

## HE CAUGHT A TARTAR

The Police Magistrate Suspend-  
ed by the Attorney-General on a  
Seaman's Complaint.

Alleged That the Man Was Im-  
properly Prevented From  
Stating His Defence.

Two Weeks in Jail for Refusing  
Duty for Which He Denies  
Liability.

Police Magistrate Macrae was sus-  
pended from his official duties yesterday  
by Attorney-General Martin. For a  
month there have been rumors that Mr.  
Macrae was to lose his official head and  
it was even said that a certain well-  
known lawyer was to have the position,  
but on being questioned this gentleman  
denied that such was the case, saying  
that his practice was more lucrative to  
him than the position Mr. Macrae oc-  
cupied. At the same time Mr. Macrae's  
position is not one to be despised, for  
the emoluments from the combined of-  
fices of police magistrate, stipendiary  
magistrate and judge of the Small Debts  
courts are about equal to the salary of  
a Supreme court judge.

Notwithstanding these rumors, the fact  
that the Attorney-General has suspended  
Mr. Macrae will come as a genuine  
surprise. The magistrate himself, while  
admitting that he had received a letter  
from Mr. Martin suspending him, de-  
clined to express his views on the matter  
for publication, evidently being of the  
opinion that he would be given a full  
and ample opportunity to state his side  
of the case at an investigation. While  
not saying so, it was to be inferred  
from his manner that he considered that  
the dignified course for him to pursue  
was to keep silence until given the op-  
portunity of a formal official inquiry.

Hon. Joseph Martin when asked as to  
the reason for Mr. Macrae's suspension  
explained it was in connection with the  
case of a sailor of the Tartar named  
Joseph Liddy who a short time ago was  
before Mr. Macrae in the provincial  
police court charged with disobey-  
ing the lawful commands of the officer  
of the vessel.

The man had been told by the cap-  
tain of the ship on the night of October  
13 that he was discharged and was hand-  
ed back his discharge papers from the  
last ship he served in. The captain told  
Liddy at the time that he would be paid  
turn to next morning when ordered,  
claiming he was discharged. First Officer  
Forbes, according to the evidence given  
at the time, said that it was correct that  
the discharge papers had been given  
back to Liddy by the captain, but that  
Forbes had informed Liddy that he was  
not discharged till he had signed off of  
the ship, and that he was to be on duty  
before the shipping master.

Liddy was sentenced to fourteen days  
imprisonment and when he was released  
made a complaint to the Attorney-Gen-  
eral that he had not been given an op-  
portunity to state his side of the case  
by the magistrate.

The Attorney-General remarked yester-  
day that after the complaint had been  
made he had investigated it and from  
the provincial police officers who had  
been present in the court he had come  
to the conclusion that the man's story  
was correct. Magistrate Macrae had  
not quite remembered all that took place  
in court but had not denied the officer's  
story. It was not, Mr. Martin said,  
because of any difference of opinion as to  
Mr. Macrae's views of the law that the  
suspension took place but because he  
concluded from the investigation that  
the man had not been fairly treated.  
Liddy had not been given an opportunity  
to tell his story and it was evident that  
the man was to all intents and purposes  
discharged when the captain told him so,  
and he was therefore wrongfully pun-  
ished.

The Attorney-General also desired it  
to be stated that he did not want to see  
any favor shown to captains of vessels  
as between them and their crews, when  
their cases came before the courts; that  
he believed in such cases being tried as  
between man and man.

The Attorney-General, on being asked  
as to whether the suspension was pre-  
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it was not necessarily so. He, as At-  
torney-General, had suspended Mr. Mac-  
rae, and would lay the matter before the  
executive, as they had the power to  
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investigation if they wished, but for his  
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results of his own inquiry into the mat-  
ter, and his colleagues might think that  
quite sufficient.

In the meantime, Mr. A. L. Belyea  
and Mr. William Dalby will perform the  
duties from which Mr. Macrae has been  
relieved.

In connection with the case the Colo-  
nist has received the following letter:  
"Russ House, Victoria, B.C.,  
October 28, 1898.  
"To the Editor of the Colonist:  
"Sir—Permit me, through the medium  
of your widespread and influential jour-  
nal, to give vent to the feelings of one  
of the case which you referred to in the  
columns of your paper dated the 15th  
October, under the heading of 'Two  
Weeks Ashore,' and by so doing you will  
be enabling me to vindicate my own char-  
acter and that of my profession in gen-  
eral."

"I shipped as seaman on the steamship  
Tartar at Vancouver, and the day after  
our arrival at Esquimalt drydock I was  
troubled with stricture, and was com-  
pelled to quit work and lay up. At 3.30  
p.m. on that day the chief officer sent for

me and informed me that I was logged,  
and fined two days' pay for being drunk  
and off duty. I denied the charge and  
told him the cause of my being absent  
from work. The captain then told me he  
would send the fine, and gave me notice  
to leave, and not to turn to any more,  
and I received by last discharge from  
the chief officer, who told me to pick  
up my effects and that I would be paid  
off on the following morning.

"At 9.30 a.m. on the following day I  
went to the chief officer and asked him  
what time it would be convenient for  
him to pay me off. He informed me that  
the captain had changed his mind and  
that I would have to resume duty. I  
told him that I had received verbal  
notice to pick up and quit, and that I  
did not feel inclined to be reinstated in  
a position which I had been dismissed  
from. The chief officer reported my re-  
ply, in my presence, to the captain, who  
ordered him to have me arrested for re-  
fusing duty. Consequently I was taken  
into custody and brought before Magis-  
trate Macrae, who brow-beat me in such  
a manner that he positively declined to  
allow me to make any defence, but kept  
interrogating me by saying, 'Did you  
or did you not refuse duty?' I replied  
that I could not have refused duty, as  
I was dismissed from performing any.  
He inquired if I was a sea lawyer, and  
when I told him that I was not, he re-  
fused to allow me to state my defence,  
and sentenced me to the full pen-  
alty, 28 days, when Sergeant Lang-  
ley, who had charge of the case, and  
conducted the case, and the acknowledgment  
of the chief officer in court that I was  
not guilty of any great offence, told  
the magistrate that the magistrate was  
pressed for time, whereupon he reduced the  
sentence to 14 days hard labor, with the  
remark that when I came out of the  
penitentiary I would be a better and a wiser  
man."

"On my liberation from prison at 8  
o'clock this morning, I applied at the  
provincial court for \$6.25 that I was  
paid off with, but was informed by a  
Supreme court judge, that for that  
money, as it went towards paying for  
my food whilst in jail."

"I then made an application to Magis-  
trate Macrae, at the city police court,  
who informed me it had nothing to do  
with him whether I was destitute or  
not."

"Hunger made me desperate, and a  
gentleman on the court steps, whom I  
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and ample opportunity to state his side  
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## DOMINION AFFAIRS.

Special Train Bringing Officers  
and Airlines for Ships on  
Esquimalt Station.

Tinware Works and Lumber Mill  
Destroyed—Street Railway  
Men Strike.

Special to the Colonist.

London, Oct. 28.—Owing to a strike of  
motormen and conductors, not a car has  
left the railway yards up to noon today.  
It is expected that an attempt to op-  
erate the cars will be made, and should the  
company place non-residents in the  
of the cars, the strikers will request the  
authorities to eject them, in accordance  
with the terms of the strike agreement.  
The manager, Carr, and other officials  
occupied the first car. Volleys of rotten  
eggs and other missiles greeted the car  
all along the route, and the men operat-  
ing it were finally compelled to quit the  
cars. The sympathy of the public ap-  
pears to be entirely with the strikers.

PG-LBG BROWN.

London, Oct. 28.—The police court  
proceedings in the case of "Peg-Leg"  
alias Marion, Brown, were concluded  
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duced, the police magistrate remanded  
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C. P. H. PROFITS.

Montreal, Oct. 28.—The C. P. R. Co.'s  
statement for September 1898, is: Gross  
earnings, \$2,396,395; working expenses,  
\$1,503,872; net profits, \$1,062,518. In  
September, 1897, the net profits were  
\$1,050,891.

CANAL HAND KILLED.

Cornwall, Oct. 28.—An employee of  
the Canadian Construction company,  
named Cosmo Achand, was instantly  
killed, and another man, named Klaper,  
was badly injured in an accident at the  
head of Farnon's Point, near the canal.

TIN WORKS BURNED.

Toronto, Oct. 28.—Fire broke out early  
this morning in Macdonald's tinware  
works in the old Upper Canada College  
building. It lasted for several hours  
and did \$50,000 damages to the building  
and \$20,000 to the stock.

A MILITARY SPECIAL.

Halifax, Oct. 28.—The Allan steamer  
Carthaginian arrived last evening from  
Liverpool with 133 marines and a dozen  
naval officers, bound to the Pacific to  
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Immediately on the arrival of the  
steamer, the officers and men were trans-  
ferred to a special train, which started  
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be sent through to its destination with  
great despatch.

DR. COCHRANE'S ESTATE.

Brantford, Oct. 28.—The estate of  
the late Rev. Dr. Cochrane, exclusive of  
the real estate, will amount to  
\$25,000 or \$26,000.

GRAIN RATES.

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November 10.

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Bracebridge, Oct. 28.—J. D. Shiers'  
lumber mill has been destroyed by fire.  
Loss, \$5,000.

YALE-CARIBOO'S VOTE.

Kamloops, Oct. 28.—The official pleb-  
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prohibition, 1,332.

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ances, from a desire to be on friendly  
terms with her near neighbor, and at no  
time more inclined to be forbearing than  
now, when France is engaged in one of  
her periodical occupations—the forma-  
tion of a new ministry. —W. K. B.

## DEEP SEA CARRIERS.

Four Sailing Vessels Arrive Yesterday  
From Many Points of the  
Compass.

A breeze from the right quarter  
brought four vessels in from sea yester-  
day morning. They were the British  
ship Riverside, the three-masted bark  
Spinaway, the American bark Bundaleer  
and the bark Harvester. The Riv-  
erside was the only one of the four which  
brought cargo; the others are under or-  
ders. The Riverside is likewise the  
largest of the four. Her cargo consists  
of 3,500 of general merchandise, 300  
tons being for the navy and the balance  
for Victoria and Vancouver. Capt. Mc-  
Cully spoke several vessels of the voy-  
age from Liverpool, but it was in the  
early part of the trip and he thinks all  
have arrived ere this. In the Southern  
Pacific and Southern Atlantic he encoun-  
tered very stormy weather, but the be-  
ginning and ending of the voyage, which  
lasted 14 days, was marked by the pleas-  
ant sailing. The Spinaway, Capt. John-  
son, is 56 days from Hongkong and un-  
der orders to load lumber at Moody-  
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## POPULAR GOVERNMENT.

Extraordinary Departure by the Rules  
of This Province From the Con-  
stitutional Course.

From the Wellington Enterprise.  
That period of history in popular govern-  
ment in this province, covered by the time  
which has elapsed since the birth of the  
current year up to the present time, cannot  
find its parallel in the history of any  
other province of the confederation, or any  
other colony of Great Britain enjoying the  
rights of popular government. In this  
short space of time we have seen a min-  
istry turned out of office before the decision  
of the electorate was known—not by the  
people themselves, who under popular gov-  
ernment are supreme, but by a self-opin-  
ionated partisan, and according to a pre-  
conceived scheme of contemptible intrigue  
to further interests easy of surmise. The  
robe of the Queen's representative in this  
case formed the deaconess of the party  
practices of the party hack, and the dis-  
granted politician. We will not travel  
over the old ground in connection with  
this case, for the so-called Queen's pro-  
curator, and which has been covered by writ-  
ers of greater ability than we possess,  
but we will pass on to the present status.  
We give the expression to these views in  
the position that His Honor assumed to-  
wards Mr. Turner, he laid down a new  
rule, and the result was that any action  
taken by him on advice tendered by his re-  
sponsible advisers was purely discretionary  
on his part, and that when in doubt he was  
perfectly justified in seeking extraneous  
advice, even if advice was without the pale  
of representative responsibility. In this  
new departure, this "indictment" of the  
provincial government grasped at more ar-  
bitrary power than is possessed by any  
potentate of Central Africa. But His Hon-  
or, in palliation of his extraordinary as-  
sumption, took the ground that Mr. Turner  
did not possess a majority of the newly  
elected legislature, and consequently  
would not be justified in tolerating a  
continuance in office of one who lacked  
the confidence of the people, as well as  
that of Her Majesty's representative.  
While giving expression to these views, he  
simultaneously admitted that Mr. Semlin  
was also lacking in the requisite majority  
to control the legislature, and he conse-  
quently did not warrant in entrusting  
the control of the treasury to him.  
This course was in strict keeping  
with the maturing of the plot for the re-  
stitution of his family's aspirations and  
under the flimsy veil of impartiality he  
took the final steps which would achieve  
success, and sent for the twice rejected  
Mr. Beaver. Even in the letter requir-  
ing that gentleman to accept the respon-  
sibility of office, His Honor departed from  
the beaten path of impartiality, and gave  
expression to political opinions and views  
incompatible with the requirements of his  
office. But—  
The best laid schemes o' mice and men  
Go oft to wreck, and oft to naught;  
And leav's us naught but grief and pain  
For never-holding schemes.

Mr. Beaver's cabinet did not materialize  
—and the plot failed. The independent  
party—the dream of the McInnes, in which  
the ambitious William was to play a  
prominent part—was a self-born. The op-  
portunity now presented itself to the Lieut-  
enant-Governor of repeating the injury he  
had done by recalling Mr. Turner to the  
helm, and issuing his mandate for the  
meeting of the assembly. A great mind,  
a man imbued with the knowledge of his  
duty towards the people, would not have  
hesitated a moment. By such a stroke  
he would have earned the approbation of  
all right-thinking people and have softened  
the asperities of the political feud which  
his previous ill-considered, high-handed and  
unconstitutional action had aroused. But  
the traitor and agency which usually attend  
the asperities of the political feud upon  
their having committed errors were want-  
ing, as well as that repentance which is  
generally present with one who realizes  
that he has committed a folly. Having  
taken the first step, a lack of political  
courage impelled him to take another.  
He had the opportunity to step at once  
to the full dignity of his part. He threw  
that chance away, and went from bed to  
worse. It was gall and wormwood to him.  
Part of the intrigue was to burk the  
chances of the Temperance wing of the  
Liberal party having any say or influence  
in the order of things which his im-  
agination conceived the elections, and the  
meeting of the assembly would bring about  
in that mental forecast he saw the tri-  
umph of a faction with which the Mc-  
Innes were at war. We leave our readers  
to guess the rest. That His Honor has  
been guilty of repeating the injury he  
had done by recalling Mr. Turner to the  
helm, and issuing his mandate for the  
meeting of the assembly, is admitted by  
both friend and foe of the present govern-  
ment. Contrast the freedom of the present cabinet  
in the expenditure of public money and  
public officials with the freedom in this  
respect allowed to Mr. Turner. The con-  
trast is gross indeed. We cannot help  
comparing the actions of Lieutenant-  
Governor McInnes with those of the Gov-  
ernor of the Cape of Good Hope. Early  
in this year Sir Gordon Spriggs was de-  
feated in the Cape assembly in his at-  
tempt to pass a redistribution bill. Im-  
mediately after his defeat he asked for,  
and obtained, a dissolution of the assembly.  
A general election followed, in which the  
government met with defeat. Did the  
Governor insist upon the resignation of  
the defeated ministry? By no means. He took  
the constitutional course and called the house  
together, and there Sir Gordon Spriggs  
was defeated on the address and immedi-  
ately resigned. Why was not that course  
taken in this province? The answer is  
easy of solution. The interests of the  
family were not in the direction of the  
present cabinet, whose advent to power  
was anticipated by a cabal, so the desper-  
ate course was taken of gulding the trend  
of events by an assault upon the constitu-  
tion.

The crisis precipitated by His Honor is  
one which may lead up to much good.  
But his actions must not be allowed to  
pass without a strong protest being lodged  
with the Ottawa authorities, and we have  
that confidence of Sir Wilfrid Laurier's  
sense of justice to believe that he will  
take some action upon it. "We cannot help  
thinking that if