What from

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Haicheng, but the lines of comare weak and stragglir

ondon, May 5.—A dispatch, to the arral News, dated at Seoul, Tuesday, Heavy cannonading was heard off the east coast of Korea, on

aday and this morning. It is suped that Rear-Admiral Uriu's fleet succeeded in engaging the Russian rumor to the effect that the Japanad succeeded in bringing the Rus Vladivostock squadron, of four isers, to battle off Vladivostock, was dated in Paris, but up to this morn-

no confirmation had been received

ntly this dispatch refers to the Tokio dispatch to the Central News es that after the steamers had b k at the entrance to Port Arthur or the Japanese fleet bombarded forts and town on May 3rd. pardment was continued on the ming of May 4th.

-0-AT ST. PETERSBURG.

ors of Fighting at Vladivostock Are Current in Russian Capital.

Petersburg, May 5 .- 2.16 p.m. ere are persistent rumors here of a l engagement between the Vladi-ock and Vice-Admiral Kamimura's but no confirmation of the rets had been received here up to 1 ock this afternoon. The admiralty no further news has been received

ANOTHER REPORT.

Petersburg Correspondent Sends News of the Fighting.

aris, May 5 .- A dispatch to the aps from St. Petersburg confirms the us reports to the effect that the ese fleet reappeared off Port ur yesterday, and that an engage occurred off Gensan, Korea, be n a Japanese squadron and the ian squadron from Vladivostock.

NOT CREDITED.

leged Victory For Russians Below the Yalu River.

t. Petersburg, May 5 .- There are ors here, which cannot be traced to source, that the Russian in Northeastern Korea have down upon the Japanese below Yalu river, winning a big victory, story is not credited.

RUMORS OF BATTLE.

ort of Fighting in Which Russians Lost 7,000 and Japanese 10,000.

ondon, May 5 .- 4.02 p. m.-A disch to the Central News from St. sburg says a rumor is current ther a second battle has been fought at cheng, in which the Russiau 1 7.000, the Japanese loss 10,000 men. vhich resulted in the Japanese be riven back in disorder. dispatch adds that no confirmaof this report is obtainable.

LOCATING FIRESHIPS.

ecks of Eight Japanese Vessels Found-Squadron Still in Sight.

ort Arthur, May 4 .- (Delayed in smission.)—The enemy's ships were ble cruising on the horizon this evennd a fresh attack is anticipated has been ascertained that twelve ips participated in the latest attack ock the entrance to the harbor. The cks of eight of these have been deely located. The positions of two rs are not yet known, and the reg two, unable to withstand the ific fire of the Russian guns, turned The average tonnage of the fireexceeds 2.000 tons.

This dispatch makes no mention, it be noticed, of the blocking of the bor, as has been reported in Tokio. sly states that the attack failed to the channel.

NOT DISCOURAGED.

ssian Papers Make Little Comment on Fighting-Dearly Bought Victory For Japs.

st. Petersburg, May 5.-The Russian ers are rather sparing in their comon the battle of Kiuliencheng, evitly awaiting more complete details, what they say contains no trace of

The Novoe Vremya says the days of nce announced by Gen. Kouropa have now begun, and declares that Japanese difficulties will increase as advance. The paper believes the danger now is in the attitude of Chinese, and says: "Our diplomats st make Pekin realize the danger of se violation of neutrality. Russia ier price will be exacted from her

The Viedmosti remarks: "It is a anese victory. Do not let us seek for capegoat. It is the fortune of warory to the dead and to the survivors the heroic fight against overwhelmodds, but the Japanese probably ald gladly exchange their dearly ght victory for a successful bottling

of Port Arthur." The Russy Invalid, the army organ, ts to the fact that 5,000 Russians ght a rear guard battle against 30,000 austria in 1805 and a century later 00 Russians fought 40,000 Japanese he Yalu. "The Russians," the Russy valid adds, "are accustomed to lay wn their lives when duty calls. The anese paid too dearly for their vic-It will take them days to re-

The Novoe Vremya expert says the orts of Major-General Kashtalinsky oves clearly that the Russians should withdrawn during the night of 30th, and adds: "Kashtalinsky med them to destruction. It was iracle of heroism and fortitude that escaped after staying, inflicting fremendous losses on the enemy. Kuroki probably has eight divisions ailable for an immediate advance his force will be joined by Gen. Oku's my when the latter is landed. The panese have every reason to follow the advantage of the co-operation of their ships. The roads are less difficult and untainous through the Feng Huang Cheng district, but the Japanese must work.

dispose of the Russian force at Feng Effe Huang Cheng before they can cut off

Liao Tung."
A high official of the general staff, A high official of the general staff, who does not believe the Japanese will make an immediate advance in Manchuria, said to the correspondent of the sociated Press: "They are too careto commit such a blunder as to extheir flank to the Russians stationat Feng Huang Cheng. I think they ill fortify their position at the Yalu, may land troops at Takushan and nk by Gen. Kouropatkin from Liao ang and Gen. Stoessel from the south."

ASSALITCH SUSPENDED.

Relived of His Command For Disobedience of Orders-Kouropatkin's Visit to Front.

St. Petersburg, May 5 .- Gen. Kouropatkin has been to the front and Liao down.
Yang to inspect the situation personally.

Japanese sailor, who was pulled out of Private reports are to the effect that the water, tried to throttle himself with his necktie.

Japanese sailor, who was pulled out of Rev. G. W. Salton, of the Dominion Methodist church, officiating. Hon. C. he fighting blood of the Russian sol- his necktie. diers is up, and that they are thirsting One of the Russian rowboats which Sifton and the western members were

are now momentarily expected near Newchwang, and the head of the Korea

Occupying an interior line, and facing the tactics of Napoleon, Kouropatkin's problem will be to prevent a junction of the enemy's forces. It is necessary for

plans for concerted action have been emparrassed by their failure to block the entrance to Port Arthur on Tuesday, and a repetition of the attack on the Russian Gibraltar is momentarily ex-

Port Arthur last night, and indeed, unconfirmed rumors say he attacked at daylight this morning, and that fighting is now in progress. At least the cutting

stand made by the Russians at the Yalu against instructions, and in face of an overwhelming superiority of men,

manoeuvres near St. Petersburg last summer is being recounted, which illusdivision and insisted on storming heights commanded by artillery, and in the face f a fire which theoretically wiped out his command. The judges were so dis-gusted that they rewarded the blunder with a zero mark against the general's name. Under the old rules and tradions of the Russian army, the see and third batteries of the third artillery brigade, which lost their guns at the battle of Kinliencheng would be stricken

from the army list forever. The names of batteries losing guns and those of regiments losing their colors or otherwise disgracing themselves, formerly disappeared from the list, This was the case of the celebrated immortal Hussars in 1825, which participated in the conspiracy against Emperor Nicholas. Only a few years ago the regulation was rescinded, owing to a realization of the fact that it would work great injustice in the case of batteries and regiments forced by circumstances to sacrifice themselves, as was the case on Sunday.

JAPANESE FLEET. Warships and Transports Sighted Sail-

ing to Northwest on Tuesday.

Chefoo, May 5.-9 p.m.-Chinese The steamer Sikin, which left Port Arthus a week ago, has arrived here. Her commander says seven damaged Russian ships are in the inner harbor, including the battleships Retzivan, Czarevitch and Pobieda, the protected cruiser Pal-

dada and the armored cruiser Bayan. a vote of 197 to 124 rejected a resolu-The small dock at the Tiger's tail pen-tion in favor of the repeal of the Irish insula, Port Arthur, is completed.
Civilians have difficulty in obtaining proviisons. A former officer of the Chinese army, who has returned here from Manuria, says there were less than 75,000 Russian troops south of Harbin, includng the garrison of Port Arthur and on the Yalu. The Russians, he adds, octween Kiuliencheng and Feng Huan

BANDITS GIVING TROUBLE. Fonghaks Annoying Railway Employ-

ees in Southern Korea-Jap Reverse Would Cause Rising. Seoul, May 4.- 7 p. m.-Korean offiials admit that if the Japanese are not ctorious in their operations on the alu river, the Fonghaks (bandits of orthern Korea) will rise in open rebel-on. Their leaders are now, it is said,

waiting any Japanese repulse. It is probable that the southern branch of the

outhern road, where they will have the divantage of the co-operation of their divantage of the co-operation of their him. The roads are less difficult and Fusan railway and endeavoring to intimidate the Korean coolies to stop

Effective military occupation has silenced the northern agitation, and it probably will be necessary for the Japanese to take stringent measures to quie

PREFERRED TO DIE. Japanese Officer Captured By the Rus sians Committed Suicide.

Port Arthur, May 5 .- The Japanese displayed desperate courage in their firethe sea shore, but in no case will advance across to Liau Tung, the they might be taken on either vided into three groups, all heading vided into three groups, all heading straight for the entrance of the harbor while still far from the shore they ran n the Russian mines, and they were under a murdesous fire from the Russian batteries.

Three torpedo boats followed the fire ips to pick up the crews of the lat-

From the mast head of the second Troops are being hurried forward from vessel, as she began to sink, the crew Liao. Yang to a position near Feng waved lanterns to indicate her course to Huang Cheng. All the Russians wound-those astern. Their small boats, though ed have been sent back to Laio Yang soon riddled, did not raise the white flag. The remains of the late Mr. McCre d have been said to day to W unipeg by a creasing obstructions in the lumber the army. It appears evident that Electric Hill, when summoned to surther afternoon train, timed to leave here trade." Gen. Kouropatkin is preparing to give render, sprang forward with a revolver at 12.40 p.m., but which was forty in his hand and died fighting. Another minutes late.

pose of saving her crew was met by a cabinet ministers and Liberal members and Although the commander-in-chief is small arm fire. The Russian sailors the leader of the opposition and his following the commander-in-chief is ings in Manchuria. Attempted landings rather die than go home in disgrace.

THE RUSSIAN LOSSES.

Two Hundred Additional Dead and Wounded Found on the Battlefield.

the enemy's forces. It is necessary for him to await the developments of the last been received here from Gen. Tokio, May 5.—6 p. m.—A telegram depot, which his just to the rear of the has been received here from Gen. Kuroki, dated May 3rd. He reports that a careful search of the battlefield of accompanied the body to Winnipeg. ight his adversary in detail.

It is believed here that the Japanese last Sunday revealed two hundred additional wounded and dead Russians. He ed for 11 o'clock, and a resolution of

JAPANESE LOAN.

Vice-Admiral Togo was sighted off The Money Will Not Be Sent to Japan.

show that a Japanese loan of \$50,000,off Port Arthur, if not the fate of the fortress, depends, in the opinion of the take the form of seven year 6 per cent. Ont. In 1882 he married Annie Ellis general staff, in the prevention of a bonds, and the issue price probably will Green. He was alderman of the city of be 93½, the security being a first charge Winnipeg for 1883, 1884, 1895, and It is understood here that General Zassalitch has already been relieved of his command for disabedience of orders and that his action is under investigation. The being a first charge upon the Japanese customs. The loan will be issued simultaneously in New York and London, the only detail remaining to be determined being regarding ber for Selkirk. He was a barrister-atthe amount which shall be alloted to law. In connection with the obstinate each city. It is anticipated that London will get \$35,000,000 and New York \$15,

.000,000. M. Takahashi, the Japanese financial and especially guns, an interesting bit of the history of what occurred during the not be sent to Japan, but will be employed in paying the balance of trade. He adds that in his opinian no other trates this trait in Gen. Zassalitch's character. He commanded an infantry the conclusion of the war.

----SEARCHING FOR STEAMER. If Report Is Confirmed Protest Will Be Lodged With Russian Government.

London, May 4.—The foreign omechas received no reports regarding the information of the searching of the Peninsular & Oriental Steam Navigar garding the lumber industry in British Columbia, said lie would take the reports received no reports regarding the lumber industry in British Columbia, said lie would take the reports regarding the lumber industry in British Columbia, said lie would take the reports regarding the lumber industry in British consideration. Pennsular & Oriental Steam Navigar garding the industry tion Company's steamer Osiris by the Russian warship Krabri, after the Osiris left Brindisi recently for Port Said, but the Associated Press was industry to the debate on the tariff. formed that if the report is officially confirmed it is almost an unwarranted proceeding, and will necessitate a strong protest to the Russian government.

THE IMPERIAL PARTIAMENT.

Mr. Chamberlain's Action May Result in Postponement of Dissolution.

London, May 5 .- The outcome of the ttempt of opposing members of the House of Commons to move a resolution mitting the government to a repudiation of the protectionist policy is that a compact has been entered into between Joseph Chamberlain and Premier Balamendment to the resolution simply ex-pressing confidence in the policy of the government. As all of Mr. Chamberlain's supporters will vote for his amend ment the government is assured of a vic-

The House of Commons last night by

Crimes Act. George Wyndham, chief secretary of Ireland in opposing the motion, con-fessed that nothing could justify the epeal of the Crimes Act would only do harm by reviving the angry passions now laid at rest.

John Redmond, leader of the Trish party expressed his extreme dissatis-faction with Secretary Wyndham's statement, which he declared would lead the Irish people if they had the means, into open rebellion.

BANK OF ENGLAND RATE.

London, May 5 .- The rate of discount of the Bank of England was unchanged to-day at 3 per cent.

A GUARANTEED CURE FOR PILES. waiting any Japanese repulse. It is probable that the southern branch of the Fonghaks has already risen, as they now to 14 days. 50c.

Itching, Blind, Bleeding or Protruding est testimonials. Piles. Your druggist will refund money if Programment for 14 days. 50c.

Itching, Blind, Bleeding or Protruding est testimonials. Piles. Your druggist will refund money if Protruding est testimonials.

W. F. M'CREARY WAS FOUND DEAD IN BED

Funeral Service at Ottawa, after Which Remains Were Sent to Winnipeg for Interment.

Ottawa, May 5 .- W. F. McCreary, M. P. for Selkirk, was found dead in bed at 6.25 last evening at the Russell house. He was in the best of health before re-When the first ship foundered their tiring, and spoke on the G. T. P. concrew chamored up the mast cheering for tract in the Commons. He evidently room being locked, it was broke into at 6.25, and he was found dead in bed. The coroner said death was from natural

The remains of the late Mr. McCreary

portunity to revenge the slaugh approached a sinking ship for the pur- looking after the arrangements. All the greatly chagined at the miscarriage of showed every consideration for the caphis plans on the Yalu, there is no idea tured Japanese, wrapping them up in The room was too small for the many here that he will act rashly on that act their own coats and carrying them present. While the service was going and coming on there was a steady going and coming officers committed suicide by disem-officers committed suicide b Senators, as well as many citizens Ottawa. With everyone Mr. McCreary was a great favorite, and his sudden death casts a gloom over parliament. Six Dominion policemen carried the coffin to and from the hearse. These were the only pallbearers. An immense followed the remains to the Centra

> expects that a complete search of the field will result in increasing this number.
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> ber.
>
> condolence with Mrs. McCreary and riers, St. Paul str family was passed. The caucus was called some days ago to consider among other things the claims of the shareholders of the Chignecto scheme, but no action was taken. The caucus adjourned shortly before 12 o'clock to attend the

London, May 5.—Further inquiries ham, Lanark Co., Ont., on May 5th, 1855, and was educated in the public at Regina.

OTTAWA NOTES.

No Licenses For Traps Yet Issued-Representations Regarding Lumber Will Be Considered.

traps in British Columbia waters. Senate Vacancy.

Hewitt Bostock will in all likelihood get the vacancy in the Senate caused by the death of Senator Reid. Lumber Industry.

but now was not the time to go into a Letter Carriers' Pay.

Sir W. Mulock told A. W. Puttee that the pay of letter carriers was not fair, and would be increased.

Peace River Country. At the agriculture committee yester day Mr. Macoun was forced to admi that the temperature in the Peace River country was as favorable during the months as around Edmonton and was just as good for mixed farming.

Pioneer Dead. Robert Herdman, 74 years of age, one of the pioneers of Ottawa and a prom inent lumberman, died here yesterday. For many years he was head of the firm Junks which have arrived here report that a fleet of 40 Japanese warships and transports was off Wei Hai We on Those of Wei Hai Wei Hai We on Those of Wei Hai W been in poor health.

FIRE AT MICHEL.

Outbreak in Another Town in th Crow's Nest Pass-Damage \$10,000.

Michel, May 5 .- Fire last night result ed in the total destruction of the Dudley boarding house. The house contain ed fifty borders, many of whom escaped anticipation of a recrudescence of social only in their night clothes. The loss, disorders in Ireland, but said that the \$10,000, is partly covered by insurance. The Trites Wood Co.'s store and depot

Catarrh is **Curable**

OR NOT CURABLE. Just exactly according to the way it

treated. Let alone, doctored theoretically or through the stomach-it's a Stayer. Attacked directly with DR. AGNEW'S CATARRHAL POWDER, it is first alleviated: then eradicated. Thousands say so, from glad experience

In an acre, more or less, of the strong-

THE LUMBER INDUSTRY. Toronto Globe Says That Apart From Duty Proposal, Demands Are

Deasonable. Toronto, May 5.—The Glove, commenting on the debate in the Commons yeserday, says: "While we have a great area of farm-

the other demands of the lumber interests are reasonable, and should receive consideration. Puget Sound mills have the advantage of 40 cent rate to Manitoba and Territories, while British Co-bund mills must pay 50 cents and 55 cents on the Canadian Pacific If the central accompanied by the apparity cents on the Canadian Pacific. If the captain, accompanied by the superin-Canadian line has not sufficient busi- tending naval officer and two other offiness acumen to make traffic for itsself | cers, went aboard the Rossia, where by permitting mills at its terminal to enter this competition, the government, owing to an inherited bargain, is help-less. There is no control of rates, but cipline, obeying their officer's orders, the other grounds of complaint can be refused dealt with. Canadian mills must pay "At from 25 to 30 per cent. duty on machin-ery and equipment, saws, saw bits, teeth and other appliances used in the manu-changed fire with the enemy, during the Emperor of Japan, as they went died during the previous night. His facture of rough lumber. While rough which many of our officers and men perdown. this machinery, comes in free, mill operators should not be forced to pay duty room, split the transport in two. Some on machinery which is their raw ma-terial. The disabilities should be removed by lessening rather than by in- joined by some soldiers after the ex-

DAMAGE AMOUNTS TO ONE HUNDRED THOUSAND

Contract for C. P. R. Improvements at Winnipeg Will Be Let This Month -Man Drowned.

Montreal, May-5 .- Fire this morning gutted the premises of the Waldron Drouin Co., wholesale hatters and furriers, St. Paul street. The loss is \$100,-Policemen Taken.

Winnipeg, May 5 .- It is reported at Medicine Hat that two of the Northwest Mounted Police members who escaped from Medicine Hat have been captured in Montana, and will be tried

Winnipeg, May 5.—Second Vice-President Whyte has left for Montreal with the C. P. R. improvement plans for the city, contracts for which will be let about the middle of the month. Man Drowned

Winnipeg, May 5.-William Boynton was drowned at Eli. Man. 15 miles west of this city, while fording a coulee on horseback. He came from Ontario re cently. Alleged Theft.

Darle, Hon. R. Prefontaine said in the House to-day that no licenses have yet been issued permitting the use of fish traps in British Columbia water. way denies the charge.

Law Carried. Winnipeg, May 5.—By a majority of 75 Fort William ratepayers passed a bylaw Festerday to spend \$25,500 to con plete the city hall and fire hall.

year, connecting Edmonton and Athabasca, landing by telegraph. Poles and wires are on the ground, having been dis- their own spiritual advisers. tributed during the winter. Men are about to start out in force this month. The line will be ready by September.

NOTES FROM OTTAWA.

Elevator Mishap in House of Commons-Bills Before Railway Committee.

Ottawa, May 3.-R. G. Macpherson and several members of parliament had an un-pleasant experience in one of the elevators in the House to-day. It got beyond control of the man in charge and reached the bottom of the shaft with a bang. No one was hurt. Mr. Macpherson brought the natter up in the house.

extension of time.

The bill to incorporate the Edmonton,
Athabasca & Mackenzie railway was defeated at the railway committee to-day on a vote of 13 to 38. Those asking incorporation were Hugh John Macdonald and others, of Wignipeg. The road was to others, of Winnipeg. The road was to start at Edmonton and on to Slave lake. The reason for the defeat of the bill was that Messrs. Mackenzie & Mann had a

charter over the greater part of the way. COTTON CONGRESS.

Premier Balfour Will Not Commit Government to Any Official Part in Proceedings.

London, May 5 .- Premier Balfour de lines to commit the government to any official part in the proposed international cotton congress at Zurich, Switzer-In a letter on the subject, he points

out that little assistance can be expected from other nations in the efforts to increase the supply of raw material With regard to gambling in futures, Mr. Balfour says it is difficult to distinguish between legitimate and illegitimate transactions, and he is doubtful therefore of finding any legal remedy. With est testimonials.

Dr. Agnew's Heart Cure relieves heart disease in 30 minutes and cures.

15 government to offer an opinion.

SINKING OF TRANSPORT. Details of the Destruction of the Kinshiu Maru by Russians.

Consul Morikawa, Vancouver has received the following dispatch from the Japanese legation, Washington, regarding the sinking of the Kinshiu Maru by ing land, in which the lumber supply is a serious problem, there will be strong opposition to the levying of duty, but 37th infantry regiment was retiring to

"At 11.30 a. m., the enemy discharged

coolies and merchants had previously taken to boats and were subsequently

"The boats then rowed westward and, were 45 petty officers and privates, beside the coolies and three merchants.

Most of the crew and coolies appears. military men, except the above mentioned survivors, are believed to have died. were slightly and one seriously wounded."

BUILDING WARSHIPS.

The States Is Constructing Thirteen Battleships and Britain Twelve-Russia's Submarine Boat.

London, May 5 .- A parliamentary re turn issued this morning, giving the number of warships built and building for seven of the strongest navies in the world, credits Russia with the only ompleted submarine boat. This of 175 tons register and was launched in 1901; Russia is credited, however, with 14 others in course of construction, but a foot note points out that it is uncertain whether all of these have actually been

The United States comes first on bat tleships building, with 13 in course of construction, followed by Great Britain with 12. Great Britain is constructing 17 armored cruisers, against 11 of the United States, the third in order being France, with 7 armored cruisers.

THE SUBMARINE PROTECTOR.

Capt. Lake Says Japan Has Not Made Offers For the New Boat. Bridgeport, Conn., May 4.-Captain non Lake, who has arrived here from Newport on the submarine torpedo boat tector, was asked about the reported sale of a boat to the Japanese govern ment. He replied: "You can say me that I have received no offers from any foreign country." He added it was true that the boat has been examined within a few days by Japanese officers, but that naval attaches of other govern

ments have looked it over.

ARMY CHAPLAINS. Number of Roman Catholic Priests Will Be Appointed to Serve in the

St. Petersburg, May 4.-A Roman Catholic priest has been assigned to the New Telegraph Line.

New Telegraph Line.

Winnipeg, May 6.—The government will string a hundred miles of wire this arc 10,000 Roman Catholics among the large of other creeds in the string of the control of the contro troops. Members of other creeds, in-cluding the Mussulmans, will also have hearing of the petition was fixed for May 9th at 10.30.

> COMMANDED BY BARR. The Ingomar Will Take Part in British

and German Regattas. London, May 5.—The Ingomar, owned by Commodore Martin F. Plant, arrived off the Lizard at 9.15 a.m. The Ingomar, which is sailed by Charles Barr. captain of Reliance during the America cup races last year, will take part in the regatta in British and German waters this year.

KNOCKED OUT.

Feltz Defeated McFadden, of 'Frisco, in Fourth Round.

Savannah, Ga., May 5 .- Tommy Feltz last night knocked out Jim McFadden, of San Francisco, in the fourth round of what was scheduled to be a 20-round bout at 113 pounds. The mill was very

FATALLY SHOT. Two Men and a Woman Arrested in Connection With New York Shooting

the crime. The police have also appre-hended "Con" McEvay, a former prize fighter, and Nona Mack, 22 years old, in ment. If there was anything in the evifighter, and Nona Mack, 22 years old, in

Affray.

BUBONIC PLAGUE. Two More Cases Have Been Detected in

the Johannesburg Market.

Johannesburg, May 5 .- The bubonic plague has reappeared in the heart of the town. Two cases have been detected in the market, which has been order-

CHINAMEN WILL BE TRIED FOR MURDER

The Tombo Island Shooting Case Will Also Be Brought Before

(From Wednesday's Daily.) The Assize court opened this morning

with Mr. Justice Irving presiding. After the formal opening of the court the grand jury was empannelled as follows: men had entered the room of the man-J. A. Mara. foreman; T. A. Brydon, ager, above the theatre stage, and after Gideon Hicks, C. A. Holland, Samuel a fight in which clubs and iron rods Johns, A. Maxwell Muir, F. A. Pauline, were used, had thrown the deceased Luke Pither, G. A. Richardson, H. G. from the balcony onto the stage. He

the court. One was that of King vs. these, the wound resulting in such in-Wong On and Wong Gone, where the ternal injuries as to result in his death. defendants were charged with murder, The kidney on the left side had been alleged to have taken place about Janu- forn in two, and in consequence death after indescribable suffering, the men reached Sinesho on the 27th. There

Most of the crew and coolies appear to have been taken by the enemy. All the military men, except the above mentioned survivors, are believed to have died. October. Schultz's defence was that he to the threatre on the morning of the alfleutenent, one ensign, 73 privates, and two interpreters. Of the surviving solution interpreters. Of the surviving solution in the count thought that it the Jubilee hospital on Dr. Robertson's his landing on the island in self-defence. the stage floor and had assisted in havwas only proper that the matter should orders. come before a jury. The matter of tak- Dr. Robertson, city health officer, deing life was such a serious one that scribed the condition of the man. The no doubt should be allowed to surround man appeared to be suffering very much the circumstances. This was all the and witness came to the conclusion he more important in view of the fact that was seriously injured internally. After all the evidence obtainable was that of death he had made an examination of the accused. The grand jury would the body. One of the ribs was broken.

fend the Chinamen.

In the Supreme court yesterday the hearing of evidence in the case of Bar-rett vs. Elliot and Holland was concluded. His Lordship Mr. Justice Irving reserved his judgment. The case was outlined in yesterday's Times. Higgins appeared for the plaintiff; A. L. for defendant; Holland and H. Dallas Helmcken for defendant Elliot. The evidence of Plaintiff Barrett went

to show that in August, 1900, an arrangement was made at White Horse to insure his hotel. It was agreed with Holland that the company should be one authorized to do business in Canada. The policies were forwarded through the banks to White Horse and were

from a New York company. Richard Hall, M. P. P., in evidence estified that the companies licensed to do business in Canada appeared in the report of the superintendent of insurance at Ottawa. He admitted that a company might obtain a license after the report came out. He did not know of any companies doing business without a license in Victoria.

for a non suit in the action. There had een nothing proved to show that there had been any misrepresentation in the

Judgment was reserved Chambers Application. In Chambers this morning before Mr.

(From Thursday's Daily.) vs. Wong On and Wong Gow was pro-ceeded with in the Assize court, presided over by Mr. Justice Irving. The interpreter, David Lem, a young

Chinaman from Vancouver, was sworn, W. J. Taylor, K. C., took exception to him in that capacity. In the police who published it, witness said Man court proceedings this man, he said, ap Quong's people asked him, and he told peared more as a prosecutor than as an interpreter. One of the witnesses for about it at Sing Lee's, Witness lived at the defence had been spirited away, and Sing Lee's now. He did not before. a charge of conspiracy would probably be laid later in this respect.

The charge being read, Mr. Taylor, for the prisoners, pleaded "not guilty."
Mr. Taylor then objected to seven witesses having been sprung upon him at the last moment by the crown. These had not been called for the preliminary hearing. The names of these had been handed to him the day previous, and he had not been handed the evidence until a few moments ago. He was entitled, witnesses would give. It might be necessary to get witnesses to meet this new

connection with the case. It is alleged that the shooting followed a quarrel between Comstock and Donlon over the Mack woman.

The connection with the case. It is alleged that the shooting followed a quarrel between Comstock and Donlon over the Mack woman.

The connection with the case. It is alleged the one witness whose deposition was not now in the hands of opposition with the case. It is alleged that the shooting followed a quarrel between Comstock and Donlon over the Mack with the case. It is alleged that the shooting followed a quarrel between Comstock and Donlon over the Mack with the case. It is alleged that the shooting followed a quarrel between Comstock and Donlon over the Mack with the case. It is alleged that the shooting followed a quarrel between Comstock and Donlon over the Mack with the case. It is alleged that the shooting followed a quarrel between Comstock and Donlon over the Mack with the case. It is alleged that the shooting followed a quarrel between Comstock and Donlon over the Mack with the case with the flagship band.

The connection with the case. It is alleged that the shooting followed a quarrel between Comstock and Donlon over the Mack with the case. It is alleged the connection with the case with the case with the connection with the case. It is alleged the connection with the case with t when the time arrived.

Mr. Belyea held that under the Jurors' ing.

and 48 constituted a perfect panel. There were 41 jurors present, so that was properly constituted.

Mr. Taylor put in his objections in writing. Among these were that jurors were called who were not qualified, and that there were not now 48 jurors assembled. He contended that there was no proper array of jurors, and in conseuence he could not object to the array.

His Lordship said that if the array was not objected to he must proceed.

A jury was then selected as follows:
J. H. West (foreman), M. McCrawford, E. R. Pridham, George Fish, A. S. Sharpe, T. G. Wilson, W. E. Keown, B.

B. Temple, D. Carron, E. J. Monk, A. H. Shotbolt and W. H. Harte. Mr. Belyea outlined the crown's case, which was in effect that Man Quan, manager of the Chinese theatre, had about 1 o'clock on the morning of January 31st been murdered by these two accused fellow countrymen. The day previous, during an altercation which had taken place, one of the prisoners had threatened that the manager would be done away with the following day. These Waterson and E. E. Wescott.

His Lordship outlined the cases before position being that he struck one fell between a table and a chair, the sup-

The first witness called was Thomas bring in a true bill in this case.

The other case was that of King vs.
Schultz. This also was one of taking occasion.

have to decide whether this man should be put upon his trial before a petit jury.

The grand jury retired in order to consider the evidence in King vs. Wong On

Han Fat Chung was the next witness.

and Wong Gow.

A. L. Belyea, K. C., appears for the crown. W. J. Taylor, K. C., will detect to the alleged murder. Man Yuen had accused Man Quan, the deceased, of The court then adjourned until this telling a lie and struck the latter in the afternoon when the jury brought in a face. Wong On, one of the accused, to fight. Before Wong On left the door he warned the manager to look out for the following day. Later, with others, accused tried to force the door of the manager's room, but failed. Witness had wanted them to leave, but a voice utside said for both of them to look

cut for to-morrow. During the afternoon the grand jury returned after considering the case King vs. Schultz. The jury decided that there was no case to go before a petit

this morning. Upon court resuming this morning the jury expressed a desire to see the ese theatre in order to better understand the evidence than it was possible vith the plans alone.

An adjournment was taken until 10.30

Arrangements were accordingly made, and the jury left in charge of the sheriff, accompanied by the prisoners, under cus Before this was done, Mr. Taylor, counsel for the defence, again raised objection to the interpreter. He pointed out that while the witnesses for the crown were kept apart in a room, the The counsel for the defendants asked

interpreter had gone in with them. This did away with the usefulness of keeping these witnesses secluded. Upon resuming, the cross-examination of How Fat Chung was proceeded with by Mr. Taylor. Witness said he, with others, assisted in taking Man Quong

upstairs, the policemen followed.

Mr. Taylor called attention to the fact. hat witness in the pclice court said that he (witness) and the policemen took him upstairs. A document was given witness, who said that it seemed like a placard offering a reward for the arrest of the murderers, which was posted up some time ago. It was signed by the (From Thursday's Daily.)

Bo An Tung. He did not understand
Yesterday afternoon the case of Rex very clearly what the Bo An Tung was. It was the people of the district to which Man Quong belonged. Lo Yen, he knew,

was one of the people of the district to which Man Quong belonged, Asked where the alleged facts in the placard could be obtained by the people all he knew about it. He told them Before Man Quong was thrown from the balcony he had a wound on his lip. His Lordship held that counsel could After Man Quong was taken upstairs to ot object to the officials provided by his room from the stage he had told wit-

> afternoon WILL BE OPENED TO-DAY.

ness he was badly hurt,
The court adjourned until 2.15 this

Formal Ceremony at the Soldiers' and Sailors' Home.

The ceremony of formally opening the he thought, to an adjournment with the Soldiers and Sailors' Home, Esquimalt fullest knowledge of what evidence these road, is in progress this afternoon as this paper goes to press. His Honor the Lieut.-Governor is officiating, supported by Commodore Goodrich and staff and Affray.

New York, May 5.—J. Comstock was fatally shot early to-day in a saloon on 7th avenue, and Wm. Donlon, 26 years old, be called therefore.

evidence.

A. L. Belyea, K. C., for the cfown, explained that two of these witnesses had not been located, and would not likely be called therefore.

by Commodore Goodffen and Staff and officer at Work Point. The programme also includes addresses by these officers, the Premier, Mayor Barnard and others. 7th avenue, and Wm. Donlon, 26 years old, a bar tender, is under arrest charged with Mr. Taylor asked for an adjournment Mrs. J. D. Helmcken, Miss Queenie Mc.

> by a concert, commencing at eight After the calling of the names of all the o'clock, A splendid programme has been petit jurors, several were found on the arranged by those in charge. H. D. list of parties who were dead and absent from the country.
>
> The committee of management are to be sent from the country.
>
> Mr. Taylor took objection thereupon on the ground of there being no jury in their charge. It will be fully availconstituted according to the act.
>
> His Lordship wished the objection men of His Majesty's forces, and that the latter appreciate it goes without say-