

From James McGregor, stating that the books of the public library were now ready for lending out, and advising that the library be formally opened on Friday evening, May 10th. On motion it was decided to open the library on Friday evening next at eight o'clock, the mayor and citizens generally being requested to attend.

Ald. Harrison moved, seconded by Ald. Goodacre, that an advertisement be inserted in the city newspapers informing the public that the library would be declared open on Friday evening. Carried.

From R. P. Rithet, E. Crow Baker, W. Heathorn and Joshua Davies, directors of the Victoria Electric Illuminating Co., urging the council not to grant any bonus to the National Electric Tramway and Lighting Co., and advising that the guarantee of the city to the National Electric Tramway Co. should cease as soon as soon as they should embark in the business of supplying electric light.

Ald. Wilson stated that the request contained in the communication had already been met, and a clause had been inserted in the by-law such as was suggested by the directors of the Electric Light Co.

On motion, a committee consisting of the Mayor and chairmen of the Finance, Light and Street committees was appointed to confer with the directors of the Electric Light Co., and to explain the position of affairs to them.

From the Tai Yick Co., requesting a reduction in their water rates, as they had ceased to manufacture opium.

Ald. Vigelius moved that the communication be received and filed. There were too many Chinamen wanting to get their water rates reduced.

After wasting considerable time in discussing the question of opium manufacture and consequent water consumption, the communication was referred to the water committee and water commissioner for a report.

From E. E. Blackwood and others requesting that very necessary repairs be made to Fourth street, Work estate. Referred to the street committee.

From Williams & Weson, enclosing an account for certain work performed in connection with the construction of the garbage wharf at Ross Bay. Referred to the finance committee, the account to be paid if found correct.

Mayor Grant, in the course of a brief discussion, said that it was rumoured that it was the intention of some citizens to pursue the council for the money expended in the construction of the garbage wharf at Ross Bay, as it was outside of the city limits.

Ald. Harrison said that whenever such a thing was done, his cheque and his resignation were ready.

THE ORIEL DRAIN PIPE.

Mayor Grant referred to the action of the council in regard to the adoption of the Oriel Drain Pipe for city sewerage works. He thought that the council would not have been acting aright if they had adopted the pipe without giving it a proper test. He read a letter from Mayor Oppenheimer, enclosing copies of correspondence between the city of Vancouver and Mr. Gabriel, in which, in reply to a request for prices, Mr. Gabriel offered to locate the works for the manufacture of Oriel drain pipes in Vancouver if a $5,000 bonus was offered, and to supply the pipes at 25 per cent. less than the usual prices. Mayor Oppenheimer stated that he had no intention of making himself the champion of the Oriel drain pipes, or of assisting Mr. Gabriel in what appeared to be an attempt to force the pipes on Victoria.

CITY STREETS.

The street committee presented a report, recommending repairs on Simcoe, Blanchard and Chambers streets. Adopted.

THE PARK KEEPER.

The park committee in a report recommended the appointment of Mr. Wagg as caretaker and special constable at Beacon Hill Park. Adopted.

The sanitary committee presented a report recommending the laying of a box drain on King's road. Adopted.

PROPERTY QUALIFICATIONS.

The reports of the city barristers upon the subject of property qualifications furnished the subject for a long discussion, and the question was finally allowed to drop after Ald. McKillican and Ald. Coughlan had exchanged animated compliments.

MINOR REPORTS.

The auditor's interim report of receipts and expenditures was received and filed, and the sanitary officer's report on drainage matters was received and referred to the sanitary committee.

MISCELLANEOUS.

On motion the commissioners now at work under the Official Map Act were requested to prepare a plan of city grades, with the assistance of the city surveyor and street committee, and to submit the same to the council.

The sum of $50 was voted to the cemetery committee, to enable them to do very necessary work at the old cemetery on Quadra street, and to protect it from cattle.

Ald Harris gave notice of his intention to introduce a by-law to amend the Revenue By-law.

ORIEL DRAIN PIPE.

VICTORIA, B. C., May 6th, 1889.

Messrs. Chas. Gabriel & Co., Victoria:

GENTLEMEN—In answer to your enquiry as to the deterioration of your Oriel Sanitary Drain Pipe by age, we are of opinion that the combination of materials that constitute the pipe by age become harder by their chemical action, and may become as hard as ordinary pyrites.

Yours truly,

LANGLEY & CO.

In the face of this and other testimony which has been submitted in favor of the Oriel pipe, it is to be regretted that the board of aldermen did not make a careful examination of the qualities of the pipe before expressly stipulating that vitrified pipe and no other should be used in the construction of the Johnson street sewer. The industry is a local one, the pipe is cheaper, and even though it had been the same price as the imported, other things being equal, the Oriel pipe should have been given the preference. The proprietors were prepared to erect the necessary works for manufacturing the pipe, and in the interests of the city manufactures should receive every encouragement. If it is not too late, would it not be wise on the part of the board of aldermen to secure positive information as to the quality of the Oriel pipe before condemning it as unworthy of consideration in the construction of sewers? If it is found to be suitable for the purpose, it would not only retain the money expended for pipes within the city, but save a considerable sum besides.

NEWS AND NOTES.

SOMETHING UNUSUAL.

The new statue of the Virgin in the chapel of the convent of the Sacred Heart at St. Louis has provoked considerable criticism, even from the inmates of the convent. It is described as being the figure of a girl in the bloom of youth, and when it arrived the nuns were more than astonished; but they were assured that it was done in Rome under the supervisian of one of the highest authorities of the church, the desire being to have the Virgin considered in her youth as well as in her maturity. The statue stands 7 feet 8 inches high, and was carved from a single block of Carrara marble.

BRITISH ARISTOCRATS.

Lord and Lady Wynford, an English peer and his wife who are travelling in the west, seem to have made a very favorable impression in San Francisco. The Chronicle of that city says: "Their entire simplicity of bearing is indeed a tacit rebuke to a great many members of our own mushroom aristocracy, for neither their social position nor their great wealth has been 'more than they could digest.' Lady Wynford possesses another interest for us, too, for there have been few more beautiful faces in the 'English Book of Beauty' than that which adorns the page bearing her name."

PRINCE ALBERT VICTOR.

The Prince of Wales has for some time contemplated a separate establishment for his eldest son. Marlborough House is now overcrowded, for the children of their Royal Highnesses have their separate staffs of attendants. Prince Albert Victor has his equerry, and I believe a private secretary also. In all likelihood the creation of this separate establishment will be faced before the close of the present London season, and it is proposed that the apartments in St. James' Palace occupied by the late Duchess of Cambridge shall be turned over to the young prince. With a separate establishment it will be necessary to bestow upon His Royal Highness a separate income.

The Fraser Rising.

The Columbian says the sudden rise of the Fraser at Chilliwack has had a disastrous effect on the landing. The bank has been swept away almost up to Mrs. Harrison's hotel, and considerable anxiety is felt in case the waters should make a wider incursion.

MISCELLANEOUS.

DEVLIN

The Grocer,

Announces that he is now *entirely out of the Wine and Liquor* portion of his business, and begs to announce to his friends and customers that in future he will be in a position to pay more attention to the Grocery Department, and what customers lose in convenience of wines and liquors, they will receive more than equal benefits in the grocery line. In this new departure I take it for granted that customers will give me the benefit of all doubts, and believe when I say, I intend doing a FIRST-CLASS GROCERY BUSINESS, and that upon the square, and to meet competition going on on the sly,

I WILL SELL

A tin of best Standard Oil Co.'s Coal Oil for - - $1.85
18lbs. finest Japan Rice for 1.00
8lbs. Evaporated Apples, 1.00
7lbs. German Prunes, for 1.00
Fresh Canned Tomatoes, per tin, .15
" " Corn, " .15
" " Peas, " .15

IN TEAS,

I STILL GIVE

5 lb Box M M Tea, - $1.75
10 lb " " " - 3.25
10 lb. English Breakfast, 3.25
5 lb. " " 1.75
My own Blend, a fine article, 5 lbs. for - - 2.25

—AND—

IN COFFEE,

I Defy Competition

And sell at a straight 40 cents per pound.

—A FULL LINE OF—

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Flour, Feed and Provisions.

Constantly in Stock,

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