Despatch From Her Captain Reveals Fate of Another Warship.

Czar Informed That Vessel Ran on a Rock and Was De stroyed.

Lively Chase by Togo's Greyhounds Described by an Officer.

T. PETERSBURG, June 1 .- Official reports bearing on the naval battle are beginning to be received by the Emperor and Grand Duke Alexis, the high admiral, the most important of these reports revealing the fate of the cruiser Izumrud, being a telegram from her captain, Baron Feren, dated June 1, saying that he had blown up the cruiser at the entrance of Vladimir bay, and describing the battle.

The Baron says that before dark on

mir bay, and describing the battle.

The Baron says that before dark on May 27, the Oslabya, Alexander III. and Borodino had been sunk, and that the Kniaz Souvaroff, the Kamchatka and the Ural had been seriously damaged and were lost to sight. The command then devolved on Rear Admiral Nebogatoff. In the evening the Nikolsi I., the Orel, the General Admiral Aparaxine, the Admiral Seniavin, the Admiral Oushakoff, the Sissoi Veliky, the Navarin, the Admiral Nakhimoff and the Izumrud sailed northeastward, the latter being charged to transmit orders to the battleships. Two other cruisers were cut off from the fleet, and were not again seen.

The battleships, steaming 14 knots, were repeatedly attacked by the Japanese torpedo boats, especially at the extremities of the line. At dawn it was ascertained that the battleship division consisted of the Nikolai I., the Orel, the General Admiral Apraxine and the Admiral Senjayur.

Japanese Again Appear.

At sunrise, May 28, smoke from the Japanese ships re-appeared on the horizon, whereupon the admiral gave orders for increased speed. The Admiral Seniavin and the General Admiral Apraxine dropped behind. Towards 10 o'clock the Japanese fleet appeared first to port and then to starboard, while the cruiser division manoeuvred behind the Russians to starboard. Baron Ferzen's account continues:

continues:

"I was cut off from the squadron and finding it impossible to rejoin it, resolved to make for Vladivostok. I put on full speed and the enemy's cruisers came on in parsuit. Owing to the insufficiency of my coal supply and the certainty of meeting the enemy's cruisers, I subsequently altered my course for Vladimir bay, where I arrived on the night of the 29th. In pitch darkness the Izumrud ran full on a reef at the entrance of the bay. Having only 10 tons of coal, and seeing that it would be impossible to again float that vessel, I ordered the crew ashore, and blew up the Izumrud to prevent her falling into the hands of the enemy. Ten of my sailors were wounded in the battle, but the officers and the rest of the crew are all safe." It is reported that the amendment to the criminal code making betting legal on incorporated race tracks will be dropped, owing to the great opposition evoked.

Mr. McNeil, chief of the fruit division, leaves for British Columbia next week to confer with fruit growers on the methods of packing.

The post office department issues notice that navigation from White Horse to Dawson is open.

Baron Ferzen's report disposes of the statement sent from St. Petersburg yes-terday morning that the Izumrud had arrived at Vladivostok

KUROKI'S MEN FIT.

IMPORTANT POINT OF LAW

Nelson, B. C., May 31 .- (Special)

plication for a crown grant is made,

Connection With Title of Mineral Claims Presented at Nelson.

Headquarters, Gen. Kuroki's army, via Fusan, June 1.—There is every reason to believe that the next campaign of this army will be even more successful than the past. The soldiers have the spirit and discipline of veterans, and nothing is lacking in equipment and supplies. No engagements have occurred east of the railway for more than a fortnight, and the only shots fired are when the cavalry patrols of the two stmies have brushes. The Izumrud was built at the Nevsky yards, St. Petersburg, and was launched in 1903. Her armament consisted of six 4.7 inch quick-firing guns; six 1.8 inch quick-firing guns; two 1.4 machine guns, and she was equipped with five torpedo tubes. Her complement was 340 meu. Another Destroyer Safe.

mpire and superintendent of posts and elegraphs under the minister, who is ne commander of the torpedo boat dethe commander of the torpedo boat destroyer Bravi, has telegraphed from Vladivostok to Grand Duke Alexis, the high admiral, an account of his adventurous voyage after the separation of his destroyer from the fleet on the evening of May 27, having, in the course of the afternoon, saved 175 officers and men of the ship Osliabya. The destroyer suffered considerable damage from a six-inch projectile, and was only able to steam eleven miles an hour. The painted white so as to render the ves-sel less conspicuous to the Japanese tor-pedo boats, several of whom were seen. On the night of May 29 a steampipe burst, reducing the speed to five miles an hour. Lacking coal, all the wooden parts of the destroyer were used for fuel before she reached Vladivostok.

STRAIGHT LIFE POLICIES Favored as in Public Interest in Equit-

able Committee's Report,

New York, June 1 .- While no authoritative statement was given today as to the nature of the Frick report, it became known definitely that the report criticized the administration of the president and first and second vice-presidents of the society and condemned the practice of individuals connected with the society entering into underwriting syndicates where these syndicates had transactions with this society. The report also charged laxity and negligence of management, which is proved by certain high salaries paid, and declared that the entire business of life insurance should be thoroughly re-organized in the interest of policy holders. The report further sets forth that extravagance has existed in practically every department of the society. Extravagance in expense accounts also a condemned. One feature of the report of far-reaching consequence is a recomknown definitely that the report criticiz-



TOGO'S POWERFUL SQUADRON.

Both Sides Prepare for Struggle in the How Togo Destroyed Ottawa, June 1.—A large contingent of members of both sides left for London and North Oxford to take part in Rojestvensky's Squadron the bye-elections. Tuesday next will be the fourteenth anniversary of the death of Sir John A. Macdonald. Conservative members will send a beautiful wreath to be placed on his tomb in Cataraqui cemetery.

Fearful Hurricane of Shot and Shell That Drove the Russian Fleet Into Confusion--- Japanese Officer's Account of the Engagement.

ASHINGTON, June 1.—The Japanese legation made public the following despatch from Tokio, dated June 1: "Eighth report from Togo, received May 31—Commander Kauga returned this afternoon with the survivors of the Dm tri Donskoi. He reports that the Donskoi, on the morning of May 29, open valve and sank, and those on board, including survivors from the Osliabya and the destroyer Douinvi, landed at Urleung island. It appeared that the Buiny took aboard Rojestvensky and staff before the sinking of the flagship on the afternoon of May 27, and also 200 from the Osliabya, but finding navigation difficult, transferred Rojestvensky and staff to the Biedovy, and while running northward met, on the morning of May 28, the Donskoi, to which all aboard were transferred and the Buiny sank herself. The Osliabya, according to other survivors, had her conning tower struck by the first straight shot of the battle May 27 and Admiral Voelkersam was killed, and, after a succession of shots, sank about 3 o'clock in the afternoon survivors of the Donskoi say they saw two destroyers sink in he thick of battle May 27. If this is true, it makes five Russian destroyers sunk."

OKIO, May 31.—(2 p. m.)—A Japanese officer who has returned to Sasebo gives the following account of the sea fight off-Tsu island; At 5:30 Saturday morning a wireless

At 5:30 Saturday morning a wireless

Giving "The Last Thrust"

and powerless to escape the circle. Previous instructions had been given to destroyers and torpedo boats to attack the Russian ships.

Giving "The Last Thrust"

"The fight was resumed at 9 o'clock" The sitting of the Supreme court, which has lasted for the past three weeks, ended last night. The only point of interest arising to mining men is one concerning the title to a mining claim which had not been crown granted. Once that is done, apparently, title is perfect. Assessment to the value of \$100 yearly channel off Tsushima (Tsu island). Our men seemed to be filled with new inspirations of the suprementation of the satern channel off Tsushima (Tsu island). Our men seemed to be filled with new inspirations of the suprementation of the satern channel off Tsushima (Tsu island). men seemed to be filled with new inspira-tion and were eager for the long delayed fight to begin.

When Tsushima was sighted to the

not been crown granted. Once that is done, apparently, title is perfect. Assessment to the value of \$100 yearly must be done for five years before application for a crown grant can be considered. It is the law, also, that a locator has 15 days in which to record his location. Within that 15 days none other may validly locate. These being the conditions, Coleman and Noble of Pittsburg bought from J. G. Carlyle three claims, the Alfred, Aggie and Algiers, as an extension of the well known Ottawa mining property, of which they are the owners. After the due assessment work, application for a crown grant is made. In the meantime assessment work had also When Tsushima was sighted to the southwest, the sea was rough, and the torpedo boats were forced to run for the shelter of the island. Our third fighting squadron, with the Takashiho to port, reconnoitered the Russian course, and at 11:30 a. m. informed the main gand to the state of the same than the state of the source of the same than the same describer that the source of the source of the same than the same and at 11:30 a. m. informed the main squadron by wireless telegraphy that the Russian ships were passing into the eastern channel, whereupon our main squadron, changing its course somewhat to the southward, came in sight of Okinskima at 1 o'clock in the afternoon. The third division arrived later and Joined the main squadron. The first and second divisions accompanied by the decord divisions are decord divisions accompanied by the decord divisions accompanied by the decord division are decord divisions accompanied by the decord division accompanied by th plication for a crown grant is made. In the meantime assessment work had also been done upon the Holly, a mineral claim in the vicinity. This was located by three brothers, James, Fred and William Tattersall. As soon as the Ottawa people applied for a crown grant, the Tattersalls immediately adversed on the ground that the Holly, their claim, partly covered the ground of all three of the other claims, covering the lead, the main thing. The Ottawa people call in J. G. Carlyle, who declares that although the Holly was located prior to the three claims which he sold the Ottawa people, yet the Holly was not a valid location. The Holly was located on Oct. 9, 1900, but on Sept. 27, 1900, Carlyle declares he located the Wallace, which he never recorded, and which Wallace practically covers the same ground as the Holly. The judge has been asked to declare that a claim which is located but sever recorded. ond divisions, accompanied by the destroyers' fictilla, changed to a westerly course, while the third division and the fourth destroyer flotilla headed slightly beactward.

"During the manoeuvre the Russian flagship appeared to the southward at 1:45 o'clock. The Russians steamed up in double column. The fleet was numerous, but no living being was visible.

"Following instructions; the fifth destroyer flotilla advanced against a Russian ship, upon which the second division had been concentrating its fire, signalling, 'We are going to give the last thrust at them

ward, the Chitose continuing its fire The torpedo boat flottlla arrived within two hundred metres of the Russian ship and the Shiranui fired the first shot. Two other torpedo boats fired ne each. The Shiranui received two shells, but the other boats were not

Nagasaki, June 1.—Fully 3,800
Russian naval prisoners have been landed. Three Russian vessels have drifted ashore off the coast of the province of Nagate.

The Russian torpedo boats from Vladivostok captured the Japanese steamer Daishon, of 700 tons, off Hokkaido and placed a prize crew of thirteen men on board, with orders to take the vessel to port. By mistake the Russian commander of the Diashon headed for Gensan, Korsa, where he met a Japanese transport. The latter, seeing the Russian flag flying from the Daishon, intended to recapture the vessel, when the Japanese captives aboard the steamer, on seeing their compatriots, attacked the prize crew, recaptured the vessel and eventually took her to Gensan. The Russian prize crew have been taken captive to Sasebo.

Sunday morning twelve miles east of Chiyupyon bay, and lasted all day. Here the Russians suffered their direst They seemed unprepared to resis attacks. During the first night the Russians showed nine searchlights and frustrated the attacks, but clearly gave us the location of the fleet, which brought success later."

LEGAL INTELLIGENCE.

Thursday, June 1, 1905. (Before Hon. Mr. Justice Martin.) The hearing on the return of the rule nisi in the matters concerning coal and oll prospecting licenses in Southeast Kootenay came on today. It will be remembered that the County court judge of Kootenay made an order calling upon all parties that state of the county of the county of the county of the county court judge of Kootenay made an order calling upon all parties that the county of the judge of Kootenay made an order calling upon all parties interested in the dispute to come before him at Cranbrook with proof of their claims to have issued to them coal and oil prospecting licenses in blocks 4593 and 4594, Southeast Kootenay, but that Mr. R. T. Elliott (Higgins & Elliott) appealed to the chief justice for an order prohibiting the County court judge from further proceeding for want of jurisdiction.

Sir Charles Hibbert Tupper K. (1)

The Month of the control of the provided by served by served by the control of the provided by served by s

bound to issue a prohibition, as, in the words of Lord Halsbury, the judge of such court must, or ought to, have known that he was acting beyond his jurisdiction. Mr. Elliott cited a number of authorities bearing on this view of the case.

Section 9 of the Coal Mines Act provides machinery by which the County court juage is empowered to settle certain disputes between parties, but the act nowhere grants him jurisdiction to direct that the Crown shall issue a license or lease to any process. direct that the Crown shall issue a license or lease to any person. He may adjudicate upon differences or disputes between parties after a certain course has been adopted by the executive, but he has no authority to either suggest or direct the executive to pursue a certain course, and if he chose to do so he would be powerless to enforce his decree. In the case under discussion the object of the County court judge appeared to be to ascertain whether certain persons were entitled to licenses under the act. In this alone he had gone a step further and undertaken to restrain a minister of the Crown from performing certain public functions imposed upon him by parliament.

Mr. Bass stated the position of the chief commissioner was that can be returned to work. Others are expected to do so within a few days.

Journeymen plumbers some weeks ago went on strike for an increase of wages, which was refused by the master plumbers, who have been employing non-union men. The union claim the master plumbers has refused by the master plumbers, who have been employing non-union men. The union claim the master plumbers has refused by the master plumbers, who have been employing non-union men. The union claim the master plumbers has refused by the master plumbers, who have been employing non-union men. The union claim the master plumbers has refused by the master plumbers, who have been employing non-union men. The union claim the master plumbers has refused by the master plumbers, which was refused by the master plumbers and caused the alien labor at the part of a man named

osed upon nim by parnament.

Mr. Bass stated the position of the hief commissioner was that as between these two sets of disputants or petitioners, the chief commissioner was not subject to the restraining power of the county court of any court insofar as rest, the chief commissioner was not subject to the restraining power of the County court, or any court, insofar as the discharge of his public duties was concerned; that he is a minister of the crown, and as such the courts in a long, undisturbed list of authorities had held he was not subject to the jurisdiction of the courts; it being the accepted law that the court has no jurisdiction to interfere with the performance of any public duty entrusted to a government official, or with the exercise of any discretion incident to the performance of such duty, and that where a minister or servant of the crown omits or refuses to perform any such duty, there is a plain remedy other than by way of mandamus.

His Lordship reserved judgment.

damus.

His Lordship reserved judgment.
In re estate of Elizabeth Watkins, deceased.—In this matter, in which application was made before Easter vacation, Hon. Mr. Justice Irving yesterday handed down his decision.

Certain lands were devised by the deceased, and also certain special devises to pay debts, funeral and testamentary expenses. Considerable taxes had accrued due on these lands, and there was also the payment of succession duty to be met. Those legatees entitled to the property devised subject to the payment of debts, funeral and testamentary expenses, claimed the succession duty should not be paid out of that fund.

The learned judge found that the succession duties payable by the executors were deductable out of the shares or interests of the legatees, and not out of the fragidue, and that the trace.

The ladustrial building, a description of the most imposing structure that manufacturers' building, says the Westminster Columbian.

The ladustrial building, a description of the most imposing structure that manufacturers' building, says the Westminster Columbian.

Damage Was Only Slight.

Dominion News Notes

The Montreal Customs Returns Show Healthy Growth Dur-Ing May.

Citizen of Toronto Charged With Passing Counterfeit Money.

Sheet Metal Workers at the Terminal City Want More

ONTREAL, June 1.—Capt. John Barelay, for many years super-intendent of the Allan line of steamships on this side of the Atlantic, died here tonight, aged 67. Customs collections at the port of Montreal for last month were \$1,066,-919, an increase over May of last year of \$148,000, and the largest May collection on record.

The Royal Scots will soon have an armory of their own. It will be a first class structure, costing something in the vicinity of \$100,000.

An Editor's Reward. Halifax, June 1.—W. E. MacLellan, editor of the Morning Chronicle, has been appointed Dominion post office inspector for Nova Scotia in place of the late Chas. J. McDonald. Summary Action.

Summary Action.

Toronto, June 1.—A summons has been issued against Alexander Gibbs, the well known local politician and proprietor of the Municipal hotel, on the charge of passing counterfeit money. A bad ten dollar bill was handed to a bookmaker on the Woodbine track and placed on a horse that won. When the better came to the bank to cash it, he was charged with passing a counterfeit, and he stated that he got the bill from Gibbs. On his evidence the summons was issued.

Winnipeg Wirings.

Winnipeg Wirings.

Winnipeg, June 1.—Premier Haultain addressed the board of trade at Calgary last night, and left on a late train for Ontario to take part in the bye-election campaign in North Oxford and London. Premier Roblin has left for the south on a six weeks' trip to recuperate from a violent attack of bronchits.

Several contractors signed terms with striking electrical workers here, accepting the schedule of 50 cents per hour asked by the union, and their employees have returned to work. Others are ex-

have returned to work. Others are expected to do so within a few days.

Sheet Metal Workers. Vancouver, June 1.—The sheet metal workers in the city have struck for an advance from 37½ to 45 cents per hour. The bosses say they will refuse to grant the increase.

for the Dominion exhibition buildings, is now calling for tenders for the construction of the most imposing structure that will be on the fair grounds. This is the Manufacturers' building, says the Westminster Columbian.

The Industrial building, a description of which has already appeared will be

were deductable out of the shares or interests of the legatees, and not out of the residue, and that the taxes are a debt due by the estate, and that the devisees are entitled to have them paid out of the residue. Mr. Thornton Fell for the executors and Mrs. Humphreys and Mr. Elliott for the residuary devisees other than Mrs. Humphreys.

minister Columbian.

The Industrial building, a description of which has already appeared, will be put up 325 feet east of the present main building. and will occupy the site of the old chicken shed.

Half way between the place set apart for industries and the present main structure the new Manufacturers' building will be erected. It will be in line

structure the new Manufacturers' building will be erected. It will be in line with the rear of the R. A. & I. Society's present quarters, but will be much larger and more imposing than anything heretofore seen in the Royal City.

When seen on the subject, Architect Henderson explained that it will be more properly two separate structures.

ners and others need not worry about the matter. The ladder has not been destroyed nor its usefulness in any way impaired. It is all right and the salmon that reach Quesnel dam this year will go through without any trouble."

BRITISH HALF SHEETERS.

Boston Herald.

The terminology of British politics is as puzziking to us as ours is to Englishment. "Half Sheeters" is the latest addition to British nomenclature. What can it mean? It signifies those who are proposlay a common polatior in large enough for the supporters of both Mr. Balfour and Mr. Chamberlain, and yet small choose before a critical congregation. Now, the one thing that the Scot despises is a sermon read from manuscript, and this one was not only read, but was exceed-independent on the service the clergyman rather anxiously asked one of the eservice the clergyman rather anxiously asked one of the elders how he liked the sermon. "I diuma think weel of it," replied the elder. "Why not?" asked the anxious minister. "Weel," said the elder, "there were three reasons. First, ye read the sermon; and third, it wasna worth reading."

Some

Togo's Triump Russians Av

Japan's Hand With the

Returns of Kille in the kecent

OKIO, June destruction of er, interest is uation, and ren the mouth of the A ka and any point river and the Areti A foreign military the question with t the Associated Press tory may drive Ru

the Associated Press tory may drive Rus Pacific coast in Asia free hand in Russia's and her offensive ca-ited. Nothing bars Russian force at speedy isolation is por river is open to the sia's defensive capac limited to the capac imited to the capac Siberian railway." The Japan

Tokio, June 1.—T in the recent battle o were 113 officers and officers and men wo were distributed as fo Adzuma, 30: Shikishi Fuji, 28; Idzuma, 26 owa, 26; Kashawa, Asama, 15; Naniwa, 1 kumo, 11: Chitose, 6 ugi, 9; Hashidate, 5; casualties on the dest Commander Togo board the Adzuma.

Admiral Togo, replial rescript commendiahis sailors, expresses further says: "That cess beyond our expethe brilliant virtue of the protection of the perial ancestors, and a human beings.
"We shall be faith the imperial will."

Thanking the Thanking th

Admirals Yamamoing to the Emperor'the navy for its victanks on behalf of he navy to a faithf A telegram from Samiral Rojestvensky si view that he hoped to in a fog, but a sudden

cleared the fog and re of his fleet. London, June 3 .-

he Russian vessels the he despatch says, has

If you expect to will pay you to send buy of us you get st possible prices. To introduce our lowing remarkable ba will hold stock until will hold stock until; you prefer.
Offer No. 1.—For and plants named beld 10 peach trees, tw best of the new varie Greensboro, all hardy pear trees, buyer's se Climax plum, the wo every year. 2 early I strawberry plants, the mensely productive, fall the above, fall the above, fall they are the strawberry cents. Sai

twenty-five cents. Sar member, for one dolls and fourteen trees. (you receive them, we Offer No. 2—Fo Offer No. 2—Fo Mammoth Gladioli every color and kind Bulbs equal of thi cents to one dollar pial offer of one doze twenty-five cents. Oblooms from these fore in the way of keep the bulbs.

Offer No. 3—All thand both orders shoul and finest flowers, but vertise our low prices

vertise our low prices offer. To all who send two fine two-year-old (largest, hardiest, mos home use or market, (For two dollars we below. These are strought to warletles are to 500 Senator Dunla immense in size and yvery valuable. Or, if y from the following ils Sample. Brandywine, C Marshall, Gladstone, W If a smaller numb

If a smaller num For sixty cents w lection of varieties f select, two-year vines The varieties are Co Delaware, Ives Seedli and Elvira and Verge

In our new Victo known today. A ve tree. Blooms very la The color is a bea

What more can b bloomer, immense bl All this and more ma Variegated poeon each, but, having a g charges prepaid. Fou pink, white and one Rare Offer—For Roses. Best varietie hardy, vigorous grow Money may be sent ter or bank draft. Wh or tree to cover

INDIANAL