OVER A MILLION IN BULLION

Men Who Have Made Fortunes in Klondike and Minook, and Others Who Come Back Disappointed.

Steamer Garonne and Athenian Bring Many Yukoners and Their Gold.

Close on Half a Million Dollars in Possession of the Purser on the Downward Trip.

Much Dissatisfaction at the Royalty and the General Administration of the Country.

Something more than one million dollars in Klondike bullion, with perhaps double this amount in bank and commercial companies' drafts, was received here by the steamship Garonne, arriving from St. Michael direct early yesterday morning. These immense sums were distributed among 166 Upper Yukon passengers, one or two or them credited with handsome individual fortunes, but the great majority among the small stake owners of the great northland. At a fair average estimate $10,000 each represents the winnings of the company, while two mysterious unnamed passengers are credited by Captain Conradi with $300,000 a piece. As a matter of policy, and to protect the miners in question from the notoriety they seek to escape, the skipper of the Garonne declines to disclose the identity of these princely money-makers, while assuring his friends and employers that the amount he has named for them is not exaggeration. Purser Hayden carried for $480,000 worth of dust in the three steel strong rooms of the ship during the trip down, the large contributions to the deposits in the treasure-room being receipted for by him as follows:

J. Brothers, of Winnipeg, late of the N.W.M.P., and now the lucky half owner of claim 37 above on Bonanza Creek—$35,000.

R. H. Young, another Manitoban, not yet 21 years of age, whose luck came to him three days after his arrival in the Klondike country—$30,000.

Ed. Aylward, from 40-Mile, one of the old residents of the district, who has now disposed of his properties and is back in civilization to remain—with $40,000 in dust to remind him of the Yukon bars.

Patrick Regan, turned over $20,000, the amount he had received for a quarter interest in No. 33 El Dorado.

G. H. Church, another old-timer in the Arctic regions, and owner of an excellent El Dorado claim—$15,000.

W. Buckingham and G. E. Elliott, heavy holders of Minook Creek properties—from which they bring $15,000 and $10,000 respectively.

THE LUCKY MINERS.

Complete List of the Returned Klondikers, Among Whom the Garonne's Treasure is Distributed.

The complete list of returning miners, concerning whom it is impossible to further particularize is made up as follows:

J. F. McClellan.	J. T. Fair.
C. M. Cleveland.	R. H. Young.
W. B. Moseby.	H. P. Peterson.
C. W. Bonser.	E. Aylward and wife
H. R. Frey and wife.	Mrs. Livingston.
D. Nichols.	W. D. Latimer.
H. F. Patton.	Dr. McGuire.
W. H. Post.	E. E. Trempe.
F. O. Boylan.	M. F. Thompson.
V. Talbot.	T. R. Lane.
R. L. Cowan.	W. H. Millman.
A. H. Willock.	J. McBride.
M. Stringer.	A. McKinnon.
J. Currie.	J. D. Windell.
M. Orton.	S. Keating.
O. P. Helm.	W. C. Jackson.
A. McDowell.	W. G. Norris.
F. Able.	N. Quirk.
J. Brothers.	P. Regan.
G. W. Randolph.	W. A. Welch.
W. B. Williams.	R. E. Norton.
J. Stark.	G. Coleman.
W. Buckingham.	G. E. Elliott.
W. Taylor.	P. Buckley.
J. M. Gibson.	J. H. Cardon.
C. H. Gale.	M. Roy.
D. P. Smith.	A. E. Cushman.
D. Becker.	C. W. Markham.
J. D. McLellan.	W. E. Stingle.
W. S. C. Kelleher.	I. C. Hill.
G. H. Church.	J. H. Myers.
Dr. O. Myers.	W. E. Reaves.
W. F. Kensley.	A. E. Seymour.
C. H. Mosley.	Dr. G. H. Bailey.
R. F. Smith.	J. Mackay.
A. Bisatorions.	H. Adams.
H. Cleveland.	W. A. G. Place.
J. Bullard.	E. E. Gattensberry.
W. Finder.	A. Oppenheimer.
H. Gold.	E. Fitzgerald.
J. F. Linquier.	J. J. Wheeler.
F. G. Harriman.	J. Casey.
A. H. Homan.	I. R. Brown.
D. Harris.	J. E. Fabre.
S. Johnson.	C. Hermanson.
D. White.	H. E. Dunham.
J. A. Bowen.	C. G. Copeland.
C. C. Douglas	H. H. Brewer.
William Gillespie.	E. F. Beck.
William McIntyre.	T. J. Smith.
Mrs. Wigg.	M. Deverain.
J. C. Farrell.	O. G. Holmes.
S. Laughlin.	H. Jungk.
F. Elliott.	J. P. Crocker.
L. E. McGargill.	H. P. Capron.
W. M. Halsh.	J. S. Gileman.
O. B. Gentry.	M. Maxwell.
Charles A. Fahrma.	John Cormidy.
A. Anderson.	L. D. Champlain.
J. Bilas.	N. G. Cox.
R. L. Rutherford.	P. F. Burns.
A. G. Morse.	C. Hanson.
W. H. Britt.	H. B. Mullen.
E. G. Smith.	A. Stewart.
T. C. Davis.	L. W. Bucher.
F. Heath.	F. Miller.
T. Logan.	W. Humphrey.
H. J. Libray.	E. G. Heathcotte.
M. W. Heacock.	E. Mandonette.
T. Larson.	H. Feld.
J. Oberti.	F. A. Gilmore.
J. Feroghea.	M. Robertson.
R. T. Lathrop.	J. Parke.
J. Horan.	W. J. Norris.
J. London.	J. Adams.
H. Tyler.	J. Springer.
Geo. S. Steizelmutter.	J. N. Thorp.
T. Christinnson.	J. M. Gillespie.
E. A. Williams.	George Ratnsberry.
H. Huddeston.	J. Lysett.
E. Horan.	J. Norstrom.
O. Brown.	

GUARDING THE GOLD.

How the Winners of Wealth Kept Watch of Their Fortunes on the Homeward Voyage.

While half a million, roughly, of the dust and nuggets belonging to these gentlemen was cared for in the ship's safes, the great majority of the miners preferred to keep their fortunes under their own eyes, one party of three, with something over $50,000 among them, setting a conspicuous example by mounting guard over their treasure in eight-hour watches, and never once leaving their gold from the time they brought it on board the ship in St. Michael.

Mr. Young and his partner from Manitoba had one hooped and ironed box, which they delivered to Purser Hayden, receiving his deposit receipt for 141 pounds (avoirdupois) of gold.

Oppenheimer, a Spokane man, showed one nugget weighing $216, and had the greater part of his wealth in such tantalizing lumps of metal.

Buckingham and Elliott showed as fine gold as has ever came from the Northland, their claims being among the four profit earners of the Minook, which district they say washed up about $150,000 this season, or about thirty per cent. better than they had anticipated.

Capt. Williams, a well-known Wall street broker and member of the N. Y. Yacht club, had made $100,000 clear in speculations in association with a party of eight.

J. Brothers, the ex-policeman, is quoted as worth $350,000, of which he brought $35,000 with him, while many others have done almost equally well if they would but acknowledge it.

All these arrivals from the North deplore the vexatious regulations, which they delcare have greatly restricted the output, and done much toward forcing the prospectors over on the American fine—where, although the ground is less rich, the mining regulations are, infinitely less vexatious. It is hoped that desired changes will come so soon as "Klondike Ogilvie" takes command of the district—the miners have the greatest confidence in his tact and fairness, and the news of his appointment in succession to Major Walsh—received just before the May West sailed from Dawson—was hailed with unbounded enthusiasm.

Another complaint that the people of the North have is that Judge Wood, who went up on the Humboldt in August last, is holding the five tons of mail in his care at Dutch Harbor, claiming that he is not permitted to transfer it to any other forwarder. The result is that those who have come down the river to purchase supplies are unable to get the letters of credit and similar papers awaiting them in the mail, and are helplessly stranded, with their business at a standstill in consequence.

Ex-Governor McGraw, of Washington, furnishes an example, he having come down from Rampart City to buy stores and lost some $50,000 through the holding of his mail destroying the bond on several valuable properties.

OTHER PASSENGERS.

Men Who Brought Large and Small Fortunes and Some With No Fortune At All.

Mr. W. G. N. Place, of Seattle, who spent the winter in Dawson, was in the N. A. T. & T. company's store just before the river steamer left Dawson and he says he saw a pile of gold in sacks, as high as a table covering the surface of the floor for several square feet.

After working on a lay on Bonanza for two years Mr. J. M. Thorp, of Tacoma, returned with considerably more than he would have earned in that time working with a pick and shovel anywhere else, but how much he declines to say. Few of the lays on Bonanza, he says, were profitable, while on El Dorado most of the mines are worked by the owners.

Jeff Heath, a ventriloquist and all round show man, who, prior to going North filled an engagement in Victoria, made a very brief visit in the metropolis of the golden North. In going into the interior he built a boat at Bennett in which he voyaged down to Dawson, giving an occasional performance en route and in this way paying the expenses of his trip. When he arrived at Dawson, he was disappointed. He found there no field for his business, and so building a second boat he started down the Yukon, making the trip to within a short distance of the mouth in eighteen days. Here he joined a tenderfoot party with whom he came down on the Garonne, the party being not venturesome enough to continue their voyage on the river without his assistance, owing to the roughness of the water.

MINOOK CREEK DISTRICT.

Some of the Gold Dust Came From the Camp on the Lower Yukon.

There were some twenty men from the Minook Creek district, among the passengers on the Garonne, some of whom had very fair stakes. But the district has not proved an immense success, there being but four claims that produced anything to speak of. The whole output is estimated at $150,000, at least that is the amount mentioned by Mr. William Buckingham, of Chicago, who spent the winter prospecting in the district. He says that there are a few claims that will produce from $30,000 to $40,000 a year, and next year more may be added to the list as very little prospecting has yet been done, although the best part of the country has been staked off. About 400 men spent the winter there, sixty working on Little Minook, where the richest ground was struck.

Claims 6, 7, 8 and 9 above discovery on this creek, are by far the best and it was out of them that the greatest portion of the $150,000 was taken. No. 6 belongs to Messrs. Langford & Johnson; 7 to John Stevens; 8 was staked by John Sally, who digging a shaft and finding some large nuggets sold out to Ex-Governor McGraw, of Washington. Carr and Bill Joyce for $11,000; and 9 was originally owned by William McLean, who sold for $12,000 to Capt. Mayo, Frank Hawley and Archie Mitchell.

An eight-ounce nugget was found on No. 9. Pres. Ireland's claim, No 10, is also fairly good, while 12 will probably turn out well. On the latter claim two men sank a shaft and took out considerable dirt which they abandoned before the wash-up. Two other men, Messrs. Johnson & Baxter, came along and took up the claim. The first afternoon they took $240 out of the dump.

A number of men who were working on lays made from three to six thousand dollars for their season's work. There are fair prospects on Hunker, Hoosier, Russian, Quail and Grouse creeks. Between Little Minook and Hunter creek an old river channel was discovered and named Idaho bar. It was discovered just before the thaw set in and $2 to the pan was taken out but the rush of water soon put a stop to work.

AN OLD MINER'S OPINION.

Mr. G. H. Church, an Old British Columbia Prospector, Among the Garonne Passengers.

A typical old miner stood leaning over the railing of the Garonne as she pulled into the wharf, and remarked to his companions: "This town has grown since I saw it first."

The speaker was Mr. G. H. Church, who will be remembered by many of the old Cariboo and Cassiar miners now resident in Victoria. Mr. Church is one of that adventurous body of men, who commencing mining in California in '49, followed the various rushes until they got within the Arctic circle and discovered the richer placer diggings of Alaska and the Canadian Yukon.

He first made his acquaintance with British Columbia mines in Cariboo in 1860. There he remained for fourteen years, when he went to Cassiar. Twenty years were spent there, and then working still further North Mr. Church struck into the Yukon country. A man who had the patience and perseverance to stick to mining all those years, certainly deserves to make a fortune, but luckily as a rule these old miners do not make the big stakes. However, Mr. Church has a fairly heavy bag with him, about $5,000 and he has drafts for another $10,000 which was sent down on the St. Paul. This is the result of four years' work, most of the time as foreman of one of the big mines on El Dorado creek. He is therefore better able than many to judge of the output of Klondike and he says $10,000,000 is an outside estimate. The shortage of water he says, did not tend to decrease the output but made it necessary to continue the work of washing up longer than usual.

This increased the cost to the mine owner and on the other hand gave the laborers more work. The clean-up was pretty well completed when Mr. Church left Dawson. El Dorado creek turned out as expected, and some parts of upper Bonanza were also satisfactory, but lower Bonanza was a great disappointment.

The new creeks are being boomed considerably, "but," remarked Mr. Church, "it seems peculiar to me that the claim owners on these new creeks do not do more prospecting. There are certainly good spots in Dominion, Sulphur, Hunker and other creeks, but they are only spotted. The claim owners seem to be afraid to sink, preferring to sell."

The prospects of many of the men in Dawson are not of the brightest. According to Mr. Church there is considerable fever and scurvy among the men and others are simply worn out by the hardships they have gone through. Now that mining is over for the season there are 20,000 idle men in the city, some with money to come out; others with a few months' provisions, which they will have to sell; and still others who neither provisions nor money. They will have to wait until winter sets in to get work.

Mr. Church will not return to the Klondike, his health not permitting, and therefore his opinion as to the Dominion mining regulations and the need of amendments to them, can be taken as an unselfish verdict. If the excessive royalty is not done away with, he says, some of the men now ranked as millionaires will be ruined. They have bought claims on time and having to pay the royalty makes it unprofitable to work them. Therefore they will have to allow the claims to revert to the original owners and lose what they paid on them.

Big Alex. McDonald is one example of this. He has been buying everything he could lay his hands on and now finds that on account of the royalty he can only work the best claims at a profit. A claim has to produce better than $20 a day to be profitable. Many of the claims have not been worked on this account. Just before Mr. Church left Dawson, McDonald told him that unless the royalty was abolished he would be ruined.

While not belittling the richness of Klondike, Mr. Church says he saw richer spots in Cariboo than he has yet seen in the Yukon country.

DENOUNCES THE ROYALTIES.

A Spokane Man Says the Present Regulations Will Kill Dawson.

Arthur Oppenheimer, of Spokane, left Dawson on June 26 by the Bella for St. Michael and on the way down says he saw the steamer Hamilton, another river steamer, which had started before them, aground on a sand bar. However, after a delay of 36 hours the Hamilton got off again and reached St. Michael safely. Though there had not been many serious mishaps on the Yukon taking into consideration the great number of small boats taking miners out from Dawson, there was an occasional upset. Mr. Oppenheimer heard of one instance where three men were upset in a small boat and the $16,000 in gold dust they had with them was lost.

Mr. Oppenheimer, like every miner spoken to, expresses himself very strongly against the mining royalty, as altogether too high, and if continued likely to make Dawson "as dead as a doornail." Another complaint the miners had was the leasing out of the water front at Dawson to one individual, which gave him a monopoly at the expense of the people of the district. As Mr. Oppenheimer put it, the whole thing up there as far as the government goes, "seems to be a straight graft, to gobble everything."

The whole output of the Klondike for the year, Mr. Oppenheimer puts at $10,000,000. Many claims, however, are not working because of the royalty, and this is retarding the output. However, there will be a very largely increased area prospected this year, though the number of disappointed gold seekers will be large, and owing to the unwillingness of mine owners to operate while the present high royalties are in force, the chance of people getting work is much restricted and will produce great hardships to many who have gone into the Klondike but ill prepared with funds.

Another man who is down on the royalty is W. F. Thompson, who owns properties on both Bonanza and Hunker Creeks and is now on his way to San Francisco and Los Angeles, but intends to return soon. He was one of the last party to get down to St. Michael before the Garonne sailed, as he left Dawson on June 30 by the Seattle No. 1. He calculated roughly that the amount of gold brought out by way of St. Michael so far is five million dollars, distributed among the Bella, Weare, Hamilton and May West.

SHIPING AT ST. MICHAEL.

Nordenskjolde and Her Consorts Not Yet Arrived—Manauense and Danube at the River Mouth.

The Garonne made a quick and pleasant trip down, but ten days being occupied, and the passengers being treated with such consideration throughout that the testimonial of thanks to Capt. Conradi and his officers was in this case no empty compliment, but an expression of sincere appreciation. The Garonne when she left this city for the North on June 23 last, had 121 passengers, including quite a number of Victorians. On arrival at St. Michael it was found that the river boat Robert Kerr, operated in conjunction, was not in port; and after several days' delay, no news being forthcoming of the missing auxiliary boat, the officers of the Garonne, representing their company and being anxious to do all in their power to assist the passengers, chartered the new river boat Rock Island and transferred all the Klondikers with their freight to this craft.

The party of Londoners who had with them on the Garonne the sectional river steamer Research, were safely debarked at St. Michael, and although at the time the big steamer left port the Research had not placed her wheel, Capt. Conradi believes she will be able to get up the Yukon with but little difficulty; although those who have just come down the river assert that the Londoners will not be able to get past Fort Yukon without landing and caching a portion of their freight there.

All the company's cargo taken north by the Garonne was brought back undisturbed, the Kerr not being on hand to receive it as anticipated, nor any resident representative of the company being found at St. Michael in whose charge it could with safety be left.

When the Garonne left St. Michael on July the river boats Muckaluck (Seattle No. 1), May West and Bella had recently arrived—besides many prospectors, who had rowed and drifted down the hundred of miles from the Klondike—and the C.P.N. steamer Danube was preparing to follow down, with the expectation to arriving home by August 10.

The Empire Line steamer Conomaugh, with tanks, reported she had lost the river steamer she had in tow on the trip up. The J. C. Brown and the John J. Healey, of the N. A. T. & T. Co. fleet, had gone up river, while their sister boats, the Fortuna B. Weare, Dawson City, Charles H. Hamilton, Cudahy, and T. J. Power, with the new tug C. Hammel were preparing to follow.

Only the Louise of the A.C. Co. boats was then in port, the Leah, Bella, Alice and Margaret having passed up. Of the steam and sail craft from this city and Puget Sound, the following were at anchor when the Garonne turned her nose south: Steamers Nelson, Rival, Portland, Danube, Manauense, Humboldt, Albion, Grace Dollar, National City and Leville Young, barks Hayden Brown, Rufus E. Wood, Elwell, and Alexander M. Neill; brigs Henriette G. and Geneva; and schooners W. H. Talbo., J. M. Coleman, Novelty and Bangor.

Towing from Dutch Harbor to St. Michael when the Garonne weighed anchor, were: The Clara, of the N.W.T. A. M. Co., a stern wheeler with black and blue funnel and two red stripes (name not known); the Linda, towing a house barge; the T. S. Bean, with three scows; the Brixham and the Santa Maria.

TOLD BY PASSENGERS.

Short Notes of News From the Yukon—A Rival to Dawson.

Clarence Berry, whose phenomenal good fortune in the Klondike made him one of the most envied men in the district, has according to reports from Dawson lost much of his money owing to the spenthriftness of his four brothers, who are making the gold fly in great shape.

Miners who came down by the Garonne and Athenian predict that unless the mining regulations are altered, Eagle City, a new town started thirty miles across the line in Alaska, will build up at the expense of Dawson.

Rev. A. Anderson, of the Swedish Mission Society came down by the Garonne from St. Michael, where he has been working as missionary since 1889.

While nearly all the miners agree in saying that no new strikes have been made in the Yukon there is a report that a man named Minnock on Lower Bonanza took out $2,000 in one day with a rocker on a bench claim.

Frank Hurtz of Crookston, Minnesota, and at one time surveyor general of that state died on the river steamer Hamilton just as the boat got near St. Michael. The Hamilton had a tough time coming down the river. They went on a bar and her hog chain breaking the planks in her bottom spread. However, she held together and with the assistance of the Weare got to the mouth of the Yukon where the stern wheeler J. C. Barr helped her over to St. Michael.

A couple of Boston men, Messrs. Mosely and A. E. Seymour have a hard luck story to tell of their trip as members of the Woods Expedition that went up last fall on the Humboldt. They were to have been taken to Dawson but instead of that they were set ashore and had to help build the river steamer Seattle No. 1, and in her got up the river a bit and wintered 100 miles from Rampart City. This spring they made a fresh start but after passing Fort Yukon the vessel owing to an incompetent pilot piled up on the shore and was with difficulty got afloat again. She got in to further trouble then and finally a fresh pilot was secured from Dawson and the voyagers got safely up to the Golden City.

BY THE "ATHENIAN."

Another Lot of Gold Comes Out to Swell the Volume.

Six hours after the Garonne arrived from St. Michael yesterday morning, by the time the miners who came down on her had their stock of clothing renewed or got nicely settled in hotel quarters, came a second treasure ship, the C. P. R. steamer Athenian from the North. This vessel came from Skagway and Wrangel, bringing from these avenues of egress from the Yukon a second batch of those who have been searching for gold in that district. They come out from the interior on the steamers Willie Irving and Flora, nearly one hundred strong, having been only ten days on the trip from Dawson to Skagway, and having arrived at the White Horse on the 14th inst. Estimates differ as to the amount of gold brought out by both steamers but it is approximately $250,000. Two men had alone as much as they could shoulder. A third steamer of the lake fleet, the Ora, it is expected will have returned to the White Hore rapids by this time. The Willie Irving was detained by leakage in her boiler. When the Athenian left Skagway quiet prevailed, three of Soapy Smith's gang having been sent to Sitka to stand trial and the vigilance committee being still in charge of affairs. Some little interest had been created by the discovery of gold at Ketchikan and at Wrangel the most interesting item is the customs returns which have been very large during the month of May and June $39,000 having past through the collector's hands in the sixty days.

This is the last trip North for the Athenian and when she arrives at Vancouver she will be tried up with the Tartar. The trip out of the Klondikers would have been three days quicker, with close connection at the White Horse and consequently passengers will be able now to make the trip between Victoria and Dawson in twelve days. The representative gold winners among the Athenian's arrivals here are: A. Pilkley, Fred Mills, George Stuart, J. W. Donaldson, George Reynolds, Chas. Dodge, P. McGill, W. H. Armstrong, F. H. Lombard, M. M. Reinner, J. H. Klotzer, C. H. Elliott, M. McConnell, J. M. Gillespie and J. F. Hulscher. They say that on the morning they left Dawson by the up-river steamer Irving, the steamer Ellis passed down to St. Michael with 164 miners and between $700,000 and $1,000,000 in bullion. Dominion creek was contributing largely to the general total, while claims on its banks were selling at from $25,000 to $40,000. Sulphur and Indian creeks are also abundantly proving their worth, a stampede to the latter ground being in progress at the time they left the district.

TIMELY ASSISTANCE.

Captain H. R. Foot, of the steamer Willapa, does not generally act in the capacity of a pilot, but on his last trip in fro mthe coast he was practically the pilot of the Northern Pacific liner Mogul. The Willapa arrived last evening, and coming up the straits she had the company of the big trans-Pacific liner all the way. The weather was mild but very foggy and the Mogul was steering dangerously close to shore, apparently following in the tracks of the smaller vessel, which was keeping in shore in order to call at Carmanah and San Juan. Capt. Foot was watching her movements, and finally put alongside the liner and gave the skipper his proper bearings. Had it not been for this the Mogul might have been hard and fast on the rocks to-day. The Willapa had been down to Kyuquot and had loaded at Hesquiot an interesting consignment. There were ten calves in the shipment, which formed one of the very few brought to Victoria from Father Brabant's stock ranch. Twenty years ago Father Brabant placed about twenty head of well-bred cattle on his place and they have continued to increase and multiply until now there are upwards of 200 of them, all with the exception of about thirty head as wild as the beasts of the forests. In fact they themselves roam the forests and cannot be approached except unawares. The thirty head or more that are somewhat domesticated are also like hares, but are considered tame as compared with the others, because they now and again come home for food. The Willapa brings news of some important gold discoveries. One of these has been made by Messrs. Miller and Hansen and others at Kyuquot, three claims in all being located. The ledge is five feet in depth and carries some gold. A second discovery was made at Nootka by Messrs. McKinnon and Watson and is also said to be very rich. The passengers on the Willapa were Mrs. Foot and daughter, Fathers Brabant and Sobey, who are here to attend the induction of Bishop Christie next month; Messrs. J. Menzies, J. Wilkinson and A. S. Going, who have been surveying at Clayoquot; F. S. Spain, provincial constable at Clayoquot; G. W. R. Cowell, of the Victoria Metallurgical Works, who has been down to Alberni on one of his periodical visits; G. Vansitlard and B. Bonthron, mining men; Geo. Shaw, a prospector; J. Walther, G. D. Christie, J. McKenzie, and Mr. George. On the steamer's deck there arrived from Alberni two boats belonging to the wrecked stern-wheeler Marquis of Dufferin. On the trip the steamer saw none of the Victoria sealing fleet, all the schooners having apparently got started on their voyage to Behring sea.

"LOUISE" AWAY FOR WRANGEL.

Steamer Princess Louise had a big freight on leaving for Wrangel and northern British Columbia last evening. It included 50 tons of hay for the Cascа Trading Co., and considerable general freight for northern canneries. Besides this some cargo going to Wrangel for the C. P. R. Co. will be received at Vancouver where 28 head of mules will be taken on. Among her passengers is Arthur Langley, of the Canadian Development Co., who is going through to Dawson via the Stikine and Teslin lake, and is looking forward to being only fifteen days on the trip. J. Chapman, Thos. Olsen, Mrs. Briggs and children, J. M. L. Alexander and Mrs. Livingstone were other passengers on the Louise.

Three pints of liquid a day are sufficient for the average adult.

The effort to make sugar from beets dates back as far as the year 1747.

The inhabitants of Cochin, China, much prefer rotten eggs to fresh ones.

Coal is dearer in South Africa than in any other part of the world; it is cheapest in China.

It is one of the privileges of Chinese commanding officers that they may only be beaten by the hand of their general.

The working class forms 69 per cent., the middle class 28 per cent, and the upper class 3 per cent. of the population of this country.

GOLD BUG JUDGMENT.

Mr. Justice Drake Gives His Decision on an Important Mining Point.

Question as so the Establishing a Trust in a Mineral Claim.

Yesterday Mr. Justice Drake gave his judgment in the mining action of the Sunshine Limited vs. Cunningham and McGuire and the cross-action. The facts are fully set out in the judgment, which is as follows:

The company above mentioned are the owners of the "Silver Cap Mineral Claim," and a group of claims called the "Sunshine" group adjoining. Between the "Silver Cap" and the "Huron" there existed, although not known but suspected, a fraction of land untaken up on which the company had erected their buildings. The defendant McGuire was the general manager of the company's mines, and the defendant Cunningham was foreman of the mining operations. On the 12th of July, Mr. Warden, a mining engineer, engaged by the company, arrived, and according to his evidence he was instructed by McGuire to see if there was any fraction lying to the west of the "Silver Cup," and if so to have it staked out for the company. Having received these instructions he saw the other defendant Cunningham, and they went up to the place together and staked out the "Gold Bug" as a fraction. (The evidence I refer to later on.) Warden had no miner's license, and could not therefore locate the claim in his own name, and Cunningham's name was used. It appears to be the practice, though not required by the act, to place on the posts the number of the mining license of the person locating, and this apparently was one reason why Cunningham's name was used, as he had his license with him. I may here state that I give full credence to this account of the transaction in preference to that of Cunningham's. On the 15th of July, Cunningham, who had been notified that his services of foreman would not be required any longer, on that day altered the No. 2 post, and cut off the writing on Nos. 1 and 2 posts, and rewrote the particulars required by the act, and on the 21st of July he recorded the claim in his own name, and subsequently he sold half to McGuire.

A great part of the buildings of the company are on this claim, now known as the "Gold Bug," and some portion of the waste dump from the workings of the company on the "Silver Cup" have fallen on the "Gold Bug." The plaintiff company's contention is that in staking out the "Gold Bug" Cunningham did so as agent for the company, and that it was a fraud on his part to treat the claim as his own after the instructions he had received through Warden. The defendant's answer to that is section 50 of the Gold Mining Act, and the Statute of Frauds. Here the only document in writing is a letter dated August 24,1897, returning a bill of sale of this claim sent to Cunningham by Mr. Hubbard, the solicitor of the company; and in that letter he seems to admit that some negotiations were pending, about the claim, but he refused to execute the bill of sale enclosed for the present. This is not such a document as will satisfy the statute. A trust may be created without writing, but it must be manifested by some writing that there was such a trust. (Foster vs. Hale, 3 Ves: 696.) In my opinion no trust can be established from this letter. To render a writing available it must be certain in its nature and object. (Morton vs. Tewart, 2 Y. & C. 80.) Then if no trust can be proved to comply with the statute, the company contend that the defendant Cunningham is not entitled to the statute law of frauds as a shield to protect himself from the effects of his own fraudulent act. The authorities in support of such a proposition are numerous, and are collected in re Duke of Marlborough, 1894, 2. ch. 133. In Rochetoucaud vs. Boustead, 1 ch., 1897, at p. 206, Lindley, L. J., summarises the law in this way: "It is established by a series of cases that the statute of frauds does not prevent the proof of a fraud. It is a fraud on the part of a person to whom land is conveyed as a trustee, and who knows it was so conveyed, to deny the trust and claim the land himself. Consequently, notwithstanding the statute, it is competent for a person claiming land conveyed to another, to prove by parol that it was so conveyed upon trust for that claimant, and that the grantee, knowing the facts, is denying the trust and relying upon the form of conveyance and the statute "In order to keep the land himself." Applying this exposition of the principles of equity to the existing circumstances it is necessary for the plaintiffs to show that Cunningham located the claim for the company, and at their request. The evidence on this point is as follows: Warden says that in consequence of instructions from the defendant McGuire he saw Cunningham, and told him there was a possibility of the camp-site being on unstaked ground, and if so, to see it was staked out. McGuire denies this, but Exhibit "H" materially weakens this assertion, as he there suggests to McNeill that Warden should find this out. He does not say that he had so instructed Warden, but he was writing to the head manager, and if he was then unaware of Warden's action he properly drew McNeill's attention to the fraction. Cunningham when spoken to by Warden said the same should be staked out at once in case any one got an inkling of the matter, and got in ahead. They then went up the hill, and Warden took his laborer with him, and the ground was located, and Cunningham's name was put on the post as he had a miner's license. Warden candidly admits that there was not any statement made that Cunningham was merely staking for the company, beyond what he had stated at the outset, but he says the whole trend of the conversation was in that direction. Both Farrell and Dunn, directors of the company, instructed defendant McGuire to stake the fraction for the company if any mineral was found in it, and it apparently was in pursuance of these instructions that McGuire instructed Warden to get the claim taken up. Cunningham denies Warden's statement, and says he staked on his own account, and asked Warden to assist him as a friend. I have already stated my opinion that this witness's evidence does not impress me, and I think the fact that after his discharge was given, he should, on the 15th of July, come back and re-stake the claim, and alter the posts, apparently under the belief that by so doing he could avoid any claim the company had and hold it independently of them, is strong corroborative evidence of the correctness of Warden's testimony. None of the cases cited are exactly like the present. The majority of them are cases where land has been conveyed for a particular object, not expressed in the conveyance, and where the plaintiff had a primary interest in the land which the defendant, by setting up the statute, sought to avoid. Here the plaintiffs had no such primary interest. The land was not theirs, and they could only obtain an interest under the Mineral Act, and there was no necessity for the claim to be taken up in any other name than that of the company. But in my opinion the principle on which these cases have been decided is equally aplicable in the present one. The statute declares there must be some writing signd by the party who declared the trust, and the court will take hold of acknowledgments by recitals in deeds, affidavits and letters, in order to establish the trust; and I can find no case where the trust and the manifestation of it both being by parol were held valid.

Cunningham, when he made the affidavit in order to obtain the record, knew that the buildings of the "Sunshine" company were on the land, yet swore that there were no buildings on the ground, and was content, as he says, with a verbal explanation from the recorder, and that the recorder said it did not matter. Under the circumstances, as Cunningham has no right under section 12 to take up land on which buildings are erected, the defendants Cunningham and McGuire are entitled to succeed to this extent, the "Gold Bug" fraction must be limited to the ground outside of the land occupied by the "Sunshine" company's buildings, and the curtilage thereof, and the record must be altered accordingly. They are also entitled to an injunction to restrain the deposit of waste upon the lands of the "Gold Bug." They are not entitled to any damages, for none have been proved. The "Sunshine" company, as against the owners of the "Gold Bug," are entitled to possession of all the buildings which were erected prior to the record of the "Gold Bug" claim, together with the curtilage thereto. The "Sunshine" company are entitled to the costs of the action of Cunningham vs. "The Sunshine" up to the trial, as their action was for trespass in not removing the buildings and for timber cut in which they fail, and Cunningham and McGuire are entitled to the costs of the action of "The Sunshine" against themselves, including the trial, one set of costs to be set off against the other.

M. W. Tyrwhitt Drake, J.

Mr. A. E. McPhillips, counsel for "The Sunshine" company, Ltd. Mr. W. White, Q.C., counsel for the defendant Cunningham and McGuire.

PRECEDENCES.

The question of provincial precedence, which was referred to yesterday in your columns depends upon certain principles which seem to have been overlooked.

(1.) Local and general precedence are two different things. The first indicates the relative positions occupied by officials in their own sphere, the second the relative position that these occupy in the larger sphere of imperial authority. For example: The Mayor is the chief magistrate in every municipal sphere. Therefore the Mayor occupies the chief position in every strictly municipal function. But the relative rank of the Lord Mayor of London and the mayor of some provincial town must be decided on grounds of general precedence, and is so decided by a higher authority than either.

(2.) Within the Dominion of Canada provincial precedence is a matter confined to the local sphere of each province. Neither the Dominion authorities nor the Imperial authorities have anything to do with it, unless some outrage were perpetrated by authority. The Lieutenant-Governor—so gross as to justify an appeal against him to the authority which created him. Except in such a case, provincial precedence is clearly within his ordering, and a code of local precedence should be promulgated by him, as the chief authority.

(3.) But should Dominion functions temporarily take the place of provincial functions then and there only should Dominion precedence, which may be described as the general precedence of the Dominion of Canada prevail.

(4.) The admiral in command of the Pacific station is no more a provincial official than the one in command of the North Pacific station. Like the sea power of which he is the representative "His march is o'er the boundless wave His home is on the deep."

(5.) On shore he is so to speak the guest of that provincial authority within whose jurisdiction he may for the time be, and should occupy the position of an honored guest next to his host.

(6.) But if the function of which he is present should be a Dominion function, in which rules of Dominion precedence prevail, then his position is clearly next to the Governor-General, not subordinate to those local Lieutenant-Governors with whose authority he has ordinarily no more to do than with the mayors of the various municipalities. The case of the bishops in South Australia has been cited, but the case really tends to "darken council" by confusing the issues. Where there is no state church the authority can by courtesy show any respect it pleases to ministers of religion provided no injury be done by such action. In this particular case there appears to have been a sense of injury and a consequent appeal to higher authority. But this affords no true precedent for interference in local precedency by the Colonial office or other imperial authority. The Lieutenant-Governor has within himself full and competent powers delegated by the crown, which will enable him to decide local questions, and to promulgate local tables, and as I have said nothing but the flagrant abuse of such powers can justify the interference of external authorities.

The reason why there should be more uncertainty on this Coast with reference to the admiral's position than on the Atlantic seaboard is doubtless greatly due to the fact that here the entire seaboard is within one province, which creates the wholly fictitious impression that the admiral's authority is within the jurisdiction of British Columbia.

So far as the offending programme is concerned it is simply an instance of the almost unavoidable blunders which are perpetrated by private individuals when dealing in a quasi-official way with the names of public officers. For if it be desired to pay due respect to the rank of the Governor-General then Dominion precedence must be observed. In this case the admiral would be in his right place, but his officers would not. For there is no question possible between their status and that of the Lieutenant-Governor and under no circumstance can they be placed before him. If on the other hand the rules of provincial precedence be observed then the admiral would be placed after the Lieutenant-Governor, but the name of the Governor-General could not appear at all. For undoubtedly any printed list at the head of which he appears infers a condition of affairs of which he is the chief, that is to say a Dominion not a Provincial function.

ARTHUR BEANLANDS.

Ninety reporters are employed in the gallery of the House of Commons.

In the Crimean war 95,615 lives were sacrificed, and at Borodino, when the French and Russians fought, 78,000 men were left dead on the battlefield.

"Biffkin's boy has been made a major."
"I didn't know that he ever saw any service."
"He didn't. He saw the President.—Cleveland Plain Dealer.

...TERS' RE-UNION.

...cessful Picnic Given by ...rry Men at Caledonia Grounds.

...Joy and Skill Contests—...housand in Attendance.

...was wanting to make the ...nion Saturday of the An...ers of British Columbia and ... at the Caledonia grounds a ... gathering long to be re... Ideal weather prevailed, and, ...e members of the fraternity, ...wo thousand people were on ... the grand stand having ... and the enclosure around ...with people. The events on ...me were run off with a re...ecision, and each brought ...competition, some provoking ...ment and others the great...sm. Of the enthusiastic ...limax came in the baby ex...n required a small amount ... to pick the winner from ...g little ones entered, each ... by a mother, who could not ... child could take any but ...The judges were chosen ...the strangers on the ground. ...test was the obstacle race, ...nts in which had to run a ...nearly 200 yards, then stop ...bottle of soda water, light a ...ish with tobacco burning. ...hard in the commencement ... that they spoiled all their ...winning. But more funny ...s the bun struggle, which ...of laughter. The character... contest was of course a ...e day and one, which, ow...to its rarity, was a strong ... Music was furnished, the ...M. S. Imperieuse, and Fifth ...ing on hand during the af...an orchestra in the evening. ... in the morning, headed by ...Sea and Deputy Marshal ...ssisted by Brothers F. J. ...iams, Becker and Fletcher, ...tricking affair, the process...ry long. Already the order ...een published. There were ... Nanaimo and Wellington ...mbers of the order and 80 ... a fairly strong contingent ...d, all of whom were much ... the hospitality of the local ...

...of the visitors carry away ...rs of the occasion secured ...n on the grounds. These, ...ecessitl competitors in