



The Colonist.

MONDAY, OCTOBER 7, 1895.

SILLY SCHEMING.

The Winnipeg Nor-Western believes that the Greenway Government, in dealing with the school question, has in view the advantage of the Liberal party.

That Mr. Laurier is perfectly well aware of this can be seen by the very cautious way in which he deals with the school question.

There is little doubt that if this question was approached in the proper spirit, a spirit of justice being done and respectful of the welfare of their common country by both parties to it, that a satisfactory solution would be soon arrived at.

It is Mr. Laurier favored a compromise he would find the Liberal advocates of secular education very hard to deal with, and the Liberal believers in denominational education would refuse to act in opposition to their principles to please him, no matter how prettily he might talk.

The best thing that Mr. Greenway can do is to exert himself to the utmost to take the Manitoba school question out of Dominion politics altogether.

THE INFERIOR RACES.

Every man of thought and intelligence must at some time or other have wondered how it is that contact with civilization has not improved to a greater extent than it has the so-called inferior races.

Some who have considered this question have, perhaps hastily, come to the conclusion that there are some races of men who are civilized and some that are not.

This very interesting question was discussed vigorously and thoroughly at the late meeting of the British Association Professor W. M. Flinders Petrie, D. C. L., president of the Section Anthropology, delivered an address on the fundamental problems of race and civilization, in which he dealt with the attempts that have been made and are being made to

improve and elevate the uncivilized races, in a trenchant manner and one which is not likely to meet with the approval of a great many benevolent and well-meaning people.

"No change is legitimate or beneficial to the real character of a people except what flows from conviction and the natural growth of the mind.

"What then, it may be asked, can be done to educate other races? How can we benefit them? Most certainly not by Europeanizing them.

This is severe, but it is unfortunate that so much of it should be true. It is a reproach to civilized men, and particularly to men who profess and call themselves Christians, that uncivilized men and heathens are so often made worse rather than better by their intercourse with them.

The discussion which followed the reading of Professor Petrie's paper must have been most interesting, for the meagre report of it that has reached us contains many very valuable and edifying facts.

NOT EXPLICIT ENOUGH.

Commenting upon the condition of the agriculturists of Great Britain, the London Standard in a recent issue said: "The time for mere talking has gone by. Something will unquestionably have to be done."

What was the Standard hinting at? What is the measure required to relieve agricultural distress which is not a mere palliative? What is the stimulant that the industry hovering between life and death needs? What is the strong remedy which the farmers expect which is to save them from utter ruin?

REFUTED.

The Canadian Gazette says: The refutation of the baseless charge brought against Canadian cheese by the North British Agriculturist has been complete, thanks to the energetic action of the High Commissioner and the Dominion Minister of Agriculture in setting the facts in their true light before the British public.

For a man "good-by" signifies the end of a conversation and the moment of his departure; for a woman it is the beginning of a taking leave of each other when they think of the most important topics of conversation.

FORECLOSURE OF MORTGAGE.

Important Judgment by Mr. Justice Walkem in the Supreme Court.

Value of a Prior Unregistered Mortgage as an Equitable Security.

Hudson's Bay Company v. Kearns and Rowling. This action is one for the foreclosure of an equitable mortgage; and as the defendant Miss Kearns, has allowed judgment to go by default, it has been continued against Rowling.

In July 1891, Miss Kearns being indebted to the plaintiffs agreed to secure them by a mortgage of certain lots belonging to her in Vancouver. She, accordingly, deposited her title deeds and certificate of title with the plaintiffs to enable their solicitor to prepare the mortgage; but owing to inadvertence on his part this was not done.

Rowling's account of the transaction is that about the 19th of October, 1892, Foster, together with the wife, met him in Vancouver and told him that he had the lots for sale on behalf of Miss Kearns, and that as she was much in need of money he could have them for \$300, although they were valued at \$1,000.

The following extracts from the notes of Rowling's cross-examination will best explain what occurred at the time with respect to the title deeds:

"Q. Did you ask about the title deeds before you signed the note? A. Yes."

"Q. Did not the fact of the lots being so cheap, together with the fact of there being no title deeds, arouse your suspicions? They told me they had them, but in the office."

Some hours later Rowling called upon Miss Kearns and again asked her and Foster, what happened to be present, for the deed and the title deeds, and as once searched, he did not get them; and, to quote from his evidence, "Miss Kearns said that night that she had no papers."

"Q. How did you come to sign the second note of November 1 for the balance of the purchase money before she did get the certificate? A. I had agreed to give that note when Mr. A. went and saw Mr. McPhillips before I signed the first note. He said he thought the claim was all right."

"Q. He thought you were safe in signing the note? A. No. He did not know whether I had paid the whole or not."

"Q. I ask you why did you sign the second note without getting the title deeds? A. I had promised to pay that amount of money for the land."

"Q. And it makes no difference about the note? A. Mr. McPhillips thought it was all right."

"Q. Did you tell him it was not forthcoming? A. Yes."

"Q. And did you not get suspicious? A. I did not like not getting the things as they promised."

"Q. Why didn't you? You knew that that would save the Hudson's Bay Co. Even if you were right it would save them the amount of the second note. Why did you not refuse to sign the second note until you got those papers? A. I was advised by Mr. McPhillips."

"Q. Did Mr. McPhillips advise you to sign the note before getting those papers? A. He didn't know anything about the second note."

ed as a charge immediately after its execution. Twelve days afterwards, viz., on the 11th of November, Rowling gave the second note to Miss Kearns for the balance of the purchase money.

Section 3, after defining the term "absolute fee," as used in the act, defines a "charge" to be "any less estate than an absolute fee, or any equitable interest whatsoever, debt, judgment, mortgage or claim to or upon any real estate."

Section 13 empowers the registrar to register the fee simple of any real estate in the name of the owner in the "register of absolute fees," but subject to this important qualification, namely—"upon his being satisfied after the examination of the title deeds produced that a prima facie title has been established."

Section 54, which is as follows, is supplementary to both of these sections: "Upon every registration of title in favor of an owner in fee simple, mortgagee, or other person by right entitled to the possession of such title deeds or any of them he shall be deemed to have registered as owner in fee, mortgagee, or otherwise—that is to say as an incumbrancer—that to produce the title deeds of the person to which such registration may be intended to refer, unless the non-production of such title deeds or any of them be satisfactorily explained to the registrar on affidavit."

Section 55 is in the same direction, for it provides that if a missing document required for the proof of an applicant's title be accounted for, but not produced "by a mortgagee or other person who refuses to produce it, the registrar shall first give notice in writing to the holder or owner of such document of his intention to register the same at the expiration of a time to be specified in the notice."

Section 56, which is as follows, is supplementary to both of these sections: "Upon every registration of title in favor of an owner in fee simple, mortgagee, or other person by right entitled to the possession of such title deeds or any of them he shall be deemed to have registered as owner in fee, mortgagee, or otherwise—that is to say as an incumbrancer—that to produce the title deeds of the person to which such registration may be intended to refer, unless the non-production of such title deeds or any of them be satisfactorily explained to the registrar on affidavit."

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tant one is that the registry books shall give intending purchasers and others every correct information as to the state of any given registered title; and to promote that result, as far as possible, certain definitions and rules are stated in the act for the guidance of the registrar as well as of the public.

Section 3, after defining the term "absolute fee," as used in the act, defines a "charge" to be "any less estate than an absolute fee, or any equitable interest whatsoever, debt, judgment, mortgage or claim to or upon any real estate."

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PROVINCE OF BRITISH COLUMBIA. VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c. To all to whom these Presents shall come—GREETING.

A PROCLAMATION. D. M. EBERS, J. WHEREAS it is ex-Attorney-General, I have caused these Our Letters to be made Patent, and the Great Seal of the said Province to be hereunto affixed, WITNESSETH: His Honourable EDGAR DEWDNEY, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this first day of October, in the year of Our Lord one thousand eight hundred and ninety-five, and in the fifty-ninth year of Our Reign.

A PROCLAMATION. D. M. EBERS, J. WHEREAS it is pro-Attorney-General, I have caused these Our Letters to be made Patent, and the Great Seal of the said Province to be hereunto affixed, WITNESSETH: His Honourable EDGAR DEWDNEY, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this twenty-fourth day of September, in the year of Our Lord one thousand eight hundred and ninety-five, and in the fifty-ninth year of Our Reign.

THE BRITISH COLUMBIA EXPRESS COY., LTD. STAGES TO CARIBOO. The regular Weekly Stage for all points in Cariboo and Lillooet, Leaves Ashcroft every Monday morning at 6 o'clock. Travelling by daylight only and making stage runs only once a day, each way, lying over at Ashcroft to Clinton, Mondays, Wednesdays and Fridays. Returning Tuesdays, Thursdays and Saturdays, Ashcroft for Lillooet, Mondays and Wednesdays.

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BRITISH COLUMBIA. Grace of God of the United Kingdom, in Our City of Victoria, in the Province of British Columbia, do hereby certify that the following is a true and correct copy of the Statute in that behalf made, bearing date the 21st day of August, 1895.

PROCLAMATION.

WHEREAS it is expedient that the said Act should be proclaimed and that a copy thereof should be published in the Official Gazette, and that a copy thereof should be placed in the hands of the several Justices of the Peace, and that a copy thereof should be placed in the hands of the several Justices of the Peace, and that a copy thereof should be placed in the hands of the several Justices of the Peace.

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CABLE LETTER.

The Casarewitch-Fast Atlantic Mail Service—Copyright—A New Canadian Artist.

Relations Between the Kaiser and the Czar—The Elbe Disaster.

LONDON, Oct. 5.—Newmarket trainers who have candidates for the Casarewitch stakes, which event will be run next week, hailed the change of weather with delight, the heat during the early part of the week being intense. The race promises to be most intensely interesting, and will be witnessed by the Prince of Wales and all the prominent sportsmen of the United Kingdom.

ATLANTIC FAST MAIL PROJECT. Sir Charles Tupper said: "After seeing Mr. Chamberlain on the subject I wrote a letter dealing with the matter, making certain proposals, and then went away to Scotland. Now that I have returned Mr. Chamberlain is away from town, and will not come back until the end of the present month, when a decision will probably be given."

THE KAISER AND CZAR. The Emperor William being away from the capital political matters are being managed by the Kaiser.

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CARIBOO CREEK.

Prospects More Favorable Than Those Which Characterized the Early Days of Trail.

Some of the Most Promising Claims—Assays Which Have Been Made.

NAKUP, Sept. 28.—(Special).—Few if any outside of Kootenay have as yet heard of the Cariboo Creek district, but within a year this state of things will be altogether reversed, as the section promises much a gold producing district.

CAPITAL NOTES. Sir Julian Pauncefote Interviews the Government on Behring Sea Matters.

A British Columbian Likely to Be Named Commissioner—Ottawa's Population.

BELLA COOLA COLONY. BELLA COOLA, Sept. 20.—This colony is going on as usual with hard work on the wagon road.

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THE STAMBOUL MASSACRE.

Representations Made to the Turkish Authorities to Stop the Mussulman Excesses.

Outrages by the Sofas—What Is Said on the Other Side of the Question.

LONDON, Oct. 4.—A despatch to the Pall Mall Gazette from Constantinople, published this morning, says one of the foreign delegates to the international commission inquiry says its report will show that the total number of inhabitants of the Saezon valley did not exceed 4,000, and the number of Armenians killed in the capture of the village of Semal, Shehak and Ghelguzan, and in the taking of the Antokhadagh pass, was at the most, 300 to 500.

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NEWS OF THE PROVINCE.

Fogs at Vancouver—Case Dismissed on Account of Sunday Technicality.

Deadman's Island, Vancouver—Rebuilding Brunette Sawmill—Chilliwack Fair.

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SEALING LAW RELAXED.

Under the New Act Vessels Cannot Be Arbitrarily Sent Home Upon Mere Suspicion.

Application of Extreme Penalty to Follow Only Wanton Violation of the Statute.

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TABLE

Showing the Dates and Places of Courts of Assize, Trials, Fines, and General Gaol Delivery for the Year 1895.

Table with columns for location, date, and court details. Includes entries for Clinton, Richmond, Kamloops, Vernon, Lytton, New Westminster, Vancouver, Victoria, and Nanaimo.

FALL ASSIZES. Clinton, Thursday, 28th September. Richmond, Monday, 30th September. Kamloops, Monday, 7th October. Vernon, Monday, 14th October. Lytton, Friday, 11th October. New Westminster, Wednesday, 6th November. Vancouver, Monday, 5th November. Victoria, Tuesday, 12th November. Nanaimo, Tuesday, 28th November.

HIS HONOUR the Lieutenant-Governor in Council, under the provisions of the "Health Act, 1893," has been pleased to appoint the under-mentioned members of the Provincial Board of Health, namely: JOHN CHAPMAN DAVIS, of the City of Victoria, Esquire, M.D.

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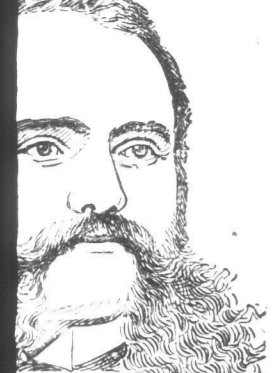
James Baker, Provincial Secretary.







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BE (There are thousands cured at home...

TT SWEANY, M.D., 713 Front St., Seattle, Wash.

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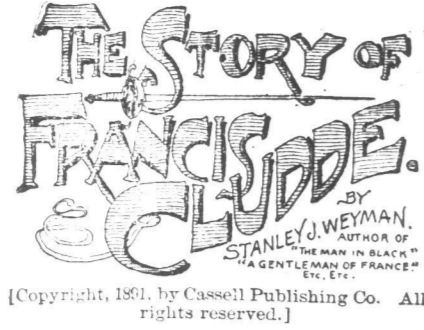
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TELETYPE OF THE...

CHAPTER IV.

A younger generation has often posed me...

But the river joins the river at last and...

Over the signature on the first letter—it...

When it was too late, I trembled to...

I took out the other letter. It was bound...

I turned it over and over and said the...

I was dark when I rode, thoroughly jaded...

I was dark when I rode, thoroughly jaded...

I was dark when I rode, thoroughly jaded...

There was one man, who sat on the settle...

My conscience pricking me, I felt some...

Indeed I had clean forgotten the bailiff...

From the road, sir," I replied, turning...

"Yes, I think so," I answered patiently.

"Well, I don't!" he retorted in vulgar...

"Do you hear?" he asked pompously...

"Oh," I replied, putting down my knife...

"You will come to a bad end, young man!"...

"I dare say—as they warn people in Spain!"...

baillif, especially at St. Albans. And I was...

"I thought so," she muttered. "Then you...

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last day of my life. I was succeeded by a...

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As she said, it was a dark morning, but...

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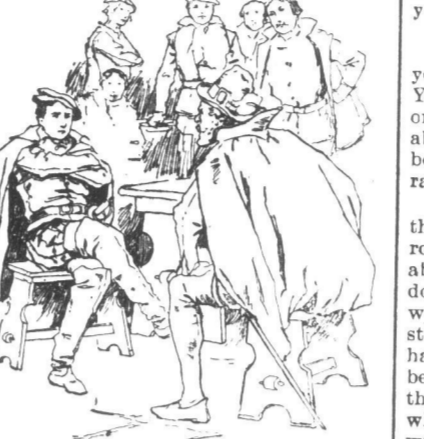
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"Bishop Bonner will warm you!"

on her service. By special commission,...

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