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D H. SOLLY,
ad Commissioner.

n that two months apply to the Honor-loner of Lands and o purchase 320 acres escribed as follows: planted on north about 5 miles below nd marked A. C. M., x north one mile, aif mile, thence west one-half mile ent.

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Tiarks, who died st, 1901, are hererticulars of their of the securities espectively, to the the 7th day of statutory declarthe administraribute the assets he parties entitled may to the debts, which she shall tiee; and for part thereand distributto any person of and she shall not and all persons is-

nd all persons in-the said deceased pay the amount

to the said ad-

September, 1901.
DUMBLETON,
Street, Victoria.
ie Administratrix.

RGAINS

ent of

RANSFERS.

Jury at Vancouver Acquit Men Accused of Intimidating Japanese,

Though Judge's Summing Up **Was Considered Against** the Accused.

Men Are Still Being Held For Other Charges to be Heard.

not to fish during the strike, had no intention of using firearms and did not The Fast Line use them, and that the Japanese boat that the trouble was over contained two armed Japs besides the police.

Mr. Justice Drake called Constable Campbell and asked him if he was

sure the Japs were unarmed, as he had previously sworn. Witness said he was, After counsel addressed the jury, Mr. Justice Drake summed up the evidence, charging the jury very strongly against the prisoners, not admitting a single extenuating circumstance. In effect he said counsel for the defeace had pointed out that the punishment was five years for the crime. This the jury had nothing to do with. They simply had to weigh the evidence and give a verdict according to the evidence. It was for him to award the punishment. Mob law he said was the most disastrons thing could happen to any country. In this case the prisoners admitted the fact that they had dangerous weapons in their possession, but said they were carrying them for 'self protection, what possible self protection, said Justice Drake, would they want in going for a row in the gulf. It had been shown there was a strike of so-called whites on one side (although there seemed to be all colors on that side) and Japs on the other. It was the world against the Japs. A newspaper had published an article advocating the use of force against the Japs. These unfortunated men had been influenced to such an extent by this advocacy of force that they had armed themselves with three shot guns, a rifle and two revolvers, a weapon each, and six of them getting into a boat, thus armed, it was remarkable how they had met quite by accident and decided to zo out for a sail in the gulf, a server sail for their own amusement, a smill for their own amusement sure the Japs were unarmed, as he had London Cable Doubts That Ten-

made much out of the Jap saying he saw no guns pointed, while the other Jap said guns were pointed at him. This is easily accounted for, the Jap who did not see the guns had his back turned pulling down the sail. It was not necessary to point guns, however, if they were there endangering the public peace. An authority in England had stated that since prisoners had been allowed to speak for themselves there had been more perjury in the courts than ever before. The prisoners contradicted each other in their evidence on some points. He did not consider their evidence of any great weight in this case.

D. G. Macdonell, counsel for prisoners, asked the court if he would explain to the jury that these prisoners might have gone out on the gulf with the impression in their own minds that they were carrying weapons for self protection, Justice Drake replied that the men were not compelled to go out on the gulf, therefore there was no justification in their carrying weapons.

The jury were 30 minutes deliberating. No one expected an acquittal, the most favorable verdict expected for the prisoners being disagreement.

The prisoners are detained as was anticipated, Mr. Bowser having brought other charges against them. There is possible difficulty in getting a jury to convict on the legal aspect of the case owing to bitterness against Japs entertained by many in the community and wide sympathy for the prisoners. The court room was packed to suffocation all day, but was very orderly.

LIFE FOR AN OVERCOAT.

LIFE FOR AN OVERCOAT.

Syracuse, N. Y., Oct. 9.—Harry Brainard, of Albany, a trainman on the New York Central, shot two 32-calibre bullets into John Myer, of Kingston, N.W., formerly a railroad man, at the Central station, in this city, at 9:20 o'clock this evening. Meyer had Brainard's overcoat on his arm, which about an hour before had been stolen from the locker of one of the coaches of train No. 8, on which Brainard was employed. Brainard was placed under arrest. Meyer was taken to St. Joseph's hospital. He will recover.

PLUCKY BANK CLERK.

Owen Sound, Ont., Oct. 9.—A determined effort was made at an early hour this morning to rob Molson's bank here. The noise of breaking open the rear door aroused a clerk named VanDusen, sleeping in the bank. The robbers opened fire on him, and he returned it, hitting one of the burglars, who thereupon decamped. The police are working on the case.

NEW JUDGE.

REGRETTED IN OTTAWA. Flags at Half-Mast in Memory of the Late Clarke Wallace.

Ottawa, Ont., Oct. 9.—(Special.)—The news of the death of (Hon. N. C. Wallace, was received here with many expressions of regret. The late Mr. Wallace during his many years sessional residence in Ottawa had made scores of friends here. For some years past he had been a shrewd investor in city property, and turned it over to good advantage. Flags are half-masted on the Parliament buildings and Orange hall in memory of the deceased. Local Orangemen will probably hold a memorial service.

Winnipeg, Oct. 9.—(Special.)—Hon. Mr. McPhadden, Grand Master of the Manitoba Orange lodge, went east tonight to attend Clarke Wallace's funeral.

SIR CHRISTOPHER FURNESS. Head of the Big Shipping Firm Coming to the Coast.

From Our Own Correspondent.

Vancouver, Oct. 9.—The trial of six fishermen charged with unlawfully having firearms in their possession for purposes of endangering the public peace, was concluded today, the jury returning a verdict of not guilty. The six prisoners were put into the box and said, they had gone out to ask the Japs not to fish during the strike, had no in-

STRONG MEANS

Reason Why Martial Law is Proclaimed Throughout Cape

Capetown, Oct. 9.-The Gazette today proclaims martial law in the districts of Capetown, Wynberg, Simonstown, Port Elizabeth and East London.

Elizabeth and East London.

The proclamation is the outcome of the recent visit of the premier of Cape Colony, Sir John Gordon Sprigg and the under secretary of native affairs in South Africa, J. Rose Innes to the British High Commissioner, Lord Milner. It places under military control the few points in Cape Colony hitherto exempted and the constitution therefore is now suspended over the entire colony. The action taken probably foreshadows the commencement of vigorous measures, which those on the spot are understood to believe necessary to end the war.

BANK CLERK ARRESTED.

Havans, Cuba, Oct. 9.—A. W. Miller, former city clerk of Sandusky, Ohlo, who has been arrested here in connection with an alleged shortage of nearly \$100,000, which came to light after his disappearance from Sandusky eight months ago, will not resist extradition, but will leave for the United States next Saturday. He says he can explain the discrepancy in his accounts.

Mr. Justice Britton Takes His Seat in Toronto.

Toronto, Oct. 9.—(Special.)—B. M. Britton, the newly appointed judge of the Supreme court, was sworn in this morning. The congratulations of the bar were extended by Dr. John Hoskin, K. C., and Judge Britton replied spropriately.

WILLING TO HELP.

St. Petersburg, Oct. 9.—The United States ambassador, Mr. Tower, has been most active in connection with the abduction of Miss Stone. Mr. Tower has had several interviews on the subject with the officials of the foreign office. The Russian government is coordinally supporting the efforts being made to secure the release of the American missionary. WILLING TO HELP.

Coast to

Kootenay

Mr. Moberly Finishes Survey From Hope Mountains 8ummit to Princeton.

He Finds the Route Feasible and Country Rich in Minerals.

Examination of Passes by Mr. Carry Will be Finished Saturday.

Vancouver, Oct. 9.—F. W. Moberly, C. E., who had charge of one of the parties which under the superintendence of Hon. E. Dewdney are surveying for a feasible route through the Hope Mountains, arrived in town last night and left for Victoria today. Mr. Moberly has completed his work, which was a sec-To the Colonist correspondent he stat-ed that speaking generally, he found

To England

To England

London Cable Doubts That Tenders Will be at Once Called For.

Embargo on Canadlan Cattle a Departure From Free Trade In Britain.

Embargo on Canadlan Cattle a Departure From Free Trade In Britain.

Embargo on Canadlan Cattle a Departure From Free Trade In Britain.

Montreal, Oct. 9.—A Star London cable says: Doubt is thrown, in well informed circles, upon statements cabled from Ottawa, that the fast service negotiations are so far advanced as to permit the issue of an invitation for tenders within a fortnight, with Sydney. Cape Breton, as the Canadian terminus. "It is known here that one big North of England shipbuilding firm hitherto unconnected with the negotiations, has been making careful and detailed enquiries, but nothing definite has been decided on.

"Sydney's selection as a port, is at tributed to the presence there of the Dominion Steel and Iron Works, but it is doubted if the Intercolonial railway link with Montreal, as it now exists, will be sufficiently speedy and efficient. "The president of the board of agriculture has decided so far to reopen the question of admission of Canadias cattle as to accept a deputation of Scot-

amusement. Iming themselves. They were on the soll- for a offerent purpose. It had been described how they had saw a Jap boat and followed it, and ordered the Jap boat to take down sail. The prosecution had said a colored man came into the Japs boat and stepped on a policeman's face in doing so. That would likely be impressed on the policeman's memory as well as his face, that this colored man had pointed a gun at one of the policemen. The defence had nade much out of the Jap saying he saw no guns pointed, while the other Jap said guns were pointed at him. This

anght and word Milander military control of Great Northern surveyors have arrived in Vancouver, Oct. 9—(Special.)—A party of Great Northern surveyors have arrived in Vancouver to complete the survey of the route of the railway line between Vancouver and Westminster. Temporary lines have been surveyed to the Hastings and Royal City mills, giving color to the rumor that both mills war.

Martial law will be medified in its application to the ports by leaving the docks, railroads and harbors under the control of the civil authorities. Military rule will be mitigated in some other respects.

TROUBLE FOR AFCOURT.

yesterday, were discovered in the city tonight.

The militia department was notified today that smallpox prevails in 11 places in Nova Scotia. The minister is still considering whether or not he should cancel the Halifax review.

Coveted Lacrosse Trophy is Now in Montreal.

Montreal, Que., Oct. 9.—Vancouver will have no difficulty in securing possession of the Minto cup if it defeats the Shamrocks. A telegram from the Capital management today stated that the cup had been shipped to Monrteal. Quebec Seats to be Filled This Month.

UNITED STATES STAMPS.

Washington, Oct. 9.—The post office per department decided today to place the late President McKinley's head on the new issue of postage cards, which will appear shortly after December 1 next. be

EXTENSION DISASTER. Fifth Regiment Band's Benefit Concer on Saturday Night.

The band of the Fifth Regiment, C. A., will give a grand promenade concert in the drill hall on Saturday night for the benefit of the widows and orphans of the miners killed by the recent fire and explosion in Extension mine.

The concert will be under the dis-tinguished patronage of Sir Henri and Lady Joly de Lotbiniere, and Rear-Ad-miral Bickford.

OUTRAGES IN COLOMBIA. British Subjects Ill-Used and Ask For

Kingston, Jamacia, Oct. 8.—The newspapers here print a number of letters from Bocas del Torp and other ports of Colombia complaining of outrages on British subjects, including women, Strong appeals are made to have the government to send a warship for their protection and also to demand compensation. Over one hundred refugees have arrived here from Colon.

The Troops Arriving in Ontario Capital For the Big Military Review.

Winnipeg, Oct. 8.—The Duke and Duchess of Cornwall hade farewell to

THE GREAT COAL FIRE.

Quarter of a Million Dollars Loss In Chicago.

Chicago, Ills., Oct. 8.—Shortly before midnight tonight fire started on the docks of the Peabody Coal Co., at the foot of Oreleans street, and twenty flat cars were consumed. The fire spread through the Peabody yards until five acres of coal were in flames. The loss on the coal is estimated at upwards of \$250.000. The fire is believed to have been of incendiary origin.

Thursday afternoon will be in Toronto, where an elaborate programme for their reception and entertainment has been arranged.

The Duke and Duchess met again at Poplar Point this afternoon. She arrived from the west in the morning, and he came down from the hunting lodge of Senator Kirchhoffer in the afternoon. He had been expected in the morning but

### AUSTRALIAN

A WORKING BOND. Syndicate To Test Van Anda Mines For a Month.

which the nilves for one wouth. If the syndicate is satisfied with the results they will purchase the property at a price already stipulated.

· BOATING ACCIDENT. Two Syrians Drowned in the St. Law-

and trains running.

There are at present between Look and Look an

THE DREDGE GOING.

serious inconvenience in connection with the construction of the coffer dam for the permanent way across James Bay. The mud raised by the dredge was used for filling in purposes there, and if the dredger is removed it means that the city will be nut to the expense of purchasing earth to be used.

## **At Toronto** Tomorrow

Semi-Aberto Colonist.

The Royal Train Speeding East With Duke and Duchess Aboard.

His Royal Highness Well Pleased With His Shooting Trip.

Winnipeg, Oct. S.—The Duke and Duchess of Cornwall bade farewell to the west today and are once more speeding eastward on their special train. They will reach the Lakes tomorrow, and on

had been expected in the morning, but had found the game so plentiful and en-TARIFF BILL and the game so plentiful and enjoyed the shooting so much that he tarried until the last possible moment. Poplar Point is in the centre of the great Manitoba wheat belt, and an exhibition In the Lines of Moderate Protection—Assisting New Industries.

Melbourne, Oct. 8.—In the federal house of representatives today the Commonwealth tariff bill was introduced by Right Hon. Charles Cameron Kingston, minister of trade and commerce, who congratulated the house that from this moment free trade existed among the states of the commonwealth.

Mr. Kingston explained that the new tariff would be on the lines of moderate protection. He announced that the government intended to introduce a system of bonuses for the pripose of encouraging the establishment of new incouraging the establishment o

SMELTING PLANT.

A Small One Ordered For Working Trout Lake Ore.

Two Syrians Drowned in the St. Law-rence River.

Prescott, Ont., Oct. 8.—While John Derby was rowing two Syrians across the river to Ogdensburg last night, the last carried Dashurg last night, the

Montreal, Oct, 8.—Archie Macnaughtons "Sunday school boys" as the Vancouver Y. M. C. A. team is known here, will receive a princely reception when they arrive here tomorrow night. A big delegation of Shamrock men accompanied by a brass band will accompany the visitors to the Windsor hotel. The Shamrocks have prepared a programme for the entertainment of the visitors which winds up, win or lose, with a banquet on Saturday night at the Windsor. It is not at all certain that if the visitors should win they will carry the Minto cup back with them. The Capitals have it and so far have not evineed any disposition to hand it over, although Mr. Phil D. Ross the trustee has done all he can to expedite matters.

Follow that has done so much towards building up Canada's industrial prosperity. He continued to hold that position ever since, being returned at each election. He was an Orangeman from his youth up, and held the high office of Grand Master and Sovereign of the Order in British America. He was also president of the Triennial Council of the Orangemen of the World.

He was controller of customs under Sir John Thompson's administration, and held that office until 1895, when he retired from the ministry owing to his difference of opinion with the cabinet on the Manitoba school question. He was very pronounced in his views, and firm in his principles. So strong a hold had he on his constituency, that he has been sometimes called "The Uncrowned King of West York."

FROM WINNIPEG.

COQUITLAM POWER.

IMMIGRATION TO CANADA.

MURDERS IN PHILLIPPINES. nces of Death Carried Out For Revolting Crimes.

Washington, D. C., Oct. 8.—Horrible stories of murder and rapine are contained in the records of a number of court-martial cases in the Phillippines, copies of which have reached the ward department. Five natives seized three Phillippine residents of the town of Posorrubio together with an Igorrote harvester. Conveying these captives to an isolated spot they murdered them with bolos and illtreated the women of the families of their victims. The motive for the deed appeared to have been that the victims had damaged a stream which diverted irrigating waters from the lands of the murderers. All five were sentenced to be hanged. A native mamed Blatinga with one or more companions assassinated with daggers private James T. Burgey, company "C" 26th infantry, while the latter was acting as a guard of prisoners pulling water for the garrison stationed at Bara Neevo Banay. The native was sentenced to death. With a rock, a rice beater and a club, one Fustino Ruiz and some of his companions sat upon a native named Aacasta, whom they suspected of having aided the American cause and beat him to death. Ruiz was sentenced to be hanged. Two natives were tried. charged with the murder of Private Eugene P. Lyons, company "K" infantry, whom they enticed to m isolated place, killed him with bolos and buried him on the spot. They too were sentenced to death.

The first was that of Forest and five other union fishermen charged with intimidating a Jap with fireamrs on the Gulf of Georgia. Before proceeding with

At Steveston

Place There. Believed to Have Been Set By Enemies of Justice of

Peace.

Vancouver, B. C., Oct. 8.—Two weeks

very strong.
On Saturday night Dave Mackie's two stores, which were empty, were burned to the ground, supposedly by an incen-

to the ground, supposedly by an incendiary.

This morning at 3 o'clock the Vanconver fire department was sent to Steveston, as it was feared that the town would be destroyed. The department reached there about 5 o'clock, but the flames had been subdued, after the destruction of several buildings.

The buildings burned were all owned by D. Mackie, a well known resident of Lulu island, and were occupied by J. C. Williams, butcher shop; A. Parrier's barber shop; Dr. McKibbon's office; G. R. Small, barbership; a fruit stand, and

### THE DEATH OF CLARKE WALLACE.

Post Office Clerk Under Suspicion of Tampering With Letters.

Winnipeg, Oct. 8, (Special).—A young man named Palk employed in the city post office is under arrest suspected of having tampered with registered letters. Two smallpox cases are reported from Regina and St. Andrews districts.

The body of an unknown man, badly decomposed, was found in Kildonan yesterday.

A Calgary despatch announces the death of Peter McCarthy, a well known barrister, after a lengthy illness.

Fire at Kilarney today destroyed the Pritchard block and several other frame buildings.

QUEBEC CROPS.

Toronto, Oct. 8.—In his annual report which has just been published Thomas Southworth, director of colonization says immigration has changed so much in recent years that Canada can no longer expect to get many immigrants from the British Isles. In 1879 24,407 immigrants came thence to Canada. This grants came thence to Canada. This had fallen to 4,083 in 1900. Immigration from the United States, however, is Mr. Southworth's hope.

Mr. Southworth's hope.

# Vancouver

timidating a Jap with fireamrs on the Gulf of Georgia. Before proceeding with the cases Justice Drake presiding de-fined what was meant by lawful and unlawful strikes. It was lawful to re-fuse to work and combine with others for the purpose, but when firearms were used to intimidate non-strikers, etc., it became unlawful. Justice Drake stated that in theory what was mutual free-

practice. As men were often compell to quit paying propositions by those the head of labor unions and often unions are determined. The Jap intimidation case was continued all day and was not conclude W. J. Bowser appeared for the crown and D. J. Macdonnell for the prison Similar evidence was given to that I fore Magistrate Alexander. Mr. M. donnell in briefly summing up to tipury at 5.30 just before the court is journed, said that it had been shouthat it was the impression that the Jawere armed during the strike and it white fishermen were always in the had of carrying firearms whenever they we fishing. The six prisoners had gone is carrying hrearms whenever they we ishing. The six prisoners had goue he gulf for the purpose of asking raps not to fish and had no intention ising the firearms and had not poin hem at the Japs or police; that witnesses who said they had were a aken and that he would put all sky puers in the box to show there was ntention of using firearms unlawfund that they had not been used unlivally.

ROSSLAND STRIKE.

Mr. Puttee, M. P., Interviews Premier On Alien Labor Law,

Vancouver, B. C., Oct. 8, (Special).—Steamer City of Seattle from Skagway called here en route to Seattle with 320 passengers. Forty disembarked here, among the passengers being R. G. McConnell, of the Dominion geological survey. Considerable treasure was brought down, but no news of consequence.

SEAL SKINS SEIZED.

U. S. Capture Furs Shipped From Canada.

Montreal, Oct. 8.—The U. S. authorities have made big seizures in seal skins shipped from Montreal into the States because their importation into the United States was forbidden under the act prohibitings the importation of skinstaken in the North Pacific.

MINER INJURED.

ETS
SETS
LENTS' PURSES.
tell, call in and
we are going out
e cleared. They

bert and Hot Water bing, Etc. P. O. Box 545.

e Colonist