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PER YEAR, STRICTLY IN ADVANCE, TO ANY ADDRESS IN CANADA, UNITED STATES, OR GREAT BRITAIN.



TWICE-A-WEEK EDITION

VICTORIA, B. C., TUESDAY, JANUARY 24, 1905.

NO. 82.

### "AN ACCIDENT" SAY THE OFFICIALS

#### REGARDING SHOOTING AT WINTER PALACE

A Loaded Shell Alleged to Have Been  
Left in Gun After Practice  
on Tuesday.

St. Petersburg, Jan. 20.—10 a. m.—In spite of the statement that the cannon shot yesterday which might have wiped out the whole of the Romanoff family was the result of carelessness in leaving a loaded shell in the gun after practice, the mysterious case is still under the combined investigation of the military and police and the public seem a little inclined as the authorities to accept the published version.

The officers and men of the battery have not been arrested, but are confined to barracks and by the military regulations are closely under restraint, so that it is impossible for the culprits to escape until the responsibility is determined.

It cannot be said definitely whether the affair was an accident. The general belief is that a widespread plot did not exist, but evidences of design are so apparent that the statement attributing the presence of a loaded shell to previous target practice only brings smiles in many quarters. It is pointed out as being highly improbable that the gun had not been cleaned for two days, and that it is impossible that a second cartridge should have been left in the gun after cleaning.

Other papers publish less regarding the event, not even the names of officers commanding the battery or the artillerymen, tending the guns are given. The report is left largely to draw his own conclusion as to the connection between the sound of the salute and the patter of the balls about the pavilion.

### CAPITAL RESEMBLES BELEAGUED CITY

#### Strikers Determined to Hold Demonstration in Front of the Palace at St. Petersburg.

Leader Says Men Will Meet No Matter If It Results in a  
Massacre—More Troops Arrive, But Authorities  
Are Extremely Nervous.

St. Petersburg, Jan. 20.—Nothing better illustrates the conditions in Russian journalism than the appearance of the St. Petersburg papers on the morning after an occurrence which nearly added another violent death to the history of the ruling family of Russia. There are prominent headlines, but almost no editorial reference and the most brief mention possible of the unexpected fall of grape shot around the little chapel in which the Emperor with the Romanoff family had gathered for the great religious festival of the Epiphany and blessing the waters of the Neva.

The account of the stately ceremonial prepared by the court marshal, is rich in detail describing the appearance and words of the individual participants and the progress of events from minute to minute. Appended to this court circular are short paragraphs from various papers alluding in the most guarded term to the unexpected danger in which His Majesty stood. In spite of half a day's opportunity for investigation and inquiry nothing is added in the way of clearing up the mystery.

The Novoye Vremya, which publishes the most detailed account, shows that chief interest in the incident followed the second and third shots, but offers no explanation. The paper editorializes briefly on the inexcusable carelessness of permitting so perilous a happening and on the general joy on the escape of His Majesty and the relief to strained nerves. It concluded by expressing the hope that the miraculous escape of the Emperor from mortal danger will engage in the plots rife of the faith, may be an omen that Russia is under like protection, that Providence is watching over those who live by faith and that also may emerge in equal safety from the perils in which she now stands.

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#### THE TWO VACANCIES

Writs issued for Carleton County and  
Wright—Provincial Autonomy.

Ottawa, Jan. 21.—The writs for Carleton county and Wright were issued at noon today. The nominations are to take place on February 4th, and the election on February 11th. B. L. Borden will be returned in Carleton by acclamation, and there is no likelihood of there being a contest in Wright.

#### A Conference

A conference of Northwest members and senators is being held this afternoon on provincial autonomy.

#### Auditor General's Report

To permit of a discussion of the estimates in the House and allow the parliamentary work to go on the auditor-general's report is to be published in sections, and a number of copies given to the opposition. The rule that the report must be tabled some two weeks after parliament meets, but that cannot be done this year. The opposition refuse to go on without the report, and to prevent a block it will be given in sections.

#### THE GERMAN STRIKE

More Than 139,000 Men are Now Idle—  
Police Sent to Districts.

Essen, Germany, Jan. 21.—According to reports the strikers to-day numbered 139,431 men. Two thousand miners' wives met here to-day and determined never to ask their husbands to go to the mines again unless their demands are granted.

#### To Preserve Order

Berlin, Jan. 21.—Drafts of police from most of the cities and detachments of mounted constabulary are being sent into the strike districts, but only as a precaution.

#### PRACTICAL JOKER SHOT

Janesville, La., Jan. 21.—Evans Thomas, who played a practical joke on his friend Charles Sell, was shot and killed by him on Ackland plantation yesterday. Thomas extracted the shot from a loaded shell which he placed in his gun and playfully pointed the weapon at Sell and pulled the trigger. The paper wadding and powder made a painful wound in the back of Sell's neck. The joker's victim wheeled about and left Thomas have the contents of his gun. The charge took effect in Thomas's throat, breaking his neck.

#### GIRL'S SUICIDE

Reprimanded by Mother She Eoded  
Life by Jumping Into Mill Dam.

Montreal, Jan. 21.—Because her mother reprimanded her for frequenting certain houses, Philomena Masse, sixteen years old, committed suicide by jumping into Lachine canal at Tareot village last night. Her mother and sister endeavored to prevent the girl from jumping into the water, but the latter cut her throat and jumped into the mill dam.

### CAPITAL RESEMBLES BELEAGUED CITY

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Leader Says Men Will Meet No Matter If It Results in a  
Massacre—More Troops Arrive, But Authorities  
Are Extremely Nervous.

St. Petersburg, Jan. 20.—The employees of the Sangalli and Kolnikin spinning mill ceased work this morning, and considerable further accessions to the ranks of the strikers are expected in the course of the day.

The men already out, in pursuance of the plan to enforce a general strike, are parading the streets of the Basila island districts compelling work shops, printing works and small shops to close. It is estimated that the band so engaged aggregate 5,000 men. They have broken into several factories and into the printing works of the academy of science, forcing the employees to join them. The management of the printing works, which is a government establishment, acting on the advice of the police, agreed to them, giving up the works so as to avoid a disturbance.

A petition to Emperor Nicholas, now circulating, demands the dismissal of the signatory, a bitter complaint of the desperate condition of the workers and their "deprivation of human rights." The petition expresses devotion to the Emperor, and concludes: "Be merciful to us, let us live. If you leave us in this position, we will die."

St. Petersburg, Jan. 20.—As the day progressed the ranks of the strikers were rapidly augmented. Strong delegations visited all the factories and printing shops, threatening to compel a cessation of work unless the employees promptly joined in the strike. Practically all the small establishments in St. Petersburg are already closed. One deputation of strikers visited the office of a recently established news agency and informed the printers that unless they joined the movement the building would be wrecked. The printers, numbering about one hundred, promptly quit work. The troops have been called out.

#### One Hundred Thousand Idle

St. Petersburg, Jan. 20.—7 p.m.—The strike situation is extremely bad. The strikers are parading the city and closing shops. Over a hundred thousand are now out.

Reports from the interior are to the effect that efforts are being made to induce workmen in other cities to join and make the strike general throughout Russia.

The managers of the big concerns have formally decided to refuse to treat with any persons except their own workmen, but they are ready to adjust all the points in dispute except the eight-hour day, which they say is a matter for the government to decide, as a legal work day in Russia is eleven hours, allowing committees of workmen to fix the price of piece work and the payment of the men while striking.

There is a general fear, however, that the strike has entered on a political phase, and that turbulence and bloodshed are inevitable.

At the meetings to-day the men were greatly excited, and drew up a formal petition to the Emperor, which will be sent to Tsarskoe-Selo to-night by a deputation, asking him to give a response at the Winter Palace on Sunday, at the same time guaranteeing him immunity from personal violence.

The printing establishments are closing and the newspapers may be forced to suspend publication. The greatest danger is in a shutdown of the electric light plant, which would throw the city into darkness, when a reign of terror might ensue.

St. Petersburg, Jan. 21.—St. Petersburg this morning presents the appearance of a beleaguered city. The military are in complete possession. The streets are lined with troops, galloping squadrons of cavalry are seen everywhere, gendarmes are concealed in all the courts, and the closed factories and mills are surrounded by cordons of police and Cossacks. On every bulletin board is posted the government's proclamation warning the people against assembling.

The rumors that M. Smirnov, manager of the Putiloff iron works, had been assassinated in the night were denied this morning. It is also declared that Father Copon has not been arrested.

The strikers are continuing their agitation with unabated activity. Throughout the morning they have been parading the main streets of the centre of the city, and closing every industrial establishment.

The agitation hitherto has been carried on with remarkable absence of actual violence, the committees of the union having issued instructions that everything be done as quietly as possible, and that no personal violence be offered the police. Street traffic in the leading thoroughfares is hardly interfered with, the demonstrators filling the streets politely making way for passing sleds.

A list of the 174 works closed as a result of yesterday's coercive measures, show that every industry is involved, including railway construction and electrical engineering. In view of the probable failure of the electric supply for stores and offices, householders are laying in large stocks of candles.

The public is nervous and excited, and the opinion is freely expressed that the government will be forced to concede the demands of the men.

#### LONG RANGE GUNS HAVE REACHED JAPS

#### ARTILLERY ABLE TO DO MORE EFFECTIVE WORK

There Are More Than Eighteen Thousand Sick and Wounded Russians at Port Arthur.

Huanshan, Jan. 20.—A considerable increase has been noticeable the last few days in the range of the Japanese artillery. This fact affords ground for the belief that part of the heavy guns in the siege of Port Arthur have been sent north.

It is not believed, however, that any eleven or nine inch guns have arrived and been placed in position. The last three weeks of mild weather have favored Japanese operations.

#### HOW JAPS PROPOSE TO SALVE WARSHIPS.

Tokio, Jan. 20.—It has been proposed to dam Port Arthur harbor at the entrance and pump out the water preparatory to salving the Russian warships.

Discussing the matter a naval officer to-day said that under ordinary circumstances such a great work would be unprofitable, but in view of the number of ships possibly salvable and the shallowness and smallness of the harbor it may be the most economical method.

#### SICK AND WOUNDED AT PORT ARTHUR.

Tokio, Jan. 20.—Noon.—It is stated there are 18,554 sick and wounded Russians at Port Arthur. Of these 8,857 are connected with the navy.

The business men of this city celebrated the capture of Port Arthur to-day. Speeches were made by the premier, Count Katsura, Vice-Admiral Togo and the ministers of war and the navy.

An aide-de-camp of the Emperor left the Shimabashi station to-day, taking with him nine cartloads of imperial gifts for the officers and men of the army in the field.

#### STEAMER CONDEMNED BY PRIZE COURT.

Nagasaki, Jan. 20.—The British steamer Lethington has been condemned by the naval prize court at Sasebo.

The Lethington was captured on January 12th, in Tashima Straits, with a cargo of coal said to be for Vladivostok.

#### WILL PRESERVE THE NEUTRALITY OF CHINA.

Pekin, Jan. 20.—A high official of the Chinese foreign office said in an interview this afternoon that the neutrality of China was assured now as hitherto. Every precaution has been taken, and he could only suppose that the present Russian complaints were intended to constitute a pretext for further demands as compensation for the loss of Port Arthur. The official emphatically denied that there was any connection between Chinese neutrality and anti-foreign feeling.

#### STOESSEI AND PARTY SAIL FOR MARSEILLES.

Shanghai, Jan. 20.—General Stoessel and the large number of parole officers and others who arrived here yesterday on board the French steamer Australia left Shanghai to-day for Marseilles.

#### EXPRESS TRAIN WRECKED.

Cars Thrown From Rails While Running  
Fifty Miles an Hour—Several  
Persons Injured.

Durham, N. H., Jan. 20.—The "Sun" express, from Halifax and St. John for Boston, was wrecked this morning a short distance west of the Durham station. Four cars were derailed, and a number of persons were injured, four seriously. No one was killed. The accident was caused by a broken rail.

Those severely injured are: Miss Belle Donald, several injuries to head and shoulder dislocated; colored porter of Pullman car, head and shoulders lacerated and bruised by being thrown through car window; Albert Hall, Portland, internal injuries; Charles Dunn, jr., Portland, Me., head and hip injured. It is thought all of those persons will recover. Seven other persons sustained injuries necessitating medical attention, and a dozen or more sustained cuts and bruises of a minor nature.

The train was an hour late when it passed Durham, and was running at a speed of fifty miles an hour. The forward part of the train passed over the broken rail safely, but the passenger coaches behind the Pullman were derailed, but were not seriously damaged.

#### RAILWAY ACCIDENTS.

Fatalities in States During the Months of  
July, August and September.

Washington, D. C., Jan. 19.—The interstate commerce commission has issued a report on railroad accidents in the United States during the months of July, August and September, 1904, showing 2228 passengers and 183 employees killed and 2154 passengers and 1,538 employees injured in train accidents. A report says that while these figures show a gratifying decrease in the number of employees killed, the three months as a whole may be termed the most disastrous on record in fatal accidents to passengers.

#### FARMER'S SUICIDE

Financial Worries Led John E. Blinsons to  
End His Life.

Winnipeg, Jan. 20.—John E. Blinsons, farmer, killed himself by taking poison yesterday afternoon, yesterday of the farm at Minto, Man. He moved there from Souris last spring. Financial worries were the cause of the rash act. A widow and two children survive him.

### CHRISTIAN SCIENTISTS HAVE BEEN ARRESTED

#### Charges Arose from Death of William Goodfellow at Toronto—Canada News Notes.

Toronto, Jan. 19.—Sarah Goodfellow, Isabella Grant and Elizabeth Seandow Brunette, Christian Scientist demonstrators, were adjudged guilty of manslaughter by the coroner's jury investigating the death of Wm. Goodfellow, son of the first named. All were arrested last night and remained in the cells overnight, bail having been refused. Application is being made to-day to the High court judges for bail.

Constable Murdered.  
Algoma, Ont., Jan. 19.—W. Suer, jr., who shot and killed Constable Moore yesterday, while the latter was attempting to reply some logs in the possession of Suer, was captured yesterday afternoon some miles from here. Had he been brought here he certainly would have been lynched, as a large crowd was waiting for him with a rope. The Suers are squatters in the middle chapel, a few miles below here. The logs which Moore was attempting to reply belonged to the Hall Lumber Co., at Sarnia. They broke away from booms two years ago.

Post Office Robbed.  
Winnipeg, Jan. 19.—Carleton, Alberta, post office was broken into and the safe robbed of a hundred dollars.

Seek Extension.  
Winnipeg, Jan. 19.—The Manitoba memorial asking for extension of the boundary was forwarded to Ottawa to-day.

Company's Request.  
Berlin, Jan. 19.—The Canadian Felt Manufacturing Company has decided to ask the government to impose a higher duty against English felts, which, if not done, many manufacturers declare, owing to increased competition, will force them to curtail the output, if not in some cases close altogether.

Unopposed.  
Quebec, Jan. 19.—Arthur Lachance, Liberal, was elected to the House of Commons by acclamation in Quebec Centre to fill the vacancy caused by the elevation of Albert Malouin, the former member, to a judgeship.

Will Appeal.  
Montreal, Jan. 19.—Judgment was tendered to-day in the Court of Appeals for \$200,000 against the Montreal Light, Heat & Power Company in favor of E. A. Robert. At the time the city was receiving tenders for lighting the streets there was considerable competition for the business. In order to shut other tenders out of suitable water power, one of the power company's constituent companies agreed with Robert, who owned Bryson Point, at the foot of Cascade rapids, to pay him \$15,000 in cash for his property, and, if on November 30th they decided to keep it, \$200,000 additional. If they did not want it, Robert was to again take the property back, retaining the \$15,000 paid him, November 30th, November 30th passed without the company making any attempt to complete the purchase, but it did so on December 4th, declining. Robert refused and demanded his \$200,000. This the company refused, then Robert sued, the company taking cross-suit to recover the \$15,000, alleging that its officials were not empowered to make the purchase. The judgment delivered to-day upholds Robert on all points. The case will be carried to the privy council.

Filed Letters.  
Montreal, Jan. 19.—Alfred W. Blodin, a letter carrier, who pleaded guilty to rifling letters, was sentenced to three years in the penitentiary by Judge Choquette to-day.

### Dr. PRICE'S CREAM BAKING POWDER

45 cents a pound can  
25 cents a half pound can  
AT ALL GROCERS

Dr. Price's Cream Baking Powder is made from pure Cream of Tartar derived from grapes, and thus combines the highest leavening strength with the greatest purity and healthfulness.

Dr. Price's Cream Baking Powder is the most economical to use, because it goes farther in leavening and insures perfect, wholesome food.

It Saves Money and Saves Health



ADVANTAGES FROM UNITED ACTION

PRESIDENT BRYDON'S ADDRESS ON SUBJECT

The Business Disposed of at Friday's Meeting of the Local Fruit Growers' Association.

The second annual meeting of the Fruit Growers' Association and Exchange, Limited, was held Friday, January 20th, at the Commercial Hotel, Victoria.

"At this our second annual meeting it gives me great pleasure to be able to report a successful and prosperous year's work as an association."

"The undoubted advantages secured by the adoption of uniform packages, also the adoption of an association branch for all packages, and having them stamped at the manufacturers, thereby securing a neatness and style about the package that could not be secured otherwise, not to speak of the time saved, nor the fine appearance it gave the product, are all matters of the utmost importance to our success as fruit growers."

"During the past year we also settled once and for all the shipping qualities of our strawberries, and the only remains for us to plant the right varieties and increase the quantity. The splendid possibilities before us no one can estimate at the present time, because the quality of the fruit is of the best, and in normal years ahead of our Mainland competitors about two weeks. Although the strawberry returns were not what we could have wished, still I think every one will agree we have made a great improvement than as individuals. Lessons that cost are of most value, as we profit most by such experience."

"The Royal Agricultural Association recognized the fitness of the Fruit Growers' Association, having control of that department at the annual exhibition, and through the representations of our members they also agreed to set aside space for a commercial exhibit of our strawberries, and one of the leading features of the exhibition. I am sure that we will be able to do better next time, and more of our members will be exhibitors."

"The Pure Food Act was taken up and discussed, and the influence of our association impressed upon our members in both houses of parliament, and let us trust that their labors may secure the enforcement of a much needed and necessary law. Much information has been gained during the year regarding spraying, and the material best suited for the different seasons and different pests, and also the successful application of the same. I have dealt on both trees and berry plants. One grand feature is the ease and speed with which it can be applied and without the outlay of expensive machinery."

"That we have a climate which enables us to produce fruit of a most excellent quality has been demonstrated to the great satisfaction of the whole province, British Columbia having been named 'The Garden of the Empire' by the Royal Horticultural Society of London, England. We in this corner of our grand province know that we can hold our own with all comers in early crops, especially early apples, plums, prunes, cherries, and strawberries, and I hope in the near future we will recommend pears just as strongly. We must not rest until we so increase our output that the demand not only in Canada but in other large centres of our great Empire."

"Not the least of the advantages derived from having an association is the strength and aggressiveness of the method the buyers connect upon us, and appreciate our business methods and strength when combined together in fact the whole fruit growing business has received a decided uplift through association and coming together as an incorporated body."

"One of the substantial benefits is the discount we are enabled to secure. The approximate amount on packages for the past season amounts to \$96, and this is only our first year. There are many other important points that could be enlarged on with profit, but enough has been said to convince all of the needs and advantages of our association. I am sure if we continue in this good work we will succeed. By planting only the best, careful preparation and cultivation of the soil, spraying, pruning and fertilizing, the results will more than surprise the most sanguine of us."

"Ladies and gentlemen, I have to thank you for your uniform respect and kindness extended to me as your president, and I express the real pleasure, as well as profit, it has given me to be associated with you all during the year that is now gone."

members of parliament for British Columbia at Ottawa, and also to Mr. McNeill, superintendent, and Mr. Maxwell Smith, fruit inspector for the province of British Columbia.

Another resolution was adopted, petitioning the provincial government to take steps to remedy the grievance existing in connection with the excessive price of stumping powder, which worked against farming operations.

A resolution approving of the Horticultural Board Act, passed last session in the local legislature, was adopted.

WILL BE COURT-MARTIALED.

Washington, D. C., Jan. 19.—Court-martial proceedings against certain officers of the United States supply ship Culgoa, now cruising in the southern West Indies, are to be instigated by the navy department, it is said, as a result of an investigation by a commission into the collision between the supply ship and a schooner in November. The collision resulted in the total loss of the schooner and drowning of the captain and his wife and two members of the crew.

THE FLOCKMASTERS DINE RIGHT ROYALLY

Enjoyable Function at Duncans Which Was Largely Attended—Speeches, Songs and Stories.

As briefly stated in Thursday's Times, the twelfth annual dinner of the Vancouver Island Flockmasters' Association was held on Wednesday last and was, as usual, a grand success. The Premier, Hon. A. Smith, United States Consul, Hon. A. Smith, E. M. Palmer, inspector of fruit, R. E. Gosnell, inspector of flocks, and other business men of British Columbia, furthermore, it involves a serious detention on the part of the ship, for there is always to be considered the reserved right to hold a craft 24 hours in port, the towing of a vessel each way to and from the Sound—or in all about four days delay. There is no regulation, as is well known, compelling shipping to follow out this course, but conditions are such as to make it a matter of great import, and the Liberal Association has considered it advisable to take up the subject with the Dominion government without delay.

American boarding house masters, once a British vessel is dependent on them for a crew, seldom fail to take advantage, and the association wish to emphasize the fact that if the act is amended crews could be shipped in British Columbia ports under more satisfactory conditions, and at far less cost.

At present, however, the American boarding house masters have things pretty much their own way. They have made representations to British ship owners in Great Britain that it is impossible to get crews in British Columbia ports, and in this way have induced them to enter into contracts favorable to Sound interests, but greatly detrimental to the shipping business on this coast.

One or two responsible persons were appointed for the purpose of suggesting of the board of trade, or other similar body, or by the shipping master of this port, the appointment to be confirmed by the Dominion government, and if the commission for securing men was limited to \$10 per man, the result, the association affirm, would be to remedy present difficulties and put in circulation in Canadian ports thousands of dollars annually spent in stores, wages, etc., on the other side.

Instances of the trouble which masters of ships have had to contend with from the point of view of the cabin door of the accused, and Mr. Davys said that Roberts had threatened to "fix him" openly on the wharf at Silvertown some days ago. The foundation of the trouble was the hiring of Chinese mine labor by Mr. Davys, he being unable to get satisfactory white help.

According to the evidence, Davys and six others, including Roberts, were in the Victoria Hotel bar. Roberts, a laborer party, who were taking a drink, when suddenly the report of a gun was heard and a rifle bullet crashed through the window, burying itself behind the bar.

The accused declined to be represented by counsel, and asked the witnesses no questions. He was brought here to-night and lodged in the provincial jail where he will remain until his trial at the assizes here in May. He is a middle-aged Englishman, hailing from Lancashire, and is of prepossessing personal appearance.

RUSSIAN NON-COMBATANTS

First Party Has Reached Chefoo in a Junk From Port Arthur.

Chefoo, Jan. 23.—Twenty-seven men and women, comprising the first party of refugees from Port Arthur, arrived here at Chefoo today. They stated that twenty-two other junks bringing over 500 non-combatants were also coming. Several launches immediately left with the idea of assisting the junks in reaching Chefoo. These refugees, including men, women and children, had been waiting for a steamer at Pigeon Bay. They were without shelter and were obliged to sleep on the sand. The refugees state that since the first few days following the surrender of Port Arthur they have been practically no longer the officers dealing sternly with all offenders. Roughly estimated, 200 civilians lost their lives during the siege. The refugees generally exhibit no signs of ill-health from their subsistence on a restricted diet.

THE MISSING CHILDREN.

Superintendent Hussey Has Engaged Indian Trappers to Make Search.

Nanaimo, Jan. 21.—Supt. Hussey, who is here to take up the search for the lost children on behalf of the province, will have six Cowichan Indians, experienced hunters and trappers, on the ground this afternoon. They will make a thorough examination for the next few days.

WANT MEN TO BE SHIPPED IN B. C.

EXISTING CONDITIONS WORK UNFAVORABLY

Esquimat Liberal Association Takes Up Matter, and Will Forward Report to Ottawa.

The Liberal Association of Esquimat is giving good proof in recent weeks that it is a live organization. Its latest move has been to gather certain facts in regard to the effect of the working of the "Shipping of Seamen Act" in this province, which redounds much to the injury of shipping interests of British Columbia, and this report especially. This information has been put in concrete form by the secretary, Charles McIntosh, and will be forwarded on to the minister of marine and fisheries at Ottawa at once.

The report refers to several evils, to which the Times has previously directed attention. It points out how the act now forces vessels to visit Puget Sound ports. No person except the shipping master, appointed under the act, can procure crews for vessels on this side, and under the present conditions, the report states, this officer is absolutely unwilling to assume the responsibility of supplying the men needed, the result being obvious. It follows, adds the report, that where the crews are found, stores for the vessels will be purchased, and this causes much pecuniary loss to the merchants and other business men of British Columbia. Furthermore, it involves a serious detention on the part of the ship, for there is always to be considered the reserved right to hold a craft 24 hours in port, the towing of a vessel each way to and from the Sound—or in all about four days delay. There is no regulation, as is well known, compelling shipping to follow out this course, but conditions are such as to make it a matter of great import, and the Liberal Association has considered it advisable to take up the subject with the Dominion government without delay.

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At present, however, the American boarding house masters have things pretty much their own way. They have made representations to British ship owners in Great Britain that it is impossible to get crews in British Columbia ports, and in this way have induced them to enter into contracts favorable to Sound interests, but greatly detrimental to the shipping business on this coast.

One or two responsible persons were appointed for the purpose of suggesting of the board of trade, or other similar body, or by the shipping master of this port, the appointment to be confirmed by the Dominion government, and if the commission for securing men was limited to \$10 per man, the result, the association affirm, would be to remedy present difficulties and put in circulation in Canadian ports thousands of dollars annually spent in stores, wages, etc., on the other side.

Instances of the trouble which masters of ships have had to contend with from the point of view of the cabin door of the accused, and Mr. Davys said that Roberts had threatened to "fix him" openly on the wharf at Silvertown some days ago. The foundation of the trouble was the hiring of Chinese mine labor by Mr. Davys, he being unable to get satisfactory white help.

According to the evidence, Davys and six others, including Roberts, were in the Victoria Hotel bar. Roberts, a laborer party, who were taking a drink, when suddenly the report of a gun was heard and a rifle bullet crashed through the window, burying itself behind the bar.

The accused declined to be represented by counsel, and asked the witnesses no questions. He was brought here to-night and lodged in the provincial jail where he will remain until his trial at the assizes here in May. He is a middle-aged Englishman, hailing from Lancashire, and is of prepossessing personal appearance.

RUSSIAN NON-COMBATANTS

First Party Has Reached Chefoo in a Junk From Port Arthur.

Chefoo, Jan. 23.—Twenty-seven men and women, comprising the first party of refugees from Port Arthur, arrived here at Chefoo today. They stated that twenty-two other junks bringing over 500 non-combatants were also coming. Several launches immediately left with the idea of assisting the junks in reaching Chefoo. These refugees, including men, women and children, had been waiting for a steamer at Pigeon Bay. They were without shelter and were obliged to sleep on the sand. The refugees state that since the first few days following the surrender of Port Arthur they have been practically no longer the officers dealing sternly with all offenders. Roughly estimated, 200 civilians lost their lives during the siege. The refugees generally exhibit no signs of ill-health from their subsistence on a restricted diet.

THE MISSING CHILDREN.

Superintendent Hussey Has Engaged Indian Trappers to Make Search.

Nanaimo, Jan. 21.—Supt. Hussey, who is here to take up the search for the lost children on behalf of the province, will have six Cowichan Indians, experienced hunters and trappers, on the ground this afternoon. They will make a thorough examination for the next few days.

Where Men Get Hurt. These you find Ford's Extract—the old family doctor—relieving the pain, soothing the inflamed parts, and curing the disease. Ford's Extract is a certain cure, a reliable remedy, and it is the only work done in the world. Injuries are weak, watery, worthless; Ford's Extract is pure, powerful, and reliable.

advances exceed four pounds (\$4) sterling per month.

2nd. Masters to give forty-eight (48) hours' notice before signing crew, and to have their pick of the men available at the time.

3rd. The party, or parties, of the second part hereby agree that for each and every hour's notice before signing crew, and to have their pick of the men available at the time.

4th. The parties of the first part also agree to discharge all seamen from the vessel, and to pay them the sum of \$35 each for services rendered in procuring said men.

5th. This agreement shall be in force for the term of two (2) years from and after the first day of December, 1904.

6th. All vessels that may load in British Columbia to come to Port Townsend for crews. The parties of the first part to pay any extra tonnage or customs dues, if any, including United States tonnage tax, if any, incurred.

It will be seen that the clause most affecting shipping in these waters is the 6th. This handicaps British Columbia shipping just as much as other American interests which have to do with the towing of ships in ballast to Port Townsend and Port Angeles, instead of the Royal Roads, where these vessels are inbound and seeking.

ANNUAL MEETING

Of the Congregation of St. Andrew's Church, Nanaimo.

The congregation of St. Andrew's church, Nanaimo, has had a very prosperous year, and it was therefore with pleasant feelings that the pastor and his people met at their annual meeting, which was held on the 19th inst. After devotion exercises by Rev. J. M. Miller, the business was proceeded with, F. McE. Young in the chair.

The various reports were very encouraging, and the ladies of the congregation in particular came in for a large measure of commendation. Through their efforts a new furnace costing about \$500 was installed, and a cheque for \$500 given the treasurer as first payment on the heavy debt on the church. It was found that the total revenue of the congregation during 1904 reached in round numbers the sum of \$4,000. That such success has been attained during Nanaimo's dull year is most gratifying to the people of St. Andrew's church.

It is proposed to commemorate the fortieth anniversary of the founding of Presbyterianism in the Black Diamond city in a suitable way during the coming summer. It is likely that the interior of the church will be thoroughly renovated and decorated.

The following are on the board of management for 1905: F. McE. Young (chairman), H. T. Rogers (secretary), B. H. Smith (treasurer), David S. Drysdale, Dr. L. J. O'Brien and C. Mason.

COMMITTED FOR TRIAL

J. Roberts Charged With Attempted Murder of M. Davys, a Mine Manager.

Nelson, B. C., Jan. 19.—A special to the Daily News to-night announces that the trial of J. Roberts, charged with the murder of M. Davys, mine manager of this city, at Silvertown on the evening of the 17th by shooting at him with a rifle.

The chief of provincial police, Mr. Bullock-Webster, went to Silvertown on Wednesday to investigate the shooting at Silvertown. He found the body of M. Davys lying on the ground, and the rifle lying nearby.

At the preliminary hearing before the magistrate, a local tailor deposited that he saw Roberts fire the shot. Constable Black testified that he traced footmarks from the point of firing to the cabin door of the accused, and Mr. Davys said that Roberts had threatened to "fix him" openly on the wharf at Silvertown some days ago.

The foundation of the trouble was the hiring of Chinese mine labor by Mr. Davys, he being unable to get satisfactory white help.

According to the evidence, Davys and six others, including Roberts, were in the Victoria Hotel bar. Roberts, a laborer party, who were taking a drink, when suddenly the report of a gun was heard and a rifle bullet crashed through the window, burying itself behind the bar.

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TITLE TO RESERVE VESTED IN CROWN

THIS WAS OPINION OF GOVERNOR DOUGLAS

Admits Presence of Indians Near Town Public Inconvenience—Removal Would Not Be Just.

In regard to the Indian reserve question, the following document has been handed to the Times by C. H. Lugin. It appears to have escaped the attention of the city barrister, at least it is not referred to in his resume of the facts relating to the reserve. In giving it to the Times Mr. Lugin said:

It seems as though Mr. Taylor's views do not perfectly coincide with those of Governor Douglas. They do not refer to the inability of the Indians to give a title to the land, but not as to the right of the crown to deal with it, the content of the land and great issues are obtained, not as a matter of legal right, but because the faith of the government is pledged that their occupation shall not be disturbed. I draw attention to the fact that Governor Douglas says the government will not cause them to be removed, not that the government could not do so, which, indeed, would be quite inconsistent with his proposal to subdivide the land and grant leases to it. Unless the crown had an absolute title it would not do this. Therefore, it seems to me that if Governor Douglas held the correct view of the case, the crown can now sell the reserve, the consent of the Indians to be obtained as a matter of justice, but not because of any legal right vested in them."

Except from returns, messages, etc., the House of Assembly met on Monday 27th, 1890, to July 20th, 1890.

Victoria, Vancouver Island, 5th February, 1890.

To the Speaker and Gentlemen of the House of Assembly—I have to acknowledge the receipt of your Speaker's communication of the 25th ultimo, containing the following resolution which passed the House on that day:

"That application be made to His Excellency the Governor for the following information, viz:—

"Has the government of this island the power to remove the Indians by purchase from that piece of land inside Victoria harbor known as the Indian reserve."

"Should government not have that power, would it please His Excellency to inform this House wherein the government are powerless?"

"J. YATES, Esq."

In reply to the foregoing resolution I have to observe that previously to the grant of Victoria Island and covering the son's Bay Company, the whole island was vested in the crown as part of its domains.

When the settlement at Victoria was founded certain reservations were made in favor of the native Indian tribes.

First—They were to be protected in their original right of fishing on the coasts and in the bays of the colony, and hunting over all unoccupied crown lands; and they were also to be secured in the enjoyment of their village sites and cultivated fields.

Their rights they have since enjoyed in full, and the reserves of land covering their village sites and cultivated fields have all been distinctly marked on the maps and surveys of the colony, and the faith of the government is pledged that their occupation shall not be disturbed.

For that reason the government will not cause them to be removed, because it is bound by the faith of a solemn engagement to protect them in the enjoyment of their original rights.

It may further interest the House to know that the title of those lands is vested in the crown, and that the Indians of themselves can convey no title to any part of their reserves, either by sale or lease. The presence of the crown so near the town is a public inconvenience, and their removal would be neither just nor politic.

The proposed scheme as a remedy to alter into arrangements, with their consent, to sub-divide the reserve adjacent to Victoria, and to let it out on leases to persons who will undertake to build and make other improvements upon it, and to apply the whole proceeds of those leases to the general benefit of the Indians interested. That is by providing them with a school house and teachers, who will be employed by a missionary clergyman, for the education of their children, and to endeavor thus to raise them morally and socially to a higher position than they now occupy in the colony.

By such means a great benefit, worthy of the philanthropy of our country, will be conferred upon the Indians themselves, while at the same time the improvement and increase of the town of Victoria will not be retarded by their unprofitable occupation of one of its most valuable portions.

Sgd. JAMES DOUGLAS.

SUCCESSFUL YEAR.

Encouraging Reports Received by the United Society of Christian Endeavor.

Boston, Mass., Jan. 21.—The United Society of Christian Endeavor is in receipt of reports from all parts of the world showing that the year 1904 was the most progressive in the Endeavor movement it has known in the twenty-four years of its history. In no parts of the world has there been greater progress than in Africa, Great Britain, next to the United States, now has the largest number of societies of any country in the world, having more than 10,000. France has formed a national union.

SCIENTIA PUT HIM ON CRUTCHES.—Jas. Smith, dalmatian, of Grimsby, Ont., writes: "My limbs were almost useless from sciatica and rheumatism, and notwithstanding my esteem for physicians, I must give the credit where it belongs. I am a cured man today, and South American Rheumatic Cure must have all the credit. It's a marvel.—34.

The Surest Remedy is Allen's Lung Balsam. It never fails to cure a SIMPLE COLD, HEAVY COLD, and all BRONCHIAL TROUBLES. Large Bottle \$1.00. Medium Size 50c. Small or Trial Size 25c. Endorsed by all who have tried it.

MORMON APOSTLE BEFORE COMMITTEE

SENATOR REED SMOOTH UNDER EXAMINATION

Denies the Statements Made by Witnesses Regarding the Alleged "Oath of Vengeance."

Washington, Jan. 20.—Senator Reed Smoot was put on the stand in his own defence to-day before the Senate committee on privileges and elections. The Senator had not been long under examination before the committee room was crowded, and the passage ways were kept open with great difficulty.

As S. Worthing, counsel for defence, said as the expected witnesses had failed to appear he had decided to examine the Senator at once in order not to lose a day. He conducted the direct examination.

Senator Smoot was at his ease, though every eye in the room was directed to him. He said that he was born in Salt Lake in 1802. His father and mother are both dead. His mother was a plural wife.

Concerning his own family he said he was married September 17th, 1884, and has not taken the endowments, but later he had gone through the endowment house at the request of his father, though he told his father he did not care much about taking the ceremony.

Mr. Worthing asked Senator Smoot about the endowment ceremony, and he replied: "I could not give it if I wanted to, because I have no distinct recollection of the ceremony."

Mr. Worthing read, "What witnesses have alleged to be the 'Oath of Vengeance,' and asked Senator Smoot if there was anything of that character in the ceremony. "There was not," replied the Senator.

"Was there anything of vengeance on this generation?" "No, sir."

"Was there anything about avenging the blood of Joseph Smith?" "There was not, and it would have been very strange if there had been. Joseph Smith was the instigator of the endowment ceremony, and it would have been very strange if he had asked his people to avenge his blood upon the torpedo boats, and no Japanese whatever were among the fishing fleet, and that no Japanese warships were anywhere in the North Sea."

Baron Taube read the Russian reply, which specifically declared that strange boats appeared near the Russian squadron, which the searchlights disclosed to be torpedo boats. Thereupon fire was opened, the torpedo boats moving off and later disappearing. The Russian statement further asserted that Admiral Rojestevsky was absolutely compelled to act as he had done in order to destroy the torpedo boats which had attacked the Russian fleet.

The principal charges of the British statement follow: "On the night in question there was not any warships whatever in the neighborhood of the fishing fleet except those of the Russian navy."

"No warships had been seen by the fishing boats since a long time previous."

"None of the boats making up the fishing fleet carried any kind of material of war."

"No Japanese warships of any kind whatever were at that moment in the North Sea."

"The Russian fire continued after their searchlights clearly showed the vessels were peaceful fishing boats."

"None of the Russian ships gave, or even offered, assistance."

"The fire killed two men, wounded six, sank one boat and damaged five others."

"The statement concludes that the attack was without any provocation upon the Pacific boats pursuing their usual and lawful occupation."

The following are principal points of the Russian reply: "At about midnight the flagship Kniaz Novoff saw the outlines of two small boats, which approached with great speed, with all lights extinguished, directly toward the battleships."

"When the two suspicious boats came within range of the Russian searchlights they were recognized as torpedo boats. Thereupon the battleships fired."

"Thereafter a number of small fishing boats showing the required lights were observed. Precautionary measures were adopted, nevertheless. There was a strong feeling of danger upon the battleships and the impetuous duty of protecting themselves against the attack of torpedo boats obliged a continuance of the fire despite the evident risks of hitting not only the fishing boats but also the ships of the squadron itself which had arrived within the zone of fire."

"In the meantime the two torpedo boats drew off and shortly after disappeared. Fearing that some of the fishing boats were damaged, yet being certain that all danger from the two torpedo boats, or possibly others, was not completely removed, Admiral Rojestevsky deemed it indispensable for the squadron to continue its route without stopping."

"Admiral Rojestevsky, while taking into account the damage caused to offensive fishermen, subjects of a neutral power, was nevertheless compelled to use all the means in his power to destroy the torpedo boats which attacked his squadron."

a shock. A sturdy, rugged, ruddy-faced farmer, who in his accent gave trace of his English ancestry, Mr. Drury was a man who was greatly liked by the rank and file of the Liberal party of that time. He reserved his speeches for subjects that he had thoroughly mastered, and no man had a better grasp of the practical questions affecting the farmer. The late eighties and the early nineties were troublous times for the farmers of Ontario. The changes in the American tariff had cut off the market for the barley crop, and it was one of the great staples. Mr. Drury did much toward directing the thoughts of his fellow-farmers towards the search for new markets, and undoubtedly by his influence secured the in no small measure the general turning toward the British market as in the long run the best for the farmers of Ontario. He was a forcible speaker, and drove home his points with a single-blower blow, and the first and the gesture of a natural orator. It has been said that his technical knowledge of the farm and of farming was unrivalled."

INVESTIGATE DEDUCTION.

At Thursday evening's meeting of the Jubilee hospital board the following report was received from the executive committee, in addition to those published in the Times Friday:

Victoria, January 18th, 1905. The President and Directors, the Provincial Royal Jubilee Hospital.

Gentlemen—Your executive committee met Thursday, December 29th, 1904, all the members being present, to consider a report that the corporation grant for 1904 had been short paid in the sum of \$80.

Upon inquiry into the cause for the deduction it was learned that a Mrs. Landy had been treated in the isolation hospital under suffering from erysipelas for 22 days charged for at the rate of \$4.50 per day. The parties were not a resident of Victoria, but was sent here from one of the Gulf Islands, and no member of this hospital board had anything to do with the placing her in the isolation hospital. In view of these facts, your executive committee considered the deduction of \$80 as most unjustifiable proceeding, and we accordingly resolved to request the board of directors to issue a formal demand for payment in full of the sum, \$5,000, voted by the corporation to the hospital for the care of Victoria's sick who are unable to pay for hospital treatment. Attention was drawn to the fact that although the case in question was treated at the isolation hospital in April, the deduction of \$80 was made in the last payment on the corporation, two days prior to the board's meeting, and no notice was given, thus admitting no time for an investigation.

In reply to this communication, the city clerk advised that he had been instructed to return the cheque and to express the hope that it may be accepted by the board of directors. The secretary then instructed your secretary to state that the cheque is held under protest, whereupon the city clerk advised, under date of the 10th inst., that the question which gave rise to the deduction of \$80 from the small cheque will receive the attention of the board of health at an early date. The board of health is now holding your instructions. All of which is respectfully submitted.

(Sgd.) R. S. DAY, President.

BRITAIN'S CHARGES AND RUSSIA'S REPLY

Paris, Jan. 19.—Hugh O'Brien, of the British embassy, agent of Great Britain before the international commission, inquiring into the North Sea incident, at today's public session, read the charges, which consist of 17 specifications minutely setting forth the attack on the Hull fishing fleet. It was specifically declared that Japanese torpedos boats, and no Japanese whatever were among the fishing fleet, and that no Japanese warships were anywhere in the North Sea.

Baron Taube read the Russian reply, which specifically declared that strange boats appeared near the Russian squadron, which the searchlights disclosed to be torpedo boats. Thereupon fire was opened, the torpedo boats moving off and later disappearing. The Russian statement further asserted that Admiral Rojestevsky was absolutely compelled to act as he had done in order to destroy the torpedo boats which had attacked the Russian fleet.

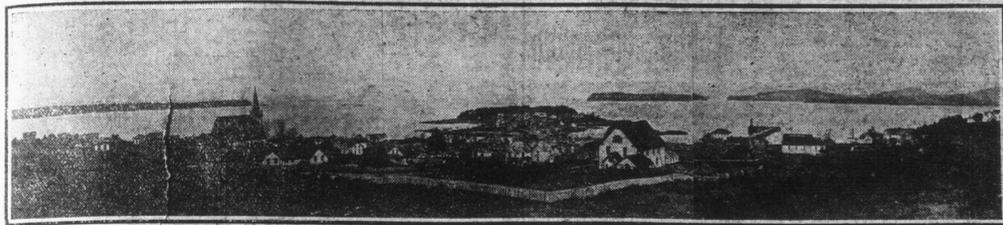
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"No Japanese warships of any kind whatever were at that moment in the North Sea."





PANORAMIC VIEW OF PORT SIMPSON—THE PORT ON THE NORTH COAST OF BRITISH COLUMBIA, WHERE THE GRAND TRUNK PACIFIC IS EXPECTED TO HAVE ITS TERMINUS.

## Sketch of A. G. Blair's Successor.

The Toronto News, in a long article dealing with the appointment of Mr. Justice Killam to the position of chairman of the railway commission, says that the choice is regarded with lively satisfaction in official circles in Ottawa. The News points out that Mr. Justice Killam is going to a hard post, one which will demand a rather remarkable combination of qualities. The railway commission was only partially organized, and had made the merest commencement of its multitudinous duties when Mr. Blair threw its affairs into the utmost disorder by his precipitate resignation. Arrested development was the slightest portion of the evils which followed. Arrears of work have piled up mountain high. Some of the work done with much labor during the past summer may be wholly lost, for the western tour may have to be taken afresh. The railways have recovered from the respect which they conceived for the board during the first months of its work, and have come

Toronto university was brilliant, and Morgan relates with his wonted precision that he took the silver medal in mathematics, and "moderns," and was Prince of Wales prizeman as well. Though young in years, he was a leader of the Manitoba bar. He was a member of the legislature—was even for a season leader of the Liberal opposition to the Norquay government. Then he went to the bench and won the confidence of the profession. He became chief justice of his province, was brought to the Supreme court about a year and a half ago, and the choice made by the government in so doing has been warmly approved by those who do business before that august tribunal. But his new post is extensive as well as judicial, and there is general confidence that he will meet its exigencies of both descriptions. The formal facts of biography do not explain this confidence.

Still staying on the surface of things nature is a subject which it pays to study, and justices upon the bench have been known to get out of touch with it. A working acquaintance with politics is not a bad means of acquiring that kind of knowledge, and the judge who presides over the railway commission must needs be a very human man, fully alive to the leading characteristics, and perhaps some of the peculiarities of human nature. So far as mental characteristics go, Judge Killam's reputation stands very high. He is credited by some with brilliance, by all with soundness of judgment. His attitude of mind is thoroughly judicial, and his manner of watching a case is spoken of with respectful enthusiasm by the profession. His interest is unflagging. His questions are to the point, though not very numerous. He never becomes the advocate and never argues with counsel. He constantly is seeking for the right of the case. "He never makes up his mind

of the chairman of the railway commission are almost as important as the legal attainments which he needs. Apart from public spirit and incorruptibility, which are to be taken for granted, there is the firmness which he needs who would bridle that modern behemoth, the railway corporation. The railways have shown a decidedly malignant spirit of late. Great determination, coupled with a clear perception of just what can be demanded and enforced, caution, united with decision are the qualities the chairman must possess. The general verdict about Judge Killam is that he has precisely the clearness of vision, the soundness of judgment, which are required. As for the firmness, there is no fear on that score. His temper, using the word in its ordinary sense, is mild. He has no self-advertising ways, and it is not anticipated that he will enter on his new work with any flourish of trumpets, with any talk of a new regime being instituted now that he is in control, or with any notice to corporations to turn handsprings. A quiet and unpretentious entry into his office is expected. What if the railway fight him? "I should like to see them do it," said one lawyer from the west, with a half smile, half-chuckle. "He'll just curl up and sit tight." was a more youthful admirer's somewhat enigmatical forecast. So far as personal appearance goes, Judge Killam is a rather short, thickset man, with a fine head, rising abruptly above a pair of noticeably square shoulders. The hair very grey, the moustache startlingly black, eyes dark and piercing, face remarkable chiefly for its self-contained look. These are the principal features. He looks like a silent man. Next to that air of reticent poise is the impression of intelligence which his eyes convey.

### FEEDING GERMAN SAILORS.

Cook on Warship Is an Important Personage.

It would be impossible to give an accurate account of the peril of the German navy without describing the manner in which the food supply is managed. A main feature in the administration of rations to the Emperor's navy is the appointment of a boteler, who is a petty officer of character and ability, specially trained in the knowledge of the quality of food, its preparation and the best means of securing its proper distribution to the crew. As a whole, German blue-jackets are very contented, and complain about the food are rare. The quantity of food supplied to each man is ample, but there is no waste. The food is served hot and well cooked. The quality of the food is also excellent, and the cooking and the tastiness with which the food is served up might well be copied by our navy. In English ships there is never more than one professional cook, no matter how large the ship's company, and the mates of the English sea cook too rarely have any knowledge of cooking. On German battleships the cooking staff consists of the boteler and his assistants, with three trained cooks. It is notorious that English galleys or kitchens are inadequate. On a German battleship bread is cooked in a separate galley. There are two large galleys for the mess, one for the ward-room officers, and one for the midshipmen and the warrant officers. The crew always have fresh bread, both at sea and on shore. The

meals are at seven, twelve and six, with an extra issue of chocolate, cocoa or coffee on Sunday.

There is also a very successful system of daily inspection, for at 12 o'clock every day the captain, the admiral, or the Emperor himself, if he is on board, receives what is called a "proof"—that is, a specimen of the men's principal meal.—Cassell's Magazine.

### "FATHER OF THE FLEET"

Sir Edward G. Fanshawe Has Lived in Five Reigns.

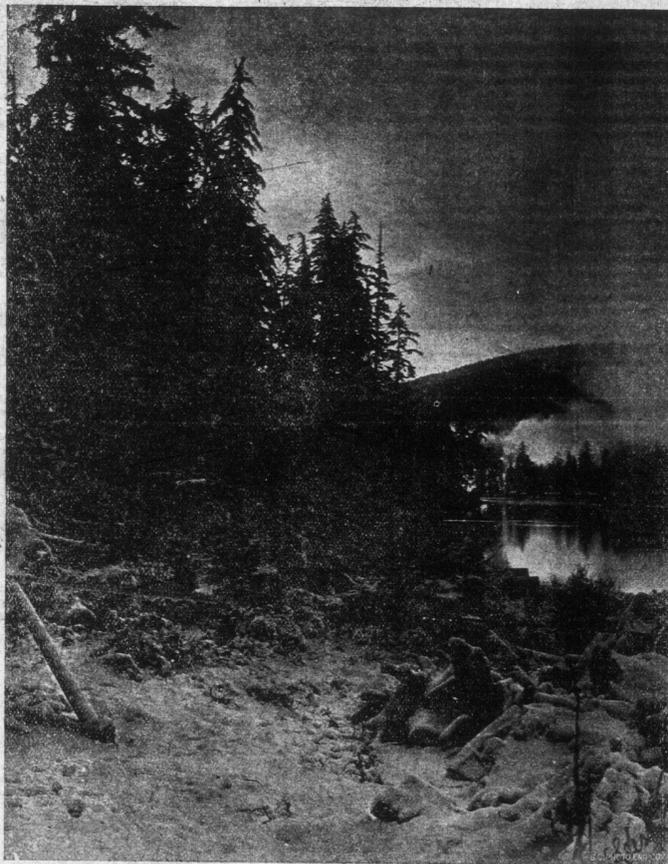
Sir Edward Genny Fanshawe, on whom now that Sir Erasmus Ommanney has passed away, falls his mantle as Father of the Fleet, was born, like Sir Erasmus, in 1814, and has lived in five reigns, for George the

## A Wonderful Discovery.

M. Doyen, the celebrated surgeon who cut the ligament that bound Radica to Doodlea, the Siamese twins, was proceeded against, recently, by a rich American for the recovery of fees. Dr. Doyen had charged £4,000 for a serum treatment for cancer for the plaintiff's wife, and the lady had died. "Post hoc, ergo propter hoc" was, of course, the argument of the bereaved husband; but the doctor said, "No; it was because of her removal to New York." This private quarrel developed almost into an international incident. The Paris papers took it up warmly, and columns were printed on medical etiquette (1) as to whether

Such a result is of immense importance to suffering humanity, and, perhaps, will place Dr. Doyen on a pinnacle with the great healers of the world, with Pasteur, and Jenner, and Harvey.

Human Credulity. "There is no limit to human credulity," said M. Joseph Reinach to me the other day, when we were discussing the Syveton case and the persistence of some part of the public in looking upon it as an assassination by the Free Masons. "We have seen that kind of story believed in, in the Revolution, in the Dreyfus case, and other instances. People will believe in anything. Look at Lourdes—and the



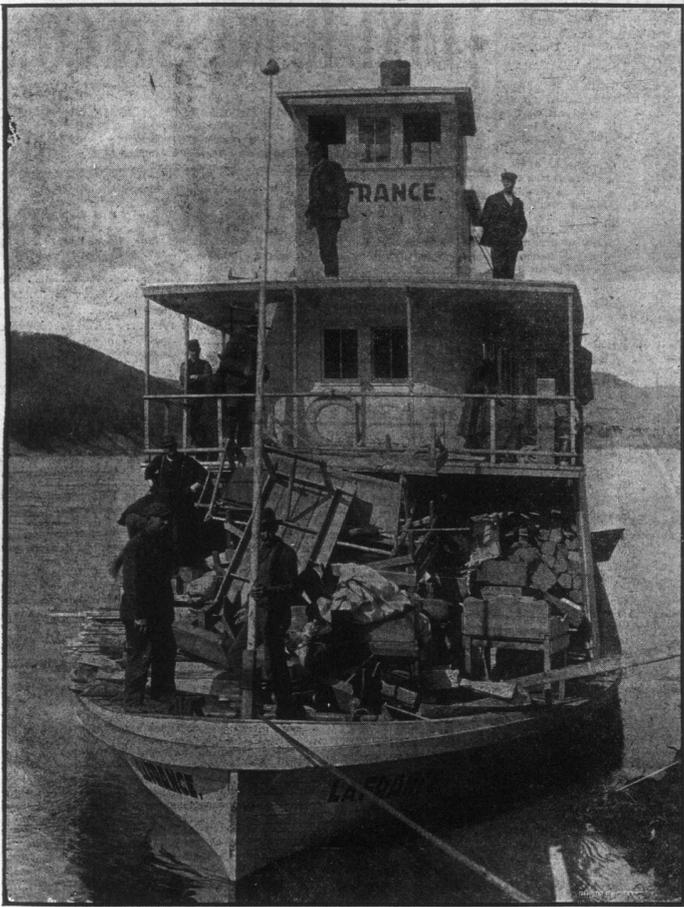
A WINTER MORNING, QUATSINO SOUND, VANCOUVER ISLAND.

Third was still on the throne when he was born. Sir Edward entered the navy two years later than Sir Erasmus Ommanney, and so missed Navarino, not getting his baptism of fire, in fact, till 1840, when he won the Syrian and Turkish medals for his services at the bombardment of St. Jean d'Acre. Five years later he was blowing Dyak plates into the water off the coast of Borneo, and destroying their famous stronghold at Malloodo. In Crimean days he captained the Cossack in the Baltic, and was present at the bombardment of Sveaborg. In 1865 he was a Lord of the Admiralty, and from 1870 to 1873 was Commander-in-Chief on the North American and West Indies stations. Then he came home to be president of the Royal Naval College at Greenwich, and for two years prior to his retirement at the end of 1875 he was Commander-in-Chief at Portsmouth.

The Swiss military authorities are about to adopt khaki for soldiers' uniforms.

the fees were not excessive, even given the wealth of the client; (2) as to whether it was proper to have used a serum, the efficacy of which was not established. Out of so much publicity on a delicate matter has, strange to say, come a great deal of good. There is a serum for cancer, and there is a microbe. Both these points have been made good by a committee of experts chosen by the Societe de Chirurgie, and by the independent research of the famous bacteriologist, Professor Metchnikoff, of the Pasteur Institute. The Doyen microbe, whose classical name is "micrococcus neoformans," has been obtained by culture, and a favorable modification of the malign neoplasm has resulted from the anti-cancer treatment in the cases under observation. This means that operations can now be performed where they could not before the discovery of the serum, and a definite cure is at last clinically, if not, as yet, scientifically demonstrated.

revival in Wales," M. Reinach added, laughingly. "Of course, there is nothing political in this affair; it is merely private." Trading upon the same limitless-faith of the people are various prophets and soothsayers, who claim to have foretold Syveton's death. Mme. de Thebes, for instance, predicts in her almanac for this year—printed, of course, long before the death of the deputy—the violent end of a public man in December. It is astonishing the vogue of the fortune-teller in France. Napoleon had a belief in their ability to peer into the future. There was Benedictine monk, Paul le Clerc, who was supposed to have that power. He predicted an empire for the consul and mapped out the future of the Duc d'Orleans, Charlotte Corday and Robespierre. To this day there are numerous seers in Paris, each with a rich and fashionable clientele, though nominally the traffic is against the law.



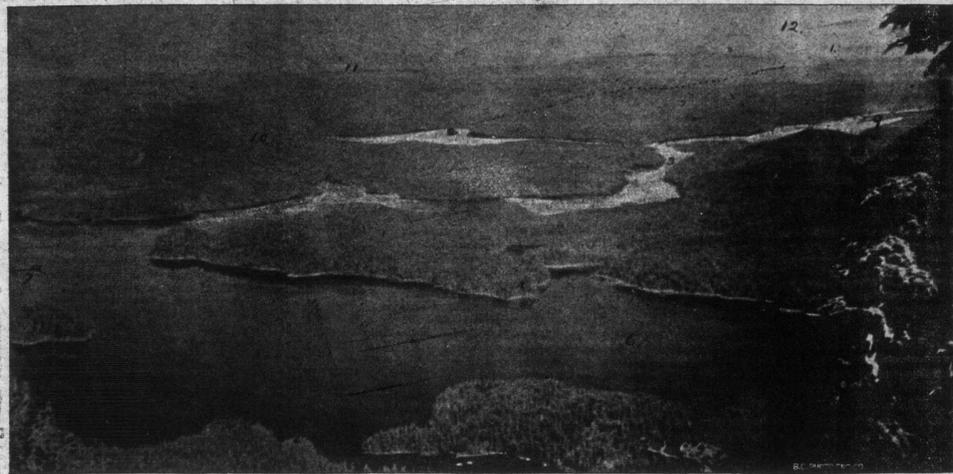
RIVER STEAMER ON UPPER REACHES OF THE PELLY RIVER.

ed to snap their fingers at it. The interior organization remains chaotic. Thus the new chairman will first of all be required to make up lost ground, to impress the public and the corporations with his strength and turn his combination of court and bureau into an efficient engine, able of investigation and administration. Beyond that, the fields of progress stretch illimitably. A body of railway law and practice to be built up—there is a field for the jurist. A department of public control of the country's transportation service to be established—there is a task for the publicist. Public confidence to be raised at the price of no injustice to vested interests—the stubborn and subtle resistance of well-served corporations to be beaten down—the post offers a career second only to that of Premier.

To this exacting position Justice Killam goes with a rather remarkable endorsement of liking and confidence. The surface reasons are quickly stated. He is in the later prime of life—on September 18th last he was 55 years of age. He is a Nova Scotian—that seems a necessary adjunct to eminence. His career at

until the last moment," is the way one highly-placed lawyer puts it. His habit of working up a case is unexceptionable. He approaches it devoid of prejudices, and of desire to show familiarity with it; he absolutely masters it from the ground up. Back of these excellent mental habits is a mind—a mind which has made a strong impression on those who have encountered it. Further, that mind is equipped with a profound knowledge of law. He is a thoroughly strong judge. Indeed, he had in Manitoba one trick which lawyers regard as highly reprehensible. He would occasionally carry a case away with him, meditate upon it, and then render judgment upon a point touched by neither of the counsel! Such conduct was a left-handed compliment to the gentlemen paid to argue the case, and it conceivably would land the judge into errors and difficulties. But it was the trick of a strong judge.

One speaks with hesitation of the moral qualities possessed by a man who is addressing himself to such a work. It savors of cold blooded dissection. Yet the moral qualities demanded



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VARIED VIEWS ON FAMILIAR SUBJECT

GREAT DEAL OF TALK BUT LITTLE WAS DONE

Interesting Legal Opinion by City Barrister—Resolution and Amendments.

The outcome of the public meeting which was held in the city hall Friday evening to deal with the Indian reserve question was the passing of a resolution requiring the city to do its utmost to bring about a settlement along the lines contained in a communication from the deputy superintendent-general, Ottawa, to the provincial government in 1901. The subject was fully debated.

The chair was occupied by Mayor Barnard and Geo. Carter was appointed secretary.

The chairman explained the object of the meeting and the circumstances under which it was called. He had secured a legal opinion on the reserve question from W. J. Taylor, K.C., city barrister, part of which he would read. The entire opinion is as follows:

Victoria, B. C., Jan. 17th, 1905. His Worship the Mayor, Victoria, B. C.

Sir—I have the honor to acknowledge receipt of your letter containing request for an opinion as to the respective rights of (a) the Indians; (b) the provincial government; (c) the Dominion government; (d) the city of Victoria, in the land commonly known as the Songhees Indian reserve, together with my views as to the best means of bringing about the removal of the Indians.

In reply I beg to state that in the year 1850 a tract of land within which the land now known as the Songhees reserve was evidently intended to be included, was conveyed by certain Indians to the Hudson's Bay Co.

For convenience of reference, the document of transfer is set forth and reads as follows:

"Know all men, we the chiefs and people of the Kosempson tribe, who have signed our names and made our marks to this deed on the thirtieth day of April, one thousand eight hundred and fifty, do consent to surrender entirely and forever to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and Committee of the same, the whole of the lands situate and lying between the island of the Dead in the arm or inlet of Camosun and the head of the said inlet, embracing the lands on the west side and north of that line to the terminal, beyond the inlet three miles of the Colquitz valley, and the land on the east side of the arm, enclosing Christmas hill and lake and the lands west of these objects. The conditions of our understanding of this sale are, that the village sites and enclosed fields are to be kept for our own use; for the use of our children, and for those who may follow after us; and the land shall be properly surveyed and registered as aforesaid, however, that the land itself with these small exceptions becomes the entire property of the white people forever; it is also understood that we are at liberty to hunt over the unoccupied land and to carry on our fisheries as formerly. We have received, as payment, fifty-two pounds ten shilling sterling.

"In token whereof, we have signed our names and made our marks at Fort Victoria on the thirtieth day of April, one thousand eight hundred and fifty. (Sgd.) 'HOO-KOO-WITZ, His X Mark, And 20 others."

"Done in the presence of, (Sgd.) 'ALFRED ROBSON BENSON, 'M. R. C. S. L., 'JOSEPH WILLIAM 'K'AY."

This treaty extinguished the Indian title to the land. It will be noted that the description of the land in this document is vague but sufficient definiteness appears to make it operative. The boundary line of the tract has, since the treaty, been definitely surveyed, the shores of Victoria harbor forming the remaining boundary lines.

While the verbiage of the document varies from that commonly used in conveyances, it must be remembered that the document is not an ordinary conveyance but a treaty and the language used was, under the circumstances, doubtless appropriate to the understanding of all parties to the compact.

It will also be noted that the tract was conveyed subject to certain reservations in favor of the Indians, namely, a right to occupy and enjoy their village sites and enclosed lands together with a right of hunting over the unoccupied portion of the tract conveyed with certain appurtenant rights of fishing.

In the year 1867 (3rd April) the Hudson's Bay Company reconveyed (with certain exceptions not material to this inquiry) Vancouver Island to the crown. At this period, namely, the year 1867, the crown became possessed of the land occupied by the Indians, subject to the Indians' rights therein.

By clause 13 of the terms of union

lands and works department, Victoria, that the report of these commissioners was ever formally adopted or ratified either by the Dominion or Provincial governments, in which event its effect is simply a guide to the respective governments.

Whether or not the English statute (Thelluson's Act) limiting the period for which such estates may be held is applicable to British Columbia, seems to me immaterial in the present instance, as the parties to the treaty recognized equality of status in the other purpose of the compact.

The approval later by the crown of the arrangement still further accentuates this view. To obtain a relinquishment of certain claims, valid or disputed, upon certain terms and therefore permit one of the high contracting parties to apply a domestic rule of construction gathered from the civil law of that party, for the purpose of nullifying practically the operation of the contract would be to sanction a gross breach of faith.

Upon the faith of an undertaking given by the predecessors in title of the province, the Indians were induced to cede to the Dominion certain parts of the land. Assume Thelluson's Act in force at the time. Its existence must have been unknown to the Indians. A law shortening and interfering as it would with the period of enjoyment of the lands pressed to the Indians by the words of the treaty, could never have been in the contemplation of the Indians, else they would not have surrendered their claims for so phantom-like a consideration. To get land in consideration of preserving their title to the land for the use and benefit of the grantor, and then repudiate the consideration, for technical or other reasons, savors too much of obtaining property under false pretences to be seriously considered. The Hudson's Bay Company, when it effected its surrender of the Indian title, entered into an honorable engagement to fulfill the terms upon the faith of which the surrender was made. The company did fulfill those terms. The province as its successor in title, did likewise. The Dominion assented to, assumed and undertook to continue a similar policy of liberal and fair treatment and has never questioned its obligation or sought to infringe upon the rights and privileges of the Indians as set forth in the treaty, or to subtract from or restrict those rights by anything outside the plain words of the treaty.

Any such interpretation would be so contrary to the policy of amity, good faith and conciliation observed by the crown as represented by either the Dominion or province in all dealings with Indians, as to warrant a conclusion to the contrary. Prior to Confederation the province, in its dealings with the Indians, never attempted to apply such a canon of construction to the terms of the treaty as would eliminate the words "and those that follow after us" upon the ground that such words were inoperative in view of the principles against perpetuity set forth in Thelluson's Act. The Dominion, having undertaken to continue a policy with the Indians "as liberal as that hitherto pursued by the British Columbia government" lends strength to the conclusion that courts would adopt a broader principle of interpretation in construing the effect of the treaty than ordinarily derivable from a narrow legal construction of its mere words, qualified by rules outside its terms. An interpretation to be arrived at after considerations of policy as practiced by our government with respect to the Indians and the effect of its express obligation, but a policy which nevertheless was resolved into definite undertaking by statutory assumption thereof as a duty by another government, is, the Dominion.

The reasons applied in order to exclude against the Indians the operation of the rule against perpetuity of estate do not, it seems to me, apply to questions relating to the after disposal of such estate. In one case, the Indians were treated as an independent body upon a plane of equality for the purpose of contracting, whereby the Hudson's Bay Company secured the goodwill of the Indians, as well as title to the land. The Indians, in turn, by the words of the treaty, secured certain rights and privileges for themselves and their descendants. After the treaty the Indians passed under the control, became wards of and dependent upon the crown for protection and fulfillment of those rights. One privilege retained was a personal right of occupation of the land possessed by each Indian. Neither within the terms of the treaty nor without its terms under existing law may an Indian or number of Indians dispose of the rights of other Indians, whether in esse or in futuro. Even if every Indian living should sell his or her respective occupation right and the Dominion government, as trustee, should approve of such sale, the title to the land would still remain subject to a prospective claim in favor of any Indian child born after the date of such sale.

For the foregoing reasons, in my opinion the status of the Songhees reserve is as follows: (a) The title to the land is vested in the province. (b) The Indians have rights of occupation and incidental rights of hunting thereover, together with fishing rights in adjacent waters. (c) The Dominion has administrative control of the Indians and the exercise of their rights and privileges. (d) The city is without status in the premises, save as a public corporation in the exercise of its police power and morality to preserve law, order and morality in the community, and the fact that the proximity of the Indian settlement is a menace to the city, welfare of the people under the existing state of the law the land cannot be alienated, so as to transfer a marketable title. The consent of all the Indians living, together with the consent of the Dominion and Provincial governments, would not be sufficient to overcome this difficulty, as any remedy necessitates concurrent legislation by the Dominion and the province. (f) One method of relief would be to obtain the consent of all Indians living to transfer their title to the Dominion pass a statute authorizing a disposition of the rights of the Indians whether in esse or futuro, and the province pass a statute authorizing a sale of the land free from encumbrances. Provisions would have to be made for the approval of the Governor-in-council and Lieut.-Governor-in-council, respectively, of any proposals for the removal of the Indians, as well as, in any scheme of rehabilitation of the Indians, where, privileges and advantages should be secured for them equal, at least to those now enjoyed.

I have the honor to be, sir, your obedient servant. (Sgd.) W. J. TAYLOR.



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under which British Columbia entered the Confederation of Canada, it was provided as follows: "13. The charge of the Indians and the trusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion government and a policy as liberal as that hitherto pursued by the British Columbia government shall be continued by the Dominion government after the union. To carry out such policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia government to appropriate for the purpose, shall from time to time be conveyed by the local government to the Dominion government in trust for the use and benefit of the Indians on the same terms as the Dominion government in case of disagreement between the two governments respecting the quantity of such tracts of land to be so granted, the matter shall be referred for the decision of the secretary of state for the colonies."

By section 91 of the British North America Act, all crown lands within the various provinces were vested in the respective provincial governments, the interests already created therein.

At this time (1871) the land in question became the property of the province, but had not then been definitely set apart as an Indian reserve by the province being merely crown land held in right by the province, subject to the occupation rights of the Indians. The procedure prescribed by clause 13, for the creation of a reserve after Confederation is clearly set forth in the latter part of the clause and is shortly as follows: (a) Application by the Dominion therefor to the province; (b) assent of the province thereto; (c) falling an agreement between the province and Dominion in reference to the Secretary of State for the Colonies.

Since Confederation, so far as I have been able to ascertain upon inquiry and search at the government offices, Victoria, the Dominion has never formally made application to the province for a conveyance of the land nor has the province ever executed a conveyance therefor to the Dominion nor yet set it apart as an Indian reserve. As a matter of fact, the Dominion government has exercised administrative control of the Songhees Indians without a reserve having been formally created for that purpose. However, it has been judicially declared that the Dominion government has the Dominion are bound by alleged acts of acquiescence on the part of various officers of departments which are not brought home to or authorized by the proper executive or administrative organs of the respective governments and are not manifested by order-in-council or other authentic testimony; so that acts of control over the Indians by the Dominion in no wise affect the question of title.

The Hudson's Bay Company as absolute lords and proprietors of the territory (subject only to the sovereign dominion of the crown) accepted surrender of the Indians' claim of title upon certain terms.

The crown having subsequently accepted a conveyance from the Hudson's Bay Company of the land and rechartered, recognized the treaty terms and vested the proprietary rights in such land in the province, subject to the Indians' rights, in the following terms: "The province, although under an obligation to provide a reserve for the Indians upon request by the Dominion, has never been moved to act in the matter by request. Even assuming that the land has been effectively created a reserve by the joint act of the Dominion and the province, the title to the land would not be affected thereby.

While section 91 of the British North America Act confers upon the Dominion exclusive legislative authority over Indians and lands reserved for the Indians, and the province, the title to the land would not be affected thereby.

The reasons applied in order to exclude against the Indians the operation of the rule against perpetuity of estate do not, it seems to me, apply to questions relating to the after disposal of such estate. In one case, the Indians were treated as an independent body upon a plane of equality for the purpose of contracting, whereby the Hudson's Bay Company secured the goodwill of the Indians, as well as title to the land. The Indians, in turn, by the words of the treaty, secured certain rights and privileges for themselves and their descendants. After the treaty the Indians passed under the control, became wards of and dependent upon the crown for protection and fulfillment of those rights. One privilege retained was a personal right of occupation of the land possessed by each Indian. Neither within the terms of the treaty nor without its terms under existing law may an Indian or number of Indians dispose of the rights of other Indians, whether in esse or in futuro. Even if every Indian living should sell his or her respective occupation right and the Dominion government, as trustee, should approve of such sale, the title to the land would still remain subject to a prospective claim in favor of any Indian child born after the date of such sale.

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Continuing, His Worship pointed out that from the foregoing opinion it would be seen that the consent of the Indians could not bind their descendants. There would be no arrangement made through the consent of the Indians could be made in a court of law.

The only recourse in consequence was through legislation, and he had written to Premier Hon. Clifford Sifton, Hon. Senator Templeman and Geo. Riley, M. P., to use their influence to have both governments pass the necessary legislation.

From a moral standpoint, it would be better for the Indians and the city if the Songhees were removed, not to speak of the commercial advantages that would accrue to Victoria. The Indians would not be wronged if pressure was brought to bear on both governments to pass the necessary legislation. "Let the matter of their consent be disregarded. First get the Indians off the reserve and then the subject of the proceeds would be and with that end in view, let the Songhees be removed, not to speak of the commercial advantages that would accrue to Victoria. The Indians would not be wronged if pressure was brought to bear on both governments to pass the necessary legislation. "Let the matter of their consent be disregarded. First get the Indians off the reserve and then the subject of the proceeds would be and with that end in view, let the Songhees be removed, not to speak of the commercial advantages that would accrue to Victoria. 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# DESIRES TO MAKE IT A CIVIC BODY

## PROPOSAL REGARDING TOURIST ASSOCIATION

### Mayor Thinks It Should Be Guaranteed An Annual Appropriation—Review of Past Year's Work.

The annual meeting of the Tourist Association, which was held on Thursday in the council chamber of the city hall, was not largely attended. After the reading of the executive's report, which was illustrated by appropriate lantern slides, a number of interesting addresses were delivered by prominent business men. Each of these was eulogistic of the enterprise and energy of the association and the splendid results achieved. Mayor Barnard, whose address concluded the meeting, made a most important announcement. He stated that it was his intention to endeavor to have the Tourist Association a civic institution. The matter would be laid before the city council for consideration at an early date. His plan was that the association should be financed entirely by the corporation or guaranteed an annual appropriation. This statement was received with enthusiastic applause.

The Mayor occupied the chair, and among those present were: Richard Hall, M. P., W. G. Cameron, M. P., P. Lieut.-Col. Prior, Beaumont Boggs, J. L. Beckwith, David Ker, B. G. Heisterman, S. Leiser, Rev. Elliott S. Rowe and Miss A. D. Cameron. Secretary Cuthbert was called upon for the annual report of the executive. During the reading of this a number of splendid lantern views were thrown upon the canvas. These were so arranged that they illustrated the report. For instance while it told of the secretary's tour of California, views of the different cities visited were shown. The report, which exhaustively dealt with all the past year's work and its results, says in its opening paragraph:

"We have pleasure in submitting to you the third annual report of your executive. This year the members of the board, with one exception, were entirely new to the work of the association, but we desire to add our testimony to that of our predecessors to the value to the city of the organization. The name of the institution does not, in our opinion, indicate the nature of one-fifth of the business that comes before us or of the work done. It is advertising in the department of the city and as such we believe that we have spent your money in the most economical manner possible. In fact, far more so, than if the amount of our revenue had been expended for advertising in the ordinary way. And we realize, that besides securing the largest amount of advertising possible for the least money, such an organization can and does secure many material benefits for the city in other directions that are of great permanent value, and which could not be obtained in any other way."

Mentioning the work of the bureau of information and the supplying of literature to all bona fide tourists, the report wharf the report refers to the liberal supply of flowers received at the rooms from generous citizens. Drawing attention to the literature issued it is announced that twenty thousand copies of "An Outpost of Empire" had been distributed, while thirty-five thousand copies of "Picturesque Victoria" were sent away. Fifteen thousand more could have been used if the finances had permitted it. (Applause.)

Under the sub-head "Our Work Abroad," Secretary Cuthbert's tour through California, Western Oregon and Washington was outlined, and some of the results therefrom mentioned. Many concessions had been obtained from railway companies, and much free advertising from the newspapers.

"Two or three days were spent in Portland in the same kind of work," says the report, "and the opportunity was taken to interview the chief officials of the Western World's Fair to be held there this year; and in securing their good-will and co-operation, good work was accomplished for Victoria."

In this connection Secretary Cuthbert showed a view of what the Portland exhibition will be when in progress. He emphasized the importance of active steps being taken to induce those visiting the fair to come north to Victoria.

Continuing, the report says: "As already mentioned a large number of applications have been received from all parts of the world for our books, particularly from the United States by British subjects, who are residents of that country. The possibilities of securing people of independent means as permanent residents from the United States can scarcely be estimated, but it cannot be done in two or three years, but our favorable climate and wonderful surrounding scenery is bound to attract residents who keep on persistently advertising our advantages."

This was followed by extracts from a number of the letters received. Mention was made of the Grand Trunk Pacific railway as follows: "A very important matter dealt with by this association during this year and 1903 was the matter of the Grand Trunk Pacific, making its southwest terminus at the city of Victoria. A most important document was prepared and sent to Mr. Hays, which evidently impressed that gentleman with the possibilities of business from Victoria and Vancouver Island. A stronger argument for a terminus at Victoria, we believe has never been made out. This was afterwards supplemented with a memorial from the board of trade. A deputation representing the city council, this association and the board of trade met Mr. Hays, and had a conference with him, which we believe will result in considerable good to Victoria."

The report further states that "Many matters affecting Victoria from a tourist

standpoint have been discussed and dealt with during the year. The deepening of the Arm above the Gorge has been brought to the attention of the government at Ottawa. Estimates are now being prepared of the cost. The fact that the city council has purchased five acres of land for the purpose of a public park on the Gorge, and that the British Columbia Electric railway intends opening another park during this year on the Arm above the Gorge, and that almost any day construction will be commenced on the railway extension to the Gorge, emphasize the importance to the city of having this work done."

The success of the Gorge launch service and the tally-ho was recalled as an evidence of the benefit to be derived from the encouragement of tourist travel. Referring to the attractions of the Arm the report incidentally mentioned the possibility of its scenery being marred by the construction of sawmills and factories.

Reference was also made to the opening of the provincial museum on Sundays and holidays for the convenience of visitors and to the suburban service maintained by the E. & N. railway during the summer months.

In regard to the establishment of a "Palace of Amusements," a proposal which was outlined by the Times some time ago, the report said: "We would also recommend very strongly the scheme put forth by the secretary for the establishment of a central palace of amusements, such as are in all health and seaside resorts in England, and in many places in America. This scheme embraces a large concert hall or theatre to hold 1,500 people, a large pavilion with two hand concerts daily, an artificial ice skating rink for the winter, converted into a roller skating rink for the summer, well laid out gardens and grounds, with children's play grounds, Ferris wheel, goat tracks, and above all a first-class swimming and bathing pavilion on the lines of St. Jura's baths in San Francisco. Sketch plans have been prepared and estimates made which show the scheme to be a very feasible one, and we heartily recommend it to the serious consideration of the incoming board."

The efficiency of the Sound service was specially mentioned, and some time was devoted to a discussion of the C. P. R. hotel. Following this an idea was given of the extent of magazine and newspaper advertising done by the association during the past year.

Tracing the results of the work the report pointed out that the C. P. R. did not decide to build a hotel here until the association's work showed them the possibilities of the tourist business; that the increased travel made it imperative for the same company to improve the means of transportation between Victoria and Seattle; that a large number of private homes have been receiving boarders all summer; that general business has surpassed that of other years, and that taxes have been paid better than in any previous year. Another direct result was the number of settlers secured through advertising, the total value of property sold in this way being estimated at \$90,000.

In this connection the report says: "For four months of summer the average number of passengers into the city per day is less than 120 more than in winter. Many of these stay on one or two months, but if we take the number at one hundred only over all time, and average their stay at three days each, and their expenditure at \$5 per day, which is abundantly low, the total cash given to the city is over two hundred thousand dollars, in addition to the amount invested in real estate already mentioned. This does not include any revenue from all other visitors during the other eight months of the year. Take in addition to this the large sums that are being expended in erecting the C. P. R. hotel, the Oak Bay hotel, and other buildings, and the importance of fostering and developing the tourist business should be appreciated by every subscriber anxious to benefit the city."

Regarding finances, the report said: "The question of financing such an organization is a serious one. It is very gratifying to know that in the third year of its history the institution has been generously supported by the citizens, and that the subscriptions from the business men for this year amounting to about \$4,000, or about the same as last year. In this connection attention is called to the list of subscribers, from which it will be seen that many citizens who benefit directly and that others who benefit more indirectly do not contribute at all to the support of the association. This is not as it should be, and it is hoped that such citizens when called upon next year will see the advisability of subscribing."

E. R. Smith, the treasurer, then submitted the following financial statement: Receipts and Expenditure from January 1st to December 31st, 1904.

Receipts.	
Jan. 1st—Balance from year 1903.	\$ 207 02
Dec. 31st—Grant Corporation of the City of Victoria, B. C., 1904.	3,200 00
Sundry subscription, 1904.	3,663 55
Montreal Board of Trades for photos.	8 40
	8,990 57
Expenditures.	
Jan. 1st.	
Dec. 31st—Literature, books, folders, guides, maps, envelopes and sundries.	\$2,285 75
Office rent, insurance, telephone and light.	579 20
Stationery, office supplies and petty expenses.	380 13
Advertising at home and abroad, distributing literature, etc.	829 63
Express charges, duty on books, telegrams, etc.	301 20
Salaries of secretary and attendants and office boy.	1,987 50
Travelling expenses.	397 50
Sundries.	182 95
Balance on hand.	19 54
	\$3,960 57

(Sgd.) EDWIN C. SMITH, Hon. Treasurer.

Victoria, B. C., January 14th, 1905.

Examined and found correct.

(Sgd.) JAS. L. HAYMUR, Auditor.

January 10th, 1905. Statement of Assets and Liabilities December 31st, 1904.

Assets. The report further states that "Many matters affecting Victoria from a tourist

Cash on hand	\$ 10 54
Subscriptions uncollected	88 56
Accrued due for photographs	6 40
Office furniture in rooms, cost	695 50
Less depreciation valued at	275 50
Half-tone blocks and zinc etchings, valued one-third their cost	255 00
Zinc etchings, letter press, cost	15 00
Photo outfit, lantern, slides, etc.	75 00
Mineral specimens in office	61 00
Cabinets, fifty framed pictures and book cabinets	60 00
Ten new suits on Dellmont	40 00
Forty sign boards, at cost	55 00
Literature on hand, including books, guides and envelopes for same.	196 00
	\$1,079 44

### LIABILITIES.

Liabilities to Dec. 31st, 1904	Nil
Richard Hall, M. P., moving the adoption of the report, spoke of the splendid results attained through the efforts of the Tourist Association. What had been done for California resorts, which few years ago were comparatively unknown, and which attracted from all parts of the world, was being done for Victoria. This city was becoming better known, and it was important that the work of the association should receive the support it deserved. Some had expressed the opinion that because the C. P. R. had become interested here more advertising was unnecessary, and that railroad would undertake it. This was not a good argument. The fact that the C. P. R. had been induced to display a substantial interest in the city demonstrated what might be expected if the Tourist Association work were continued. It was not the time to let such an important undertaking go under. He hoped all citizens would assist in every way to make the work even more successful than had been the case during the three years since its organization.	

Seconding the report's adoption, Lieut.-Col. Prior emphasized the importance of the past year's work of the Tourist Association and the energy shown by Secretary Cuthbert, who was, he remarked, "the right man in the right place." Victoria was now at the parting of the ways, he considered, and the citizens should show progressive action in the matter, they could do by extending to the Tourist Association financial support.

After referring to the importance of the fact that the C. P. R. was building an immense hotel here, the speaker mentioned the advantages to be derived by securing railway facilities. He suggested that Victoria business men meet for the purpose of endeavoring to induce the C. P. R. to build a hotel here, if not its terminus, one of its terminals. (Applause.) He was not in a position to say what proposition could be agreed upon. As a large property holder, he would be willing to give half of his possessions for the attainment of such a result. (Cheers.) He deplored the comparatively small attendance, and thought that Victoria citizens should show more interest in matters that so closely affected their welfare.

Lieut.-Col. Prior also expressed the opinion, in discussing the Tourist Association's finances, that the burden should fall upon the citizens in general. Generally it was a few Government contractors who had to support the institution. Everyone interested in Victoria should contribute something, even if it was only a few cents or half a dollar. Victoria's prosperity meant the prosperity of its residents, and, therefore, everyone should co-operate in supporting an association whose efforts had done, and would do, so much for the city. (Applause.)

The report was adopted unanimously. Beaumont Boggs made a brief address. He mentioned that, as one interested in real estate, he was in a position to state that the Tourist Association had achieved wonderful results. W. G. Cameron, M. P., in moving a vote of thanks to the Tourist Association's executive, declared that it was possible to overlook the benefits derived from the society's efforts. It was most gratifying that such splendid results had been achieved in 1904 without over-expenditure. Something like \$6,000 had been judiciously expended in this matter. It was a satisfaction to know that the engraving and printing used in preparing pamphlets and booklets were turned out by local firms in as perfect a manner as could be desired. (Hear, hear.) Mr. Cameron concluded with a brief reference to the exhaustive character of the report.

D. R. Ker seconded the motion in a brief address. He commented on the energy of members of the executive and the results of the work. After the resolution had been carried Lieut. Worship Mayor Barnard responded appropriately. He referred to the association's finances. In this connection he announced that it was proposed to bring the question of the advisability of making the association a civic institution before the city council at an early date. His suggestion was that the corporation either take over its financing entirely, or guarantee an annual appropriation. (Applause.) On this account he advised that the election of a new member to the association's executive, he complimented Secretary Cuthbert on his energy, remarking that it would be impossible to secure a more efficient enterprising man for that position. (Applause.) The meeting then adjourned.

### YENTAL MINES.

Japanese Are Preparing to Re-Open Them For Production of Coal. Japan is about to open up the coal mines at Yental, says Capt. O. C. Cullen. The product of these mines is superior in quality to the coal found on the Japanese Islands, and with the resuming of work there Japan will have an auxiliary supply. At the same time Capt. Cullen thinks that a good trade could be done between Japan and Vancouver Island in this commodity. The Yental mines in Manchuria were flooded by the Russians at the time they vacated that part of the country. Japan will pump the mines out and begin operations anew. Before Capt. Cullen left Tokio he said he met a group of mining engineers who were going to Manchuria to take charge of the work. One of them was a Scotchman, and it is expected that within a very short time the shipping of coal will be resumed.

SALT RHEUM, TETTER, ECZEMA.—These distressing skin diseases relieved by one application. Dr. Agnew's Ointment is a potent cure for eruptions of the skin. Jas. Gaston, Wilkesbarre, says: "For nine years I was afflicted with Tetter on my hands. Dr. Agnew's Ointment cured it." 25 cents.—Dr.

# THE AMERICANS ARE RESPONSIBLE

## FISH COMMISSIONER DESCRIBES SITUATION

### J. P. Babcock Sounds Note of Warning—Marked Decrease in Output of the Hatcheries.

In view of the vital importance of the fishery question the following which appeared in the seventh annual fish and fruit review of the San Francisco Trade Journal, contributed by J. P. Babcock, provincial fishery commissioner, will make interesting reading:

In my opinion the salmon fishery of the Fraser River district, in what is termed the off years, is peculiarly near extermination. Unless the sockeye salmon (O. nerka) is given greater protection on the fishing grounds in the poor years than they now receive, such protection as will insure a fair proportion of them to reach the spawning grounds each year, the annual run will continue to decrease, and the catch and pack in the district will no longer be important in the total pack of the coast. It is so generally known that heretofore the sockeye ran in the Fraser in vast numbers every fourth year, and that in the three following years they ran less abundantly, that the former year is locally termed "the big year," and the latter "the off years," or "the poor years." I mention this fact to define my use of the terms "big years," and "off years."

In speaking of the Fraser River district it will be understood that I include all the waters in which the sockeye sockeye the Fraser river proper are captured. In other words, the term designates the fishery district on both sides of the international line. Puget Sound in the state of Washington and British Columbia, the Strait of Juan de Fuca, the Gulf of Georgia and the Fraser river in British Columbia. The sockeye taken in these waters come from the Pacific seeking the spawning grounds of the Fraser river watershed. Only a small proportion of the sockeye which enter the Strait of Juan de Fuca ascend the Skagit river in Washington, and none enter any other river in that state which is tributary to the Pacific. Even the few which enter the Skagit river enter it independently and come earlier than the schools which enter the Fraser. It would be more accurate to say that a great proportion of the sockeye which seek to enter the Fraser from the sea are captured before they reach the fresh waters of the river. My personal observations for the last three years justify the statement.

During each of the past three years I have carefully studied the fishing seasons, and the methods in vogue for catching salmon in the Fraser River district, and the results of the same. In the four years last past I have carefully inspected all sections of the Fraser river and its tributaries during the spawning season. My study of both the fishing and the spawning seasons has been thorough and extensive. In the American waters of the Fraser River district there are no restrictions placed on the capture of sockeye. The season is open from the first of June to the first of September. The waters of the river are under the jurisdiction of the state of Washington, and through which the great majority of the sockeye pass in the annual migration to the Fraser river watershed. The waters of the river are filled with stationary traps and every other known contrivance by which salmon may be taken. Without interruption, throughout the entire season, the most complete and complete devices are used to capture the migrating salmon. No thought of the morrow is evinced by their methods.

In British waters on the contrary, the trap for the sockeye has been limited to use of gill nets. Last season, however, two traps were constructed on the south shore of Vancouver Island. Fishing has not been permitted until July 1st, a 36-hour weekly closed season is enforced during which no fishing is permitted, and sockeye fishing entirely prohibited from August 25th to September 15th. In the fall of 1901 (my first season on the Fraser) the election of a new member to the association's executive, he complimented Secretary Cuthbert on his energy, remarking that it would be impossible to secure a more efficient enterprising man for that position. (Applause.) The meeting then adjourned.

In 1901 there were two hatcheries on the Fraser watershed that had a combined capacity for hatching of 20,000,000 eggs, and they were easily filled that year. In 1902 these two hatcheries could not be filled, and less than 12,000,000 of fry were liberated. In 1903 an additional hatchery, with an egg capacity of 40,000,000, was established on the Fraser, and notwithstanding intelligent management the total collection of eggs at all three hatcheries was less than 15,000,000. A large hatchery was constructed in 1904, and notwithstanding the strenuous efforts made to increase the number of egg-collecting stations the harvest of sockeye eggs this year was less than that of last year by several millions.

This brief review of the conditions existing on the fishing grounds and the spawning beds of the Fraser River district discloses plainly that the Canadian authorities by providing ample hatcheries on the spawning grounds, and regulations for the protection of the salmon while in their fishing waters, have fully performed their duty. The state of Washington, on the other hand, by her failure to afford the salmon any protection while in her waters has neglected to perform her duty. She has shown the same forethought as the Canadian government, it is not at all probable that the fishermen and the canners on both sides of the international line will be able to meet those of the future, and the run in the "off years" would not be so perilous

ly near extermination; many of the largest canning companies of the province and of Washington would not have been placed in the hands of receivers, or the sales by court during the year 1904 been recorded; the catch for the years 1903 and 1904 would not have been the smallest in the history of the industry; the spawning beds of the Fraser would not have been barren of breeding sockeye; and it would not have to be said that the present condition of the salmon fishery of the Fraser river foreshadows extermination.

If the present fishing seasons and the excessive fishing in the Fraser River district shall continue the run will be so diminished in the near future as to drive the fishermen from the river; render the canneries valueless; and the Fraser, formerly one of the greatest—if not the greatest—sockeye salmon river in the world, a thing of the past.

### INCORPORATION OF A CANNING COMPANY

#### Notice Appeared in Last Week's Gazette—Several Appointments and Other Announcements.

Last week's B. C. Gazette contained the announcement of the incorporation of the Capital City Canning & Packing Company, with a capital of \$150,000, divided into 6,000 preference shares of \$10 each and 9,000 ordinary shares of \$10 each. The following are the objects for which the company has been incorporated: (a) To purchase, acquire and take over and to own, hold, control, manage and operate and to sell or lease the fishing locations and fishery leases following, that is to say:

1. The fishing location at eastern end of Tumbo Island, British Columbia, known as the Thomson Walker fishing location.
2. Foreshore lease of that piece or tract of land, situate, lying, and being in Outer district, British Columbia, and being and comprising and being more particularly known and described as that part of the foreshore and tidal land fronting on part of section eight, Outer district, aforesaid, Strait of Juan de Fuca, marked at each end by a post numbered 89.
3. Foreshore lease of that piece or tract of land situate, lying, and being in Inner district, British Columbia, and being and comprising and being more particularly known and described as that part of the foreshore and tidal land fronting on section seven and eight, aforesaid, aforesaid, Strait of Juan de Fuca, marked at each end by a post numbered 90.

The Gazette also contained the following appointments:

- 1. Gilbert R. Northey, of Camborne, and Michael J. Donovan, of Arsoehed, to be Justices of the peace within and for the province of British Columbia.
- Clive Phillips-Wooley, of Pier Island, to be a Justice of the peace within and for the province of British Columbia.
- David William Howlands, of Ashcroft, to be a notary public within and for the province of British Columbia.
- Theodore J. Wadman, of Revelstoke, to be a commissioner for filing affidavits in the Supreme court, for the purpose of acting under the Provincial Elections Act in the Revelstoke electoral district.
- The Gazette contained formal notification of the re-appointing of the appointment of Hon. P. J. Falton as acting attorney-general.
- The Skylark Development Co., Ltd., has been incorporated with a capital of \$250,000.
- Two associations have been incorporated under the provisions of the "Beneficial Societies Act." One is the Vancouver Lodge, No. 3, K. of P., Vancouver, and the other the Yukon Club.

### WIRELESS TELEGRAPHY.

Victoria Will Shortly Be in Communication With Seattle, Also With the South. A. L. New, general manager of the Pacific Wireless Telegraphy Company, was in the city Thursday. The company has just established a service between Seattle and Port Townsend, and Mr. New is here to look after the completion of the Victoria connection. As is well known a room in the Dryden hotel has been secured for a city office, but in addition it has been considerable advisable to erect the main in a different part of the city. A site on the Douglas estate has been selected for the purpose, and in the course of a month, says Mr. New, if the weather is at all favorable, the station here should be complete and working.

"We will give the press and the public a chance to thoroughly test the accuracy and capability of our service on the first day or so of its inauguration, and Victoria will then see for themselves just what we propose giving them," continued Mr. New. "We have come here, and have spent our money without asking a bonus or grant of any kind, and, I think, will be perfectly safe in saying that within a year the city will have telegraphic communication with points as far south as San Pedro, or the Mexican boundary. We have been doing business in California for some time, and it is our intention to shortly connect the service in the north with the service in the south."

The new mast will be 200 feet high. There will be three sections to it, and, as it will be placed in solid rock, the task of putting it up will be no light one. The undertaking calls for practical knowledge. For that reason, E. T. Briggs, one of the company's special representatives in such work, is here to carry out the project, he having arrived with Mr. New.

Asked if his company proposed establishing a station at Cape Beale, Mr. New said that as yet they have had no definite proposition before them, but he thought it very probable that the company would build either at Cape Beale or at some point to the south of Cape Flattery. Mr. New said his company was not yet prepared to discuss rates. He proposed that other directors were opposed to pre-empting a rate war. However, this consideration a question that will receive consideration later on.

Pittsburg, Pa., Jan. 20.—Fire to-day destroyed the New Mount Washington Methodist Episcopal church, entailing a loss of \$60,000.

# THE Tyee Copper Co., Ltd.

## Purchasers and Smelters of Copper, Gold and Silver Ores.

### Smelting Works at LADYSMITH, VANCOUVER ISLAND, B. C.

Convenient to E. & N Ry or the sea.

CLERMONT LIVINGSTON, THOS. KIDDIE

General Manager Smelter Manager.



### Hot Water Bottles

An importation of Water Bottles, made from soft, pliable, new rubber. They are fast goods and will give you complete satisfaction. All sizes, all prices.

Our Line of Fountain Syringes is Complete. We have all kinds, styles and prices. See the Syphon Douche Syringe.

### CYRUS H. BOWES,

CHEMIST, 98 Government Street, Near Yates Street.

### XMAS CAKES

- Currants, 3 pounds for 25c
- Raisins, 3 pounds for 25c
- Peel, 2 pounds for 25c

### MINCE MEAT

Ciders, Boiled and Fresh Spices and Nice Mincing Apples. Extra Choice Apples, \$1.00 a Box.

### Mowat's Grocery, 77 Yates Street.

Free Silverware With Every Sale

### HOSPITAL DIRECTORS

Met in Regular Monthly Session Thursday Evening—Business Transacted.

The hospital board held its regular monthly meeting Thursday night at the Board of Trade rooms. Among the communications was one from L. Blackler, secretary to Commodore Goodrich, asking at what terms were the directors prepared to receive naval patients. The secretary was authorized to inform the Commodore that naval officers would be admitted on the same terms as army officers, and that men would be received at \$7 in wards. The cost of removing patients from Esquimaux will be ascertained.

Geo. Coldwell, president of the Trades and Labor Council, communicated that body's satisfaction at the manner in which the directors reported the error regarding the room furnished for the committee. The minutes reported the receipt of the following donations for the month: Mrs. B. W. Pearce, evergreens; Mrs. Dunsmuir, evergreens; Miss Gleason, 2 bottles wine; Miss E. Davies, cut flowers and magazines; Miss Wollaston, cut flowers; King's Daughters, vases, glasses and feeding cups.

The resident medical officer reported the total number of cases treated during the month as 138; total number of patients admitted, 89; total number of free patients, 78; days' stay, 1,989; daily average, 62.17.

The steward reported the following donations: Times and Colonist, advertisements for Xmas donations; Weller Bros., 100 lbs. of groceries; A. Bell, 4 dozen naval oranges; 1 box Japanese oranges; W. A. Burt, 1 box apples, 5 lbs. jam; the Victoria Phoenix Brewing Co., 2 dozen lager beer; Mrs. R. P. Finlayson, 25 lbs. roast beef; Ladies' Auxiliary, 1 box naval oranges, 1 box raisins, 3 lbs. raisins, 2 lbs. figs, 1 lb. candied, 1 large fruit cake, 75 lbs. turkey; Mr. Chaugreans, 12 lbs. goose; L. Goodacre, 15 lbs. turkey; Mrs. Rocks Robertson, 4 dozen naval oranges; J. D. McNeil, M. P., 10 lbs. turkey; Mrs. E. M. Rogers, 10 lbs. turkey, 2 boxes Japanese oranges; Brown & Cooper, 15 lbs. turkey; H. D. Helmcken, 8 lbs. goose; Mrs. J. W. Troup, 1 box Japanese oranges; Bell & Co., 5 lbs. table raisins, 10 lbs. figs; E. Ives, 1 box pears, 1 box apples; Mr. Tolmie, 1 box apples; Hall & Co., 1 sack gran. sugar, 23 lbs. turkey; A. Friend, 2 bottles port wine; W. J. Savory, jar of elder; R. S. Day, 12 lbs. goose; D. W. Hanbury, 1 fruit cake; Mr. Russell, 200 tulip bulbs; Fallow & Johnson, 2 bulbs.

The finance committee reported the approval for payment of accounts for December amounting to \$2,144.48, as well as salaries for the month totalling \$907.

The resident medical officer reported that the hospital had been presented with two ambulatory wheel chairs from the Daughters of Pitty, which had proved of great service to convalescent patients. The society was heartily thanked for this gift. There were present at the meeting: R. S. Day, president; H. D. Helmcken, R. E. Brett, Thos. Shoobert, E. A. Lewis, Henry Rivers, F. T. James and Wm. Humphreys.

### A BOON TO CHILDREN.

A medicine that will keep infants and young children plump, good natured, with a clear eye and a rosy skin, is a boon not only to mothers, but to humanity. Such a medicine is Baby's Own Tablets, which promptly cure all the minor ailments of little ones, and make out eat, play well and sleep well. You can safely take the words of the thousands of mothers who have proved the value of these Tablets; for instance, Mrs. J. R. Standon, Weyburn, N.W.T., says: "I have proved the great value of Baby's Own Tablets in cases of diarrhoea, and I would not be without them." The Tablets are equally good for the tenderest little baby or the well grown child, and they are guaranteed free from opium and harmless. Sold by all druggists, or sent by mail at 25 cents a box, by writing The Dr. Williams Medicine Co., Brockville, Ont.

### Land Registry Act.

In the Matter of an Application for a Duplicate Certificate of Title to Sub-Division No. 10 of Lot 121 A, Victoria City.

Notice is hereby given that it is my intention at the expiration of one month from the first publication hereof to issue a duplicate of the Certificate of Title to the above land, issued to Ellen Carroll on the 15th day of May, 1897, and numbered 123.

S. Y. WOOLTON, Registrar-General.

Land Registry Office, Victoria, B. C., 15th day of December, A. D., 1904.

### G. R. LAWRENCE.

Please take notice that should you fail to meet your portion of expenditure for assessment work for year ending Sept. 11th, 1904, on mineral claims Cascade and Forest, Lake into Esquimaux River, Comox District, north-west corner two (2) chains west of this point, thence twenty (20) chains south, thence twenty (20) chains east, thence twenty (20) chains north, and thence back to northwest corner.

WARBURTON PIKE, Deane Lake, Cassiar, B.C., Oct. 2nd, 1904.

Notice is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for leave to purchase forty (40) acres of land situate in Esquimaux River, Comox District, opposite Porter's Landing, and about one (1) mile south of the outlet of the said lake into Esquimaux River, containing about north-west corner two