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FUNERAL PREPARATIONS.

Decorations in St. Petersburg Very Rapidly Completed—Numerous Strangers Arriving.

Removal of the Czar's Remains From the Kremlin at Moscow—Mourning Demonstrations.

ST. PETERSBURG, Nov. 12.—Owing to the large quantity of floating ice in the Neva the Troitski pontoon bridge has been removed. This has necessitated a change of the route of the procession to morrow. The body will arrive at Nicolas station, where a short service will be held. The column will traverse the Nevski prospect to St. Isaac's cathedral, where it will stop for a short time while the clergy say prayers and blessings as in Moscow. From St. Isaac's it will proceed through the Senate place, along the English quay, across the Nicolas stone bridges along the University quay, past the bourse, over the bridge, through the Zoological garden street, along the Alexander prospect and over the Neva Kronversky bridge, entering the fortress by Peter the Great's gate. During the procession mass will be said in the Fortress Cathedral, minute guns will be fired and bells will be tolled in the cathedral where the body is to lie. Everything was completed this morning by the court officials.

The catafalque occupies most of the central portion marked by four enormous pillars. Above and supported by the pillars is a lofty canopy surmounted with a golden reproduction of the Imperial crown, bearing aloft a high gold cross. Between the crown and each pillar hangs a wide band of brocaded silver cloth lined with ermine. The dais has three steps covered with magenta velvet on which glitter hundreds of golden eagles. The windows are draped so heavily as to let in only subdued light. Alexander III's Russian orders will be placed on cushions at the head of the catafalque; and his foreign orders on cushions at the feet. The grave or tomb opens through the pavement on the left side of the cathedral. It is next to his mother's, just beyond which is his father's tomb. The sides of the open grave have been lined with metal.

Although the Czar's funeral is a week off, the streets are crowded and strangers are coming to the city by scores with every train. Nearly a thousand wreaths and crosses have been received from princes and members of courts and fully a thousand more are expected to arrive with the body. The work of draping the city is being pushed rapidly to completion, but all the decorations are made under the management of the police; they are inartistic and monotonous.

LONDON, Nov. 12.—The Duke of York started this evening for St. Petersburg. He is accompanied by Lord Carrington, the delegate who has charge of the huge wreath sent by Her Majesty. The Duke of Connaught has postponed his departure.

PORT ARTHUR TAKEN.

LONDON, Nov. 12. — A dispatch from Tokio to the Central News says that Count Huobumi, the Japanese prime minister, reports that the Japanese at Talien Wan have destroyed all the torpedoes laid by the enemy at that place and captured several torpedo boats with their apparatus, etc. The torpedo boat barracks at Talien Wan was occupied by the Japanese without disturbing the mines. Important maps of the position of all the torpedoes laid were also secured. When the Japanese fleet with transports entered Talien Wan bay it was rumored that a Chinese squadron had appeared outside and a naval encounter appeared imminent. Suddenly the Chinese observing the Japanese fleet steamed rapidly away towards Wei Hai Wei.

A dispatch from Fusan, Korea, reports another rising of Ton Haks in the province of Kyong Sangdo. The rebels were dispersed by Japanese troops, who killed and captured twenty-nine.

LONDON, Nov. 12.—A Shanghai dispatch says it is reported that Port Arthur was taken by the Japanese yesterday without resistance. The Japanese after bombarding the place a short time made a land assault upon the enemy's works, when the Chinese surrendered. The general in command and the chief officers of the forces at Port Arthur abandoned the fort on November 6 and have disappeared. Several European ministers are preparing to leave Pekin.

IMPORTANT MINING SUIT.

Men Who Have Done Considerable Mining Work Maintained in Their Claim.

Judgment by Mr. Justice Crease—Minute Review of All the Facts.

In the Supreme court before the Honorable Mr. Justice Crease.

Allan Granger, plaintiff, v. Robt. Fotheringham, Jno. E. Askwith, Archibald McMurdo, R. Irving, W. H. Ellis and Geo. McCabe.

Mr. E. Davis for plaintiff; C. E. Pooley, Q. C., for defendant.

JUDGMENT.

Crease, J.: This case which was tried before me without a jury at Vancouver on the 26th and 27th of July last, just before the vacation, is one of considerable importance to the mining community. It discloses the attempt to wrest the possession of a claim from a set of men who have done a great deal of mining work, and expended large sums of money on it in labor and machinery, by one who has done no work and expended nothing upon it.

Under these circumstances it is not surprising that the learned counsel for the plaintiff in his opening address should have deprecated all reference to the position and motives of the plaintiff, as an alleged principal in a jumping case, and seek to confine the whole treatment of the matter in dispute to abstract propositions in law, and the bald construction to be placed upon sections and parts of sections of the gold mining acts on which he relies, on the assumption that the case of the plaintiff is that of an innocent prospector seeking by fair and lawful means the enforcement of a legal right against a wrong doer.

As the facts are numerous and somewhat involved a statement of the leading circumstances of the case and the practical effect of the pleadings becomes indispensable.

The action is to determine the title to a mine, and for its possession and for damages.

The plaintiff claims to have a right as an independent miner to the ownership of a claim called the "Safety."

It runs over one which has been worked for several years by the defendants, or some of them, called the "Bobbie Burns"; and on which, it is not denied, the defendants have expended in labor, machinery and roads upwards of $20,000.

On the "Safety" the plaintiff has expended practically nothing.

The "Bobbie Burns" was recorded on the 12th May, 1891, by Archibald McMurdo, in (what is called from his discovery) the McMurdo basin, about 50 miles from Golden, on a branch of the Semilkameen river.

The "Bobbie Burns" was recorded under the gold mining act of 1891.

Other two claims—the "Robert E. Burns" and the "Safety"—were recorded under the act of 1893.

The last two claims are virtually the same claim; they run much on the same lines, and both cover the "Bobbie Burns."

The documents and transactions affecting the "Bobbie Burns"—which I take first, as the first in order of record, are as follows:

On the 3rd August, 1891, Archibald McMurdo being then the discoverer and sole owner of the "Bobbie Burns"; conveyed to John English Askwith, three-fourths of his interest in that mine; retaining one-fourth in himself.

On the 3rd November, 1891, Askwith conveyed to Fotheringham seven-eighths of his three fourths—

Later on Askwith conveyed the remaining one-eight of his said three fourths, leaving McMurdo his one-fourth.

In September, 1892, McMurdo made a written agreement (called a bond) with Fotheringham to convey to him that remaining one-fourth interest.

On 4th July, 1893, Fotheringham gives Askwith, his brother-in-law, a power of attorney to deal with the "Bobbie Burns."

On the 22nd July, 1893, Fotheringham conveys the "Bobbie Burns" to the defendants Ellis and Irving, (with certain provisions as to the defendant, McCabe.)

On the 31st July, 1893, McMurdo gives, (in pursuance of the bond) a quit claim of all his interest in the "Bobbie Burns" to Fotheringham.

The instruments recorded affecting the "Robert E. Burns" are as follows:—

On 29th July, 1893, record of "Robert E Burns" filed at Golden by George McCabe, one of the defendants.

On 31st July, 1893, a bill of sale given by George McCabe to Fotheringham, in consideration of $500 of all his interest in the "Robert E Burns."

As to the "Safety" claim the instruments recorded were:

On 30th September, 1893, record of the "Safety" claim by Allan Granger.

On 30th September, 1893, a protest filed against the "Robbie Burns" by the plaintiff, Allan Granger, under the Mineral Act, 1892, c. 32, B. C. Statute.

All these documents were produced and proved at the trial.

The pleadings, briefly sketched, commence with the statement of claim.

That merely sets out the "Safety claim.'

The defence is a general defence, and sets out the possession. The amended and equitable defence is, that McCabe had staked out and recorded the "Robert E. Burns" and had agreed to convey it to the defendants.

Defendants therefore rely on the "Robert E. Burns."

Plaintiff in reply objects: That the "Robert E. Burns" was defectively staked in certain particulars, viz: that

1. It covers a greater area than the act allows.

2. That the distance between two stakes of the "Robert E. Burns" is over 1,500 feet.

3. That the location line is not distinctly marked (sub-section 6 of section 5 of reply); clause 3 of section 15 of the act requiring that such line "between posts 1 and 2 can be distinctly seen."—

4. That No. 2 post of "Robert E. Burns" is undated.

5 That "Robert E. Burns" is merely a restaking of the "Bobbie Burns."

The issue was:

(1) Was the "Robert E. Burns" sufficiently staked to comply with the mineral act?

(2) Whether the location by McCabe was merely a restaking of the "Bobbie Burns"?

(3) Whether McCabe was not in equity so interested in the "Bobbie Burns" as to make him in equity a part owner, and therefore, under the latter part of section 29 of cap. 25 of 1891, unable to restake without getting the written permission of the Gold Commissioner.

The facts which were proved during the trial were:

That by various conveyances from McMurdo, the discoverer, the "Bobbie Burns" came into the possession of Robert Fotheringham as owner. During the years 1891 and 1892 there were duly obtained and recorded the proper certificates of assessment work done on the "Bobbie Burns," as required by Section 24, cap. 25" (work done each year) on the claim itself to the value of at least $100."

It was also proved that Fotheringham expended in labor bona fide done, on the "Bobbie Burns," $1,500 of assessment work in the year 1893.

He expended in erecting mill machinery adjoining, and for the purposes of that mine and making a road from the mill, $12,500, with about $2,500 worth of work done on the mine, making altogether $15,000.

Askwith, who had a full power of attorney from Fotheringham (his brother-in-law), to transact all business for him in and relating to the "Bobbie Burns" claim on leaving for the East, made specific arrangements with Harry Cummins, a duly qualified local surveyor, to survey the claim, make and record the proper affidavits and documents required by the mineral act to entitle him to a Crown grant. He was to obtain the necessary certificates from the mining recorder, and insert the necessary notices: 1. In the Nelson papers. 2 also in the British Columbia Gazette, and 3. To file the same with the mining recorder, and, with the necessary certificate of improvement, get the Crown grant.

Mr. Askwith returned in 1893 expecting to find a Crown grant, and all his orders complied with.

Instead of that, he found that his instructions had not been complied with—except that the notice had been inserted in the Nelson papers.

This, though far short of his instructions, is so far confirmatory of the fact that the work was done, and the instructions on the part of the owner given, as defendants alleged.

The notice was not inserted in the British Columbia Gazette, nor was the certificate of the year's work (from 12th May, 1892, to 12th May, 1893), obtained and recorded.

Finding this, one Geo. McCabe concluded to stake a new claim in a new name, including within its limits the "Bobbie Burns."

This was done, and the new claim, now called the "Robert E. Burns," was staked out, located and recorded by McCabe in his own name. This was effected with the assistance of David Dickey and Manuel Dainard, who appeared as witnesses, and one Rury who was not called. The former two proved the correct staking.

And, as a jury, I am of opinion, from a consideration of all the evidence, that the claim "Robert E Burns" was properly staked and recorded, and is a valid and subsisting claim, the 1894 work done thereon having been duly done, proved in detail, and recorded by McCabe, as by the certificate of the 20th July, 1894, more particularly appears; and all this I find accordingly.

It has been objected, that by section 29, McCabe should have obtained the written permission of the Gold Commissioner to make this new location, but I am of opinion that, having made this in his own name, and having afterwards made his own voluntary independent bargain with Fotheringham on transferring it to him on the 31st July, 1893, (as by exhibit "B" and the evidence on the point appears,) which he could not have been compelled to do—that objection falls to the ground.

It has also been objected, that his claim, "Robert E. Burns," was wrongly staked, and was invalid, because, by section 14 of the Mineral act, while he staked the right breadth of 1500 feet, he exceeded the maximum length of 1500 feet; and that therefore his staking is invalid.

But the words of the act are as follows:

"Any free miner desiring to locate a mineral claim shall, subject to the provisions with respect to land which may be used for mining, enter upon the same and locate a plot of ground measuring, where possible, but not exceeding 1,500 feet in length by 1,500 feet in breadth, in as nearly as possible a rectangular form, that is to say," etc.

Now, a glance at a correct sketch of the locality would show that all the three claims are staked so much on the same lines on the north and west sides and these contain exactly the same right angle, each of the two sides forming which is exactly 1,500 feet long, that the construction of the 1,500 feet square specified in the act follows as a matter of course.

So that all the excess in length, over 1,500 feet, of the Robert E. Burns can be cut off with exact precision by a line parallel to the south and north boundary lines of the Robert E. Burns without interfering with the direction of the location line of that claim (of which the evidence satisfies me as a jury); and the provincial land surveyor is, by Section 14—four lines above sub-section (a)—empowered to move No. 2 post, and inferentially any other post, "for the correction of the distance," which is exactly what is wanted here. And I have already said generally, and the evidence satisfies me particularly, that the claim is properly staked, with properly recording lawful posts, in compliance with the act.

Indeed, it is but reasonable and common sense that when a claim is staked by other than actual surveyors, as by ordinary miners unskilled in actual measurements on the ground, such changes, not affecting the previous rights of adjacent owners, must very frequently take place under the eye and orders of the regular authority under the act.

By the portion of the ground complained of as overstaked in this instance, no other person's right was interfered with. That portion was entirely below the "Safety" claim; indeed, the "Safety" claim was not in existence till two months after the "Robert E Burns" was staked.

There is nothing substantial, therefore, in that objection.

Moreover, I cannot find anything in the act by which such excess of itself works a forfeiture.

If it did, no claim could be retained by a prospector unless it were laid out and staked with mathematical precision, in the first instance, by some duly qualified surveyor; and that, in practice, seldom if ever occurs; and is not called for by the necessities of the case nor in accord with the spirit and intention of the act.

I consider, therefore, that while liable hereafter to this rectification or, as the act calls it, "correction of distance," the "Robert E Burns" is substantially properly staked in compliance with and within the protection of the act, and is a good valid and subsisting claim.

And now, while upon this subject, I see no valid or good reason why the owner of a claim who, by the process laid down by section 27 of the Act of 1891, can abandon a whole claim; since "omne majus continet in se minus" may not, by the same process, abandon any specific portion of a claim—provided he specify and record such abandonment.

Holding therefore, as I do, that the "Robert E Burns" is a valid and subsisting claim, it follows as a matter of course that the "Safety" claim is not a legal claim; for, irrespective of the defect in one post, which as a jury I consider proved—and which injuriously affects the record—it is made on ground which is neither waste land of the Crown, nor abandoned nor forfeited land, but in the legal occupation of other persons; to wit the defendants in this case, by purchase from the recorder of it—McCabe.

And here I must digress for a moment to interpose a remark, that the $500 in the sale to Fotheringham does not represent all the consideration he received. While that was the substantial part of it (for the value of the claim is still in nubibus), he also was to receive a certain value in the stock of a prospective company. But this he was quite entitled to do, and it did not therefore make him either a co-owner or agent of the other defendants. It did not even require him to hold a miner's certificate in order to keep his shares.

There is another reason for the above conclusion, which, despite the deprecation of the learned counsel for the plaintiff, I think militates against the plaintiff's right to stake out a claim over another, the effect of which would be to oust the title of the defendants—that is the mode in which the information which led to the attempt was acquired.

He who comes for equity, must do equity. The plaintiff himself bore witness in the box, and the evidence was drawn from him, that while doing business as a miner and a mine dealer, he obtained employment from the Mining Recorder in copying out the government mining records at Golden and at Donald. It was May, 1893, while copying out such records at Golden, that he discovered the slip made on the 12th May, 1893, through the laches of Harry Cummins, the surveyor employed on Fotheringham's behalf, to complete the survey, notices, affidavits and certificates required by the act, as preliminary to obtaining the Crown grant of the "Bobbie Burns."

He claims that he was allowed by the Mining Recorder, at the same time that he was so employed—living, too, for some time in his house, having constant access, in the course of his duty to the government to the records—to practice his calling as a mining agent; in other words allowed to look out blots in mining titles—a permission which the Mining Recorder, who appeared as a volunteer witness at the trial, had no right whatever to grant, and plaintiff, as an honorable man, while in such employ had no right to accept.

The Recorder, if he had such a right, could have exercised it himself. Now, no person in government employ is allowed to expose or himself take advantage of discoveries which he makes to the prejudice of others in the course of such employ. It is no answer to say that the public have free access to and can freely search all mining records—that is perfectly true and proper, *sub modo*—but a public officer, entrusted with the charge of public mining records, can only (except in exceptional cases, such as a record coming in at night in a race to record some new discovery, where five minutes may make all the difference) allow anyone to come in and search such records, or make his own, except within reasonable hours, and that must be in the day, and then only, for very obvious reasons, in the presence of the Recorder or someone duly authorized in his stead to protect the records, which are frequently the only title which the working miner has to sometimes a vast amount of property.

Any trifling with, or irregularity or favoritism in the keeping, or giving access to the records at unusual times, if known, will breed such a distrust among the mining population as will seriously affect their confidence in that department; a result which is earnestly to be deprecated, as it would be followed by all manner of evil consequences to the mining interests of that part of the country.

While honest working and expenditure of capital, which was undeniably the case here, in the opening and exploration of the mining ground, and in the employment of labor, should be within lawful limits encouraged;

While mere colorable working, or neglect of working, should, under the stringent provisions of the act in that behalf, be followed by forfeiture of the privileges which the holders have been proved by experience unworthy to retain—it is of the utmost public importance in a mining country requiring the safe investment of capital for its development and the steady employment of labor, that the practice of jumping claims by persons—who, not working themselves, make a business of hunting for accidental or unintentional slips in records happening to men more engaged in hard work underground, than accustomed to clerical hard-working (prospectors, who undergo infinite labor and hardships in bringing hidden wealth to light)—should be discouraged; as they always have been by this court. They are the parasites who always hang about rich mining camps.

Long experience in mining camps, including British Columbia itself, from Cariboo downward, shows that there is no more fertile source of insecurity of investments (and money is a sensitive plant) of ill-blood, ill-feeling, not unfrequently culminating in violence and bloodshed—than the practice of what is known to miners by the terms of jumping claims.

For the reasons already given, and after a most careful consideration as a jury, as well as judge, of all the sections of the Gold Mining acts, evidence, and arguments adduced on both sides, I find myself constrained to, and accordingly do give judgment for the defendants, with the usual accompaniment of costs.

"HENRY P. PELLEW CREASE," J.

THE SAMOAN DIFFICULTY.

The latest news from Samoa is to the effect that rumors of coming trouble are again prevalent there. Things are said to be as bad as before the intervention of the British and German warships. Tamasese declares that his submission was only intended to secure a truce and time for preparation, and the Aana tribe is still under arms.

A correspondent of the Sydney press writing from Apia under date of October 5 says: "There is no definite change in the political situation, nor is it likely that there will be any further outbreak so long as the warships remain in harbor. The whole of the three islands—Upola, Savaii and Tutuila—are in a state of ferment, but little is needed to bring about an outbreak. The German warship Falke proceeded last week to a part of Savaii and notified a would be rebellious section of one district there that any measures in the direction of war would be promptly stopped by the warships, and the ringleaders punished. There can no longer be any doubt that the present government is doomed. The Treaty officials are unpopular. Whatever feelings remained in favor of the present officials have been entirely dispelled by their attendance at a gathering of pardoned political prisoners, which was organized by Mr. Robert Louis Stevenson. Public feeling is very strong against the Treaty officials for having attended this gathering. As I am writing a letter has been received by the land commissioners from the leaders of the rebel party, informing them that they will not be allowed to hold a sitting at Falealili (a town in the rebel district). This letter has been communicated to the consular authorities, who have invoked the assistance of the warships. What is to become of this unfortunate country is hard to say."

QUEBEC, Nov 10.—Tenders for a new city hall to cost $150,000 have been invited.

FROM OVER THE SEAS.

The Australian Shearers' Troubles—Prospects of Colonial Federal Union.

Latest Developments in a Remarkable Case—Cannibalism Renewed at Rossell Island.

Although the shearing troubles throughout New South Wales and Victoria have not yet been finally terminated, and cases of actual or threatened violence are still heard of, yet the general drift of the reports from the pastoral district is, according to advices brought by the Miowera, decidedly favorable. "The difficulty once found in obtaining sufficient labor," says the Sydney Mail, "is diminishing; the men who have shorn at one set of stations under the pastoralists' agreement have been conveyed to others, and begun the satisfactory discharge of their new engagements; and at various points the camps have broken up and the men who composed them are seeking employment. It is due to the government and to the police to recognize the signs of efficiency in the efforts to maintain order, suppress violence and restore confidence. Meanwhile, some of these men who have been endeavoring to set up an unlawful dominance over personal liberty are finding themselves in straits. On October 14 six men were tried for their participation in the riot at Tolarno, in August, and all were convicted—one of them under the additional charge of assault also. One was recommended to mercy. The course of justice sometimes seems to be slow; but if it can be relied upon for sureness it will in the long run have its legitimate influence. All credit is to be given to those station-owners who, in spite of discouragement and at such inconvenience, have persistently held out against actual or constructive coercion, and are now in a fair way of being rewarded for their courage. From the time when intimidation and violence commenced, the question of the merits of the original dispute was removed from consideration, and the right course was to see the struggle through in the interests of liberty."

"Whatever indications there may be," says the Sydney Morning Herald, "and we do not think that such indications are entirely wanting, that the subject of federal union is gaining a stronger influence on the mind of the people of Australia, it cannot be said that the prospects of the movement are improving so far as the politicians are concerned. Amidst the changes of ministers that follow each other so frequently in the different colonies this subject is recognized as one upon which something must be said by the incoming men, and, if possible, some promise must be made; but the general result of these utterances is not encouraging. In this colony (N. S. W.) federation had very poor chances under the last government; but no one could feel sanguine when Mr. Reid accepted office as to the advent of better times in that respect. Mr. Reid took an early opportunity, after he was fairly settled in his seat, of opening communications with the governments of the other colonies with the professed intention of placing the matter in the position which its importance deserved. His circular, however, was oracular, and whilst failing to point definitely towards any particular course of action was apparently understood by some of his correspondents as suggesting the initiation of a movement for the mere establishment of intercolonial free trade. So, apparently, it was understood by Sir James Patterson, the head of the last government of Victoria, who indicated his readiness, if not indeed his strong desire, to join in such a movement. But intercolonial free trade is not federation, and the effect of a serious movement to set up the former would probably be to make the attainment of the latter more difficult than before. Sir James Patterson, however, has lost his position and influence in this matter, and on the accession of the Turner ministry to power the question arose, in what light would the subject present itself to the new men? That question has now been answered. The negotiations are in the hands of the Minister for Trade and Customs, Mr. Best, and he has taken an early chance of making his ideas known. He makes protection against the outside world a necessary condition of intercolonial free trade, and couples with the promise of intercolonial free trade and federation the stipulation that they shall not interfere with the protection of Victorian industries as against the rest of the world."

Mr. Young, soon after taking office as Minister for Works for N.S.W., issued a minute directing that certain precautions should be taken in the preparation of government contracts, with the view of preventing sweating. It has been said that contracts have been let for government works, and that the successful tenderers have then sub-let them at rates which enforced the payment of something like starvation wages to the men employed upon them. The object of the minute was to compel the payment of the current rates of wage. The matter was prudently referred to a competent board for consideration, and the report of the board, while suggesting a way in which the Minister's desire might be accomplished, points out that, if the contracts stipulated for the payment of a standard wage, the result might be to exclude from employment all the men who, by weakness, or age, or deficient skill, might be unable to earn it, although they were well able to carry through a greater part of the work required. In that case the remedy might be as bad as or worse than the disease.

The Sydney Herald says in its issue of September 19: "The legislation of the week has seen one very singular thing, at least so far as the Lower House is concerned, for it will probably receive short shrift when it reaches the Upper Chamber. About fine years ago an old settler named Hawkins was found brutally murdered in a gully at Kaiwarra, near this city. A county roadman, a hitherto well-conducted Italian named Louis Chemis, was arrested for the crime. The evidence against him was purely circumstantial, and a chief feature in it was the finding in the wound of a wad of newspaper apparently shot in at close quarters from a shotgun, and which on being opened out corresponded with missing portions of a newspaper found in Chemis' house. Chemis' counsel was sickening of typhoid fever and was carried out of court to die during the trial, and a variety of other circumstances surrounded the case with a singular and magic interest which was enhanced by the fact of the accused possessing a young wife and two pretty little children. Chemis was found guilty and sentenced to death, but a great agitation got up for the commutation of the death sentence, owing to a doubt existing in the public mind as to his guilt, resulted in the commutation being granted after the cabinet had gone most exhaustively into the question. Subsequently proceedings for perjury were taken again the detectives, and these failed. From that day to this, however, there has been spasmodic agitation for a re-trial, and this agitation was largely instrumental in the passing of a clause in the criminal code act last year creating a criminal court of appeal for all future cases. Not content with guarding against the future, the agitation which was kept up by petitions to the house, and which was led by the senior government whip, Mr. C. H. Mills, has been continued, and that gentleman has just succeeded in getting into the house an amendment of the criminal code bill, and passing through the house by a very large majority a clause specifically allowing Chemis a re-trial of the case, heard five years ago.

News reached Sydney by the steamer Archer on October 6 to the effect that the savages of Rossell island, an island lying off the New Guina coast, had attacked a French traders' station and killed everyone on the place, including the trader. Upon receipt of the news inquiries were made of Captain M'George, of the Kurrara. He had heard that "a Frenchman who had established himself there trading had been killed and eaten by the Rossell islanders, and that Mr. Butterworth, the magistrate, had gone to investigate the affair." Rossel island is notorious for having been the scene of the massacre and human feast of a whole shipwrecked crew of Chinese several years ago.

The colonial treasurer for Western Australia estimates the revenue for the year ending June, 1895, at £893,150, being an increase on last year of £191,905. The treasurer expects increases under the principal heads of revenue by the following amounts: Customs, £83,302; land, £9,539; postage, £5,586; telegrams, £6,796; railways, £36 456. The expenditure is estimated at £934,581, or £278,225 more than the expenditure for last year. This is due mainly to an extensive increase under the heads providing for loans, and also for the following purposes: Police, education, post and telegraphs, mines, railways, improvements, works buildings, roads and bridges. At the end of June, 1895, the treasurer expects a credit balance of £18,588.

Fifty single young women have left London by the steamer Gulf of Siam as free government emigrants for Fremantle, Western Australia. Sir Malcolm Fraser, agent-general for the colony, superintended the embarkation. The girls, whose ages are about 20 years, were all selected by the United British Women's Emigration Association, of which the Hon. Mrs. Joyce is the vice-president.

The new Victorian ministry has been chosen as follows: Mr. Turner, premier and treasurer; Mr. Isaacs, attorney-general; Mr. Best, lands; Mr. Peacock, chief secretary; Mr. Duffy, postmaster-general; Mr. Foster, mines; Mr. Taverner, public works; Mr. Williams, railways; Sir F. Sargood, M.L.C., defence; and Mr. Cuthbert, M.L.C., solicitor-general.

The New South Wales cabinet has reduced the age at which children will be received in the public schools from six to five years.

New South Wales mourns sincerely and deeply the death of one of her pioneer public men, Sir Alfred Stephen, P.C., C.B., G.C.M.G., who passed away on October 15.

HAWAIIAN REPUBLIC.

Recognition by Queen Victoria and the Emperor of Russia—The Elections.

Candidates of the American Party Returned—Japanese Sailors Mutiny on an English Vessel.

HONOLULU, Nov. 3.—(Per steamer Miowera)—An autograph letter of Queen Victoria recognizing the republic of Hawaii was received on the 26th of October by H. B. M. Commissioner Hawes. Owing to the absence of President Dole of Hawaii it has not been presented.

An autograph letter of the Czar of Russia, recognizing the republic, was received to-day.

The election was held October 29 for senators and representatives for the legislature. On the island of Oahu, on which Honolu is situate, the candidates of the American party were elected as follows:

For the Senate—Cecil Brown, John A. McCandless, H. W. Schmidt, Henry Waterhouse, Wm. C. Wilder, John N. Wright.

For the House of Representatives—Fourth representative district—Charles L. Carter, D. L. Naone and E. C. Winston; Fifth representative district—J. C. Cluney, James Davis and L. K. Halualani.

The election was the quietest ever held in Honolulu, the day being like a Sunday. There was very little traffic, and many people took advantage of the holiday for an outing in the country.

Complete returns had not been received when the steamer left from the islands of Hawaii and Maui, but the candidates certain of election are nearly all active supporters of the republic. It is believed that all the senators strongly support annexation, notwithstanding a disposition of some of the planters to advocate continued independence of the republic in order to be free to import Asiatic contract labor.

Henry P. Baldwin of Maui stands at the head of the planters and is a leader in legislation. He has come out strongly for annexation, notwithstanding his desire as a planter for cheap labor. He believes that if annexation abolishes the contract labor system it will more than compensate in other ways. He thinks that there are too many Japanese in the country now—that Portuguese should be introduced instead—that the plan of co-operative planting, or share system, may succeed.

The birthday of the Emperor of Japan is enthusiastically observed here by his subjects to-day. A procession of Japs paraded the streets. The Chinese were much irritated and notified the police that there would be a fight upon the slightest display of insolence by the Japanese. There was no trouble.

President Dole is inspecting crown and government lands on the Island of Hawaii. He is preparing new homestead laws for the coming legislature.

The British steamer Naushan arrived October 22 with 1,000 Japanese laborers. Several days previous the Japanese sailors mutinied and were supported by the passengers. A court martial is in progress upon the mutineers, held by the British commissioner.

The French cruiser Duguay-Trouin arrived this morning, 27 days from Callao, en route to Yokohama.

The Japanese in Hawaii have raised $6,000 for the Red Cross Society attending the Japanese armies.

PORT ARTHUR, Nov. 10. — The heaviest northwesterly gale of the season was on last night, accompanied by intense cold.