

conductor does his work correctly, legally liable to the payment of an extra fare?

This is a mixed question, or rather a question calling for a mixed answer. Of course the employee of the street car company is compelled to obey orders and he would not do so if he permitted any one to ride without payment or a proper transfer check. Is the check does not call for a ride on the part of the system on which the conductor runs but does call for a ride on some other part of the same system, he would still be in error if he received it, because he is not supposed to know anything about the business of another conductor's division. Undoubtedly he must collect a fare under the circumstances named.

On the other hand, when a person pays a fare and obtains a check authorizing him to complete his journey over some other division than the one on which the payment is made, he thereby contracts with the company, not with the agent, to be delivered at his destination or as nearly there as the route traveled can take him, and this contract is as binding on every other employee within the purview of the contract as on the one through whose direct action the contract was made; and to repudiate it and enforce the payment of another fare is a violation of that contract for which the company is undoubtedly liable. Notwithstanding the notice posted up in each car requesting passengers to examine their transfer checks, they are not legally required to know whether the agent does his work properly or not; in fact, in such cases there are but few that can determine even by study just what a perforated transfer does call for, but all have a general knowledge and act upon it; nor is the passenger to be subjected to injury or annoyance because of the agent's mistake. We think the law would say the passenger is entitled to recover his second payment (with "interest") and without being subjected to trouble or expense in getting it; and if through not having the money with him or not caring to pay double or from any other cause he does not make the second payment and is ejected from the car therefor, he can collect damages from the company. Their only redress is against the author of the trouble; it is to their interest to have only capable, careful and obliging men in their employ. This is probably the strictly legal aspect of the question. Still, we are inclined to think the cause of these mistakes lies more frequently at the door of the passenger, who through indistinctness of utterance or probably through ignorance, does not ask for what he wants, than at the door of the conductor. The latter can have no object in deliberately giving a wrong transfer; and a person who can not himself see to it that his check is punched to his satisfaction would do much better to pay the extra fare than try to make a "scene" over it.

THE CHIEF reason for the failure of the Sunday opening of the World's Fair appears to be the persistence with which its expected patrons practiced the Sunday closing of their pocket-books.

### OUR BONE OF CONTENTION.

The international hearing agent our little dispute with Great Britain over the seal fisheries of Alaska is ended and we may look for an award from the arbitrators within a reasonable time. While both sides have been conducted with marked ability and persistence, it seems to be stating no more than the circumstances warrant when we say that the Americans have made out the stronger showing. Not only this, but their work against the subtleties, shrewdness and masterful presentation of the English is something in which we may take justifiable pride. Our people never engaged in so "long distance" a contest before, that is, one so long in which there was no relief in the way of examining witnesses, interjecting pleas and the other incidents of a trial in court; it was a straight talking match from start to finish, and it would have been a reflection upon us and perhaps have prejudiced our cause had the American been slower, less continuous, less argumentative or less elaborate of speech than his English opponent. We came off with flying colors.

Now that this has been attended to, perhaps it is time that we familiarized ourselves somewhat with the bone of contention. How many know where the seals mostly hibernate, how numerous they are, how they are taken, the geographical lines, and so on? Not many we think. But if the trouble had happened a generation nearer the beginning of our race there would have been war; then we would all have been posted; even down to the smallest tot in the schoolroom some idea of the ground as well as the water and the things that he ther in which have formed the subject of dispute would have been known.

Hon. Benjamin F. Tracy, secretary of the navy under President Harrison, contributed an excellent article on this subject to the May number of the *North American Review*. After showing that the islands of St. Paul and St. George in Bering sea, known as the Pribyloff islands, are a part of the Alaska purchase from Russia in 1867, he points out that these islands are the only places inhabited by the seal in the Alaskan territory. Across Bering sea, near the Siberian coast, and distant 750 miles due west from the Pribyloff islands, are the Commander islands, belonging to Russia, which are also inhabited by seals. No other seal colony of any size exists in the North Pacific. The two herds inhabiting these widely separated groups of islands never mingle with each other on land or in the water adjacent to the islands, but each herd maintains, and always has maintained its separate and distinct existence. There is no record of the killing of a seal belonging to the Commander islands upon the isles of Pribyloff. The members of the two herds are readily distinguished by their skins, that of the American seal being of finer quality and worth about 25 per cent more in the market. The difference is well established and fully recognized, although its cause has never been ascertained. But whatever the cause, it must have operated for

many generations to produce the marked difference in the animals, which is conclusive evidence of the absolute separation of the two herds, and it serves to identify members of each herd beyond possible question.

The question as to why the American seal should have selected the two remote islands spoken for its home and no others is not actually known. It delights in fog, but is unable to endure ice or sun, and thus the animals have doubtless been influenced in their choice by the fact that the islands are almost continuously enveloped in fog from May to November; that they are free from ice during the breeding season; that a large portion of their surface is covered by ledges of smooth, bare rock; and that their shores consist of gentle slopes, giving easy access from the water and making a beach on which the young can live while learning to swim.

The fur seal is a warm-blooded, highly organized animal, classified with bears, dogs, cats, and other carnivorous mammals. It can and does at times live in the water, but it is not a fish and has none of the characteristics of the fish. Among fishes it is most nearly allied to the whale, which also belongs to the family of mammals; but unlike the whale, which is begotten, born and reared in the water, and which perishes when removed from its native element, the seal is begotten, born, and reared on land, and but for its life on the land the species would become extinct. This period of land habitation lasts from six to eight months continuously. During this time the seals only visit the sea for short periods for food. Some of them do not leave the island at all, even for this purpose, and so they may be described as land animals which, however, look to the sea for their sustenance.

The seals selected for killing are generally slain in the open field with clubs, and while the slaughter is going on none of them make any effort to get away, it thus appearing that the United States could if it would destroy every seal on the islands. All of these circumstances considered together make out a pretty plain case for our side, it seems to us.

### THAT'S THE TALK!

A well known business man of this city, one who is not only able to pay all his bills as they come due but to discount them before they are due by paying spot cash, is of course the kind of a customer eastern wholesalers and manufacturers like to cultivate and deal with. During the existing depression in all commercial and trade circles he of course has been in daily receipt of testimonials of eastern esteem in the form of offers of extremely low prices on all goods for cash, inducements such as have seldom if ever been offered a western house, and such as under ordinary circumstances would be snapped up as soon as offered.

But the friend to whom we refer has some ideas of his own as to trade depression, its causes and cure, and the universal law of exchange, reciprocity and self-defense. He has accordingly