By Counsel for the United States to Some of the Claims Fied by Sealers.

The Ground Advanced That They Were Not in the Schedule at Paris.

The Behring Sea Claims Commissi met again this morning at 10:30. During the morning Her Excellency the Countess of Aberdeen escorted by Lieutenant-Governor Dewdney and Provincial Secretary Baker came in and took seats reserved for them on the floor of the house; later Premier Turner and Attorney-General Eberts joined them. The parties were also present, and after the ommissioners rose the counsel for both sides sat to the Kodak of one of the American young ladies.

that he would serve copies of some of the answers today. He then proceeded make two motions, notice of which had been given. In regard to the claim No. 5, for damages on account of the warning given the Black Diamond in July, 1886, he moved to strike out that claim because it does not appear properly in the schedule. Two claims are ly in the schedule. Two claims are damages claimed are speculative and expectations. made for the Black Diamond, one for cessive. As to the damages claimed the warning in 1886 given by the col-the warning in 1886 given by the colthe warning in 1880 given by the total for the arrest and imprisonment of the lector of customs at Ounalaska, and the masters and mates of the vessels the lector of customs at Junitassa, and in all the other for seizure in 1889, and in all the United States aver that the only damother for seizure in 1000, and were made ages to be considered, in case of any in respect of the same vessel before the in respect of the same the claims have States for such arrests and detentions, been specified as district. The cases of are not in their nature punitive or this Mr. Dickinson cited the cases at all hot in their ne the Triumph, Pathfinder and Alfred aggravated damages. Adams, which was afterwards called the Lily. The question is important in that it goes to the fundamental groundwork of the jurisdiction of the commission, and if this case is not within the terms of the convention it may follow that either government may criticize the finding of the tribunal on cases based on facts outside the convention.

Mr. Peters contended that the reason the Black Diamond's name did not appear twice in the schedule was because the date is only a piece of information and is not absolutely necessary. At the time the treaty was made there was an important question of principle at issue, namely, the rights of the parties in Ben ring sea. Another question and a sun sidiary one was the right certain injured parties had to receive compensation. He quoted from a letter of Sir Julian Paungefote to Mr. Gresham, showing a list of claims intended to be submitted containing a schedule, and the Black Diamond was distinctly stated and no objection was ever raised by the United States government. The real reason it was left out was at the suggestion of the Canadian delegates, as it already appeared in the original list of claims. As to the statement that when two claims were made in respect of the same vessel the schedule distinctly showed it, he explained, that there were Pathfinder seizures were their nature that they were separately stated, and that as the Alfred Adams had changed her name the second claim was put down separately as the Lily, a schooner then owned by different owners. He cited a case in 100 U. S. Pacific railway, Supreme Court Reporter to show that where a treaty is open to either a restrictive or liberal construction it should be construed liberally. If the commissioners threw out the claim it was barred forever.

Mr. Dickinson replied showing that the Paris tribunal found certain seizures were made by the authority of the United States. The commissioners are a sequel to the Paris tribunal, and as the Black Diamond claim for the 1886 warning was not before the Paris tribunal therefore the present commission could not go into the question. Surely they were not going to hold that the collector of customs at Ounalaska coulc make the United States government liable for a warning he had no right to

Mr. Dickinson then moved in No. 11, the Ada claim, to strike out that portion of the claim which asks for \$3,000 na's parlors at 10 a.m .and later from damages for the arrest of Captain the Roman Catholic church, where the James Gaudin, on the ground that the services were conducted by the Rev. finding of the Paris tribunal carefully limits claims for damages in cases of seizures to several arrests entered in bearers: Messrs, F. H. Lang, M. the British case, pages 1-60, in which Conlin, Wm. Buckett, J. W. Kinlock, this case is not included.

Mr. Beique answered shortly, stating the governing element of the convention is that full compensation be awarded. When a lump sum for compensation was being considered by the different governments this claim was submitted by Sir Julian Pauncefote to the United States government, and no objection was taken.

The commissioners reserved judgnent. The claim for damages in the Black Diamond case amounts to \$7.500. When the Behring Sea Claims Commission met this morning Mr. Dickinson stated that they had already filed answers in the first case, and the others would be put in as soon as they were got ready for the printers.

Mr. Dickinson then went on to state that he had filed a motion to dismiss No. 26, being for \$62,827.12 for the the Sayward case. The ground notion was that these costs were by the Canadian government by individuals, and therefore did not come before the comrs within the terms of the con-In case his friends opposite to press the claim he would ask

> government. ters expressed surprise that on should be made, and said ertainly intended to press the he sum named was actually the Canadian government, far as the tribunal was conas by the British government. ckinson stated that such a this had no more right to be n would a claim for the costs government before the Paris Costs incurred by individuals put in, but not costs incurred overnment-they were excludterms of the convention. ers was satisfied to let the nd over as suggested, and he

djournment pending an answer

further proposed that judgment be de-layed in the Black Diamond and James Gaudin motions until he had heard from Sir Julian Pauncefote, to whom e had wired, and who would interview etary of State Olney.

Mr. Justice King then announced that nothing further would be done re Sayward costs until counsel again mentioned it. It was then arranged to take up the Carolena case at 10:30 a.m. on Wed-

The replies filed by the United States state that the seizures were made in good faith by officers of the United States within the line of their duty, under authority and mandate of the municipal laws of the United States, for a violation of the statutes of the United States, and such seizures were ratified and adopted in good faith by the gov-ernment of the United States as for a a violation of their said statutes. Section 2 of the reply, and the most

mportant, reads: "The United States aver that, before, at the time of, and after the seizure torney-General Eberts Joined the Land of the said vessels, the sai arparel, outfit and cargo, were wholly or in part the actual property of a citizen or citizens of the United States, and further that at the times aforesaid At the opening Mr. Dickinson stated the beneficial interest in the whole or a part of the said vessels, their apparel, outfit and cargo, were possessed and owned by a citizen or citizens of the United States, and that her said voyage was entered upon and prosecuted, in whole or in part, for the benefit of a

citizen or citizens of the United States. liability on the part of the United specified as distinct. To Mastra e are those for actual pecuniary loss, and

### BRIEF LOCALS

Gleanings of City and Provincial News in a Condensed Form.

From Friday's Daily. -A branch of the Bank of British Colambia was opened for business at Kaslo this morning. A branch was opened at Sandon on the 17th inst.

-The St. Andrew's and Caledonian the local house. Society will hold its grand annual St. Andrew's banquet on St. Andrew's day, Nov. 3rd, at the Hotel Driard.

-Mrs. Lang and Mrs. Dudgeon have nanded \$17.25, the net proceeds of the W. Hall on the 19th of this month, to ern end of Teslin lake. the treasurer of the British Columbia Protestant Orphan's Home, for whose benefit the entertainment was given.

Westminster, it is learned that W. Robb a number of years a well known mem- the Tacoma smelter. ber of the provincial police force and for some time acted as guard for the Cariboo mail coach.

defaulting clerk of M. W. Waitt & Co., oned for twenty-one days. H. George Lincoln: "We are credibly informed that Lincoln purchased a ticket for Detroit, Mich., on the Northern

accident at the Government House Wednesday afternoon. The lady fell, breaking her thigh bone. The accident is the more serious because of her advanced age, being over eighty years. She is doing as well as could be expected under the circumstances.

-The death occurred yesterday the residence of Mr. H. Maynard, her son-in-law, of Mrs. Sarah Evans, who for the past twenty-three years has been a resident of Victoria. She was a native of London, England, and was 53 years of age. The funeral will take piace on Sunday from her son-in-law's residence on Pembroke street.

-The funeral of the late Harrison Courtney took place to-day from Han-Father Althoff and also at the cemetery. The following gentlemen acted as pall-R Bray and W. Malins.

-Yesterday afternoon took place the funeral of the late William Thompson, who was drowned some time ago while attempting to ford Sooke river. It was held from the residence, 26 Quadra street. Revs. Dr. Campbell and S. Cleaver conducted the funeral services, both at the residence and at the cemetery. Morris A. Stewart, W. McKittrick, C. Gardner, J. Sharp, L. H. Hardie and W. G. Dickerson were the pallbearers.

-The Countess of Aberdeen arrived in the city by the Charmer last evening and is a guest at the Government house. This morning the Countess addressed a meeting of the Friendly Help Association and at 8 o'clock this evening Her Excellency will address a meeting to be held in the City hall under the authe iron mines at Sooke Harbor. For Lieutenant Governor Dewdney will occupy the chair. To-morrow afternoon the Countess will have a conference with the executive of the Women's Council at Bishopsclose.

-Lieutenants Worth G. Ross and Sturdevant, of the U. S. cutter Perry, are registered at the Driard. They are here to give evidence in the Admiralty court at the trial of the cases of the Victoria sealing schooners Ainoka, Aurora, Beatrice and Viva, which were seized by American cutters in Behring sea. The trial opens on Monday next and Mr. Justice Drake wil probably preside. Hon. Chas. E. Pooley, Q.C., represent the admiralty, while Mr. H. Dallas Helmcken will look after the interests of the schooners.

-Joseph Nucci, until recently the proprietor of the Russ saloon; got into a row with another Italian with the re-

adversary. The quarrel began on Store street, and before they could be separated Nucci's assailant grabbed the latter's lower lip in his teeth, tearing it off. Nuci picked up his lip and calling a back drove to the office of a medical man to have it replaced. His cannibalistic countryman disappeared before the police could be notified, but he will probably be arrested this evening.

rae this morning charged with having stolen three instruments from the mu sic rooms of the Salvation Army barracks. These he sold soon after obtaining them. The purchasers, Mrs. Babchuck and A. A. Aaronson, testified in the police court this morning as to the purchase of them. The three innents were sold for the modest sum of \$4.50. Accused, when selling them, said he had to do so in order to obtain food. He was convicted by the police magistrate and committed to stand his trial at the first court of criminal jurisdiction. Wilson is an old offender, and it is only about two months since he left the penitentiary, where he was sent on being convicted of a number of thefts. Since he obtained his freedom he has been living at the Salvation Army shelter.

-About 10:30 yesterday evening the fire department were called by an alarm sent in from box 63 to Spratt & Gray's foundry on Work street. The fire department lost no time in responding to the alarm, and after about an hour's work they succeeded in extinguishing the fire, which was confined to the office and warerooms. The fire orginated, it is thought, in the woodwork around the heaters. The density of the smoke inside the building made the work of the firemen very hard, as it was impossible to remain inside the building for any length of time. The severe cold also tended to make their lot almost unendurable, freezing the water which fell about them into a solid mass. Owing to the practice of housekeepers allowing their taps to run during the spell of cold weather to prevent the water from freezing in the pipes, the hydrant pressure was very low.

From Saturday's Daily.
--Barrister Frank Higgins, of Victoria gives notice in the Gazette that West Kootenay Power and Light Company and the Kootenay Power and by private act at the next session of

-In the current issue of the Gazette notice is given by Alex. Begg and Sons of their intention to seek incorporation by private act for a company to build a line of railway from, at or near Gleentertainment given by them in A.O.U. nora on the Stickeen river to the south-

-Fifteen mineral claims have been staked by a party of Victorians on either side of Tod creek, an arm of Saa -From a private letter received from nich Inlet, West Saanich. On one of the provincial insane asylum, New the claims considerable work is being done, it being the intention of the ownlied there recently. Mr. Robb was for ers to send a trial shipment of ore to

-William Deasy appeared before Police Magistrate Macrae this morning in the city police court charged on infor--Chief of Police Sheppard has receive mation sworn out by W. J. Ledingham showed it, he explained, that the two schoolers named Triumph, that the cation from D. O. Smith, the chief of by-law," He was fined \$10 and cost. ed the following answer to his communi- with "an infraction of the public morals police of Tacoma, in reference to the or in default of payment to be impris-

-Rev. W. Cummings, of San Jose, Cal., who has accepted a call to St. Andrew's Presbyterian church, Nanail mo, arrived from the South by the -Mrs. Glennie, mother of Mrs. Dewd- Mexico this morning. He was accomney, was the victim of an unfortunate panied by Mrs. Cummings, Mrs. Douglas and Miss Douglas. Rev. Mr. Cummings is a brother-in-law of Rev. A. B. Winchester of this city.

> Mr. Joseph Grant Hilton and Miss groom, and her sister, Miss M. E. Rowe, large number of friends.

-C. H. Lugrin left for Rossland last fore leaving he received a letter from the minister of railways of Canada informing him that he (the minister) was on his way to the coast and would spend with the proposed Crow's Nest Pass Railway. This will give Mr. Lugrin an opportunity of discussing with the minister certain railway matters in which Canadian government ever since the of Laurier ministry came in.—Seattle Times.

-One of British Columbia's pioneers passed away this morning in the person of Francis Gilbert Richards, Sr. Mr. Richards had been ill for a long time, so that his death was not unexpected. He was born in Cornwall, England, 75 year ago and moved with his family to Dodgeville, Wic., in 1855. In 1862. having become interested in the discovery of gold in Cariboo, he and his family moved to New Westminster, where they lived for seven years, and then moved to Victoria, where Mr. Richards has since resided. The deceased interested himself in British Columbia mining, many years he was proprietor of the Boomerang saloon in this city. He leaves two sons, Francis G. and Joseph Richards.

-A letter received recently from South Africa brought confirmatory news

England. He expects to return to Vic-

-Premier Turner was seen this morning in reference to a special received by the Times from Ottawa last evening reporting the arrest of two British Columbians in Cuba. Hon Mr. Turner stated that the gentlemen arrested were the Messrs. Battie, brothers-in-law of -Charles Wilson, alias Banfield, was Messrs. Bell-Irving, Vancouver. Upon brought before Police Magistrate Mac-Bell-Irving at once requested the provincial government to notify their agent general in London, with the view of in-teresting the British government in the matter. This was done, and last evening a cablegram was received from Mr. ernon, informing the government of the fact that he had notified the foreign office and that prompt action would be taken. Lieutenant-Governor Dewdney also communicated with the Dominion government, who will also interest hemselves in the matter. No particulars as to why the arrests were made have been received.

From Monday's Daily. -During the past month there have been but four fires, with a loss estimated at \$250. The principal loss occurred at the fire at the foundry of Spratt & Gray, a few days ago.

-On Saturday evening some person on seeing the blaze of a tinsmith's furnace rang in an alarm-from the box on the corner of Cormorant and Blauchard street, giving the fire department a needless run.

-Mary Ashe, wife of Thos. Ashe, Foul Bay road, died on Saturday after a lingering illness. The deceased was a native of Donegal, Ireland, and was 38 years of age. The funeral will take place at 2 o'clock to-morrow afternoon.

-The barristers of the city held meeting recently at which it was decided to tender a banquet to the Hon. Justice McColl. The date for the banquet has not yet been fixed. Hon. Messrs. Davies and Blair are expected to be present, also the members of the Behring Sea commission.

-Annie Myrdal, aged 19 years, lately in the employ of Mr. Jackson, Carr street, died Saturday at the Royal Jubilee hospital. Her remanis were removed to-day to Hanna's parlors, from Light Company will seek incorporation which place the funeral will take place to-morrow morning. The deceased's father came here to-day from Point Roberts, where he resides.

> -Rev. Dr. Campbell yesterday received a message that his daughter in Minneapolis was dying. In consequence he will leave as soon as possible for that city. Dr. Campbell expects to be away for about a month. In his absence the pulpit of the First Presbyterian church will be filled by Rev. David Reed and Rev. A. B. Winchester.

> -Lieut.-Col. Gregory, who has assumed command of the Island battalion of the Fifth Regiment, has issued an order for a parade on Thursday, Dec. 10. when Lieut.-Col. E. G. Prior, the retiring commanding officer, will address the battalion. The new commanding officer will meet the members of No. 3 company at a smoking concert to be held in the Drill Hall this evening.

friends attended the funeral of the late Mrs. Sarah Evans, which took place from the residence of Mr. H. Maynard, her son-in-law, yesterday afternoon. The services at Christ Church Cathedral and at Ross Bay cemetery were conducted by Canon Beanlands. The following gentlemen acted as pallbearers: Messrs, J. W. Boburn, Alex. McGregor, James Davies, J. H. Meldram, Wm. McKay and Wm. McKittrick.

-Percy Henry Crause, a livery stable keeper, has commenced a civil action Emily Rowe were united in marriage in against J. A. Lawrence for damages Thanksgiving evening at the residence for wrongfully distraining and to reof Mr. Smith on Fairview road by Rev. strain the latter from distraining the Solomon Cleaver. Mr. W. J. Rowe, the plaintiffs goods in the Metropolitan brother of the bride, supported the stables, 34 Blanchard street. The plaintiff leased the Metropolitan stables from acted as bridesmaid. The ceremony the defendant from May 5 to October ? was performed in the presence of a at \$20. He alleges that he was wrongfully given notice to quit in September, and his goods were wrongfully distrained. The case will come up on Friday night on a short business trip. Just be- next, Messrs Gregory and Fell appearing for the plaintiff.

Following is the summary of offenses for which arrests have been made dursome days in Rossland in connection ing the month by the city police: Assault, 3; stealing, 8; obtaining money by false pre-enses, 2; malicious damage to property, 1: Indians in possession of intoxicants, 1; infraction street by-law, he has been interested for the past year 1; infraction public morals by-law, 3; or two and concerning which he has receiving stolen money, 1; infraction of receiving stolen money, 1; infraction of been in active correspondence with the the minors' prevention by-law, 1; being unsound mind, 1; selling lottery tickets, 1; perjury, 1; breaking gaol, 1; keeping a house of ill-fame, 3; supplying liquor to Indians, 1; disturbing a meeting, 1; infraction of revenue bylaw, 1; vagrancy, 10; drunk, 15.

-The following donations to the fund for the distressed Armenians are acknowledged with thanks by the Countess of Aberdeen: Reformed Episcopal church, \$10.80, Metropolitan Methodist \$5.00; Centennial Methodist church, church, \$2.10; Epworth League, Centennial Methodist church, \$3.50; Ch of Justice Davie, \$10.00; Lady Crease, \$1.00, Mrs. Beaven, \$1.00; Capt., and Mrs. Bennet, \$3.00; Miss Tessie Spencer, 50 cents; small donations, \$3.50. Total, \$40.40. This list in addition to the contribution of \$100 given from the Epscopal church by the Lord Bishop of the diocese, brings the total amount subscribed in this city to \$140.40.

-Having been an ex-chief of the Victeria Volunteer fire department, a prominent Oddfellow and a member of the of the death of Mr. Charles Annesty. Frank G. Richards, Sr., which took August last by order of Captain Smith, formerly of this city. Some time ago place at 2 o'clock this afternoon, was of the Perry, in latitude 55:57 north, a report was published in the Times to attended by the members of those or longitude 170:30 west. The position the effect that Mr. Annesty was among ganizations as well as by many other was about twelve miles within the 60those missing and that it was feared he syn.pathizing friends. During the ser, mile limit. Just before the seizure the had suffered death at the hands of the vices at Oddfellows' Hall, which was schooner was making headway in a Matabeles. Further inquiries by his conducted by Rev. Solomon Cleaver, the southerly and westerly direction, a difriends in South Africa conclusively fire bells tolled as a measure of respect, rection which would take her outside of proved that this was too true. Mr. An- to one who had always taken an ac- the prohibited zone. From the captain's nesty was employed as foreman at a tive interest in the Volunteer depart- reckoning, latitude 55:34 north, longilime kiln owned by Mr. Carter. It is ment. At Ross Bay cemetery the beauthout the murderous Matabeles tiful burial service of the Oddfellows at the time of the seizure have been passed that way, and as they showed was read before the remains were inno quarter in the late uprising the faint terred. The pallbearers were ex-Chiefs To Mr. Helmcken he said there was hope that he was carried off a prisoner J. Wrigglesworth and A. Borde, and a gale on the 2nd of August, which he was carried off a prisoner J. Wrigglesworth and A. Borde, and a gale on the 2nd of August, which by them is no longer entertained. It Harry Gaydon, representing the Volume is learned from the same letter that Mr. Ben Haigh, formerly of the Times, has I. Partridge, Thos. Flewin, R. Roberts, but no sea running—only a swell which left South Africa and it of the same letter that Mr. J. Partridge, Thos. Flewin, R. Roberts, but no sea running—only a swell which left South Africa and it of the same letter that Mr. J. Partridge, Thos. Flewin, R. Roberts, but no sea running—only a swell which the same letter that Mr. J. Partridge, Thos. Flewin, R. Roberts, but no sea running—only a swell which the morning of the 3rd. On the kindly nature gained her a large circle of friends, who regret her demise. sult that he is now minus his lower lip, which was completely bitten off by his left South Africa and is at present in Rebert Ridley and J. Robertson.

Ben Haigh, formerly of the Times, has J. Partridge, Thos. Flewin, R. Roberts, but no sea running—only a swell which I The funeral will the south Africa and is at present in Rebert Ridley and J. Robertson.

September.

18265 BOTTLES IN TWO MONTHS. Bottles.

October 11,689 Bottles.

# DR. CHASE'S SYRUP OF LINSEED AND TURPENTINE

Total Sales for Month of September 6,576 Bottles and October 11,689, and Published Hereunder is the Affimation of it:

Dominion of Canada,
Province of Ontario,
County of York. To Wit:

In the matter of Dr. Chase's Syrup of Linseed and Turpentine

I. Burton Morris, of the City of Toronto, in the County of York, do solemnly declare that (1) I am shipper for the firm of Edmanson, Bates' & Co., proprietors of Dr. Chase's family medicines, and am familiar with the quantity of goods sold and shipped by said firm. (2) During the months of September and October respectively there were sold in the Dominion of Canada 6,576 and 11,689 bottles of Dr. Chase's Syrup of Linseed and Turpentine, and I make this solemn declaration, conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act, 1893."

Declared before me at the City of Toronto, in the County of York, this 2nd day of yember, 1896.

J. H. DENTON, a Commissioner, etc.

### UNSOLICITED TESTIMONY:

ASTHMA FOR YEARS.

"I have suffered very severely from asthma seed and Turpentine for a troublesome affection for over twenty-five years," says R. G. Moore, of the throat," writes Manager Thomas Dewson, of Hamilton. "If I ventured away from home of the Standard Bank, now of 11 Melbourne the change of air would bring on such bad at- avenue, Toronto. "It proved very effective, I tacks tlat I was afraid I would suffocate at regard the remedy as simple, cheap and extimes. A short time ago I found it necessary ceedingly good. It has hitherto been my habit to go to Paris, Ontario, on business. On the way to consult a physician in troubles of this nature. my old enemy attacked me with great severity. Hereafter, however, I intend to be my own As soon as I got to Paris I went to Armitage's family doctor." drug store and bought a bottle. It relieved my Asthma, and although I have been away from home several times since, I experienced no more trouble. I regard my quarter as well spent, and intend to send some more after it."

### A PREVENTATIVE OF COLDS,

"I have been a chronic sufferer from severe colds for a long time," says Miss Hattie Delaney, of 174 Crawford street, Toronto. "I used Dr. Chase's Syrup of Linseed and Turpentine for severe throat trouble," writes Mrs. Hopkins, of 254 Bathurst street, Toronto. "It proved most effective. I regard it as one cured my cold, but I have not had another since, I ascribe the credit wholly to Dr. Chase." 'Usually at this season of the year I did not

#### A BANKER'S EXPERIENCE.

"I tried a bottle of Dr. Chase's Syrup of Lin-

## A CROUPY COUGH.

"My little boy had a bad croupy cough,"says Mrs. Smith, of 256 Bathurst street, Toronto. "My neighbor, Mrs, Hopkins, recommended me to try Dr. Chase's Syrup of Linseed and Turpentine. I did so, and the first dose did him good. One bottle completely cured the cold. It is surprising the popularity of Chase's Syrup. It appears to me it can now be found in every

#### PROVED MOST EFFECTIVE.

soothes and heals the affected Dr. Chase's Syrup of Linseed and Turpentine parts, relieves the over-charged membrane, relieves congestion of the air passages; arrests the progress of fever and inflammation. It is prepared from the finest demulcents and expectorants from the prescriptions of Dr. Chase, and is specially effective in Croup.

## CHILDREN JUST LOVE IT. At All 25 CENTS

Trial of the Suits for Condemnation Commenced in Vice-Admirality Court.

Evidence in Regard to the Position of the Ainoko When She Was Seized.

The trial of the Queen vs. the schooner Ainoko commenced this morning in the Exchequer Court, B. C. Admiralty district, before Deputy Local Judge Drake. Hon. C. E. Pooley, Q.C., appeared for the Crown and H. D. Helmcken, Q.C., for 'the defence. The Ainoko is a Victoria sealing

schooner owned by Captain William Grant, and in consequence much local interest is taken in the case, as was evidenced by the large number of spectators present at the trial. The schooner was seized by the United States revenue cutter Perry for alleged contravention of the Behring Sea award act, 1894, in that she was engaged in killing seals within the sixty miles limit of the Probylof islands as defined by article 1 of the first schedule of the said act. After her seizure she was taken to Ounalaska and by Commander Allen, of H. M. S. Satellite, ordered to Victoria. The claim for condemnation is laid in the name of Lieut. A. J. Hotham, of H. M. S. Imperieuse.

The defence is that at the time of the seizure the schooner was outside the zone, or in the alternative, if it be found that she was within the zone the master, Captain Heater, was ignorant of the fact as at the time and for two days previous the weather had been such as not to allow of the taking of observations.

Lieut. James H. Brown, navigating officer of the Perry, was the first witness. He deposed that the schooner Pioneer Society, the funeral of the late was seized at 7:40 p.m. on the 5th of

schooner in towards the island. At about noon he took an observation from the sun. On arriving at Sitka he found his chronometer was out, but on working the course back he arrived at the position already given.

The second witness was Lieut. Worth G. Ross, first lieutenant of the Perry. He boarded the Ainoko at 7:40 p.m. on the 5th of August last; he saw on board a fresh carcass of a seal and a lot of seal skins packed in salt. The boats were hoisted and there were indications of seals having been recently skinned. He asked Captain Heater how many seals he had and the captain's answer was 139, of which 108 had been killed that day, and one of the number he had speared from the side of the vessel. He went in charge of the schooner to Dutch Harbor in Ounalaska. During the journey the captain expressed sur-prise that he was within the limit. At the time the Ainoko was sighted he was under the impression she was up der full sail. On cross-examination by Mr. Helmcken he said he was not sure about the schooner being under full sail but he was of that impression.

Lieut Algernon J. Hotham, navigating officer of H. M. S. Imperieuse, was called by the prosecution as an expert. From the course taken by the Ainoke from noon on the 5th of August to 6 a.m. on the 7th he found that had the schooner been in the position alleged by the defence at the time of the seizure she would have made a point 70 miles off Ounalaska. It was a common practice for navigators to work back over the course after arriving in port and correcting the chronometer. After luncheon the defendant's case

Captain George Heater swore that according to his log the weather from the 1st to the 5th of August was thick, and on the 5th he could not make any observations. On the 4th they were boarded by the United States cutter Rush. He had no idea he was inside the zone, but on the contrary he imagined he was well outside.

was begun.

Otto Bucholz, captain of the Ocean Rover, gave evidence as to comparisons made between his chronometer and that of the Albatross on the 22nd of July, the chronometer of the Albatross then being correct. Afterwards he compared that of the Perry and found it 41 seconds out, whereas Lieut. Brown said it was only 35 seconds out.

-Mrs. Isabella Jones, relict of the late Charles Jones, died at her home on Johnson street on Saturday. The deceased was a native of Drumgor, County Armagh, Ireland. She leaves four sons, Messrs. J. W. and T. M. Jones, photographers, of Vancouver and C. F. and A. M. Jones, stenographers, of this city, and two daughters. The deceased lady was of a retiring disposition, but her kindly nature gained her a large

### EKKERKEKEK British PERFERENCE

NEW WES The steamer Gla arried away by Tuesday. Mr. W. J. Arms onsented to becom mayoralty at the t tion. Mr. Thomas mentioned as being Mayor Shiles will

VANC

Mr. A. C. Stew dentally shot on I doing as well as c there are strong hor.
The by-law to
Vancouver council t the establishment this city and North ried by a majority The by-law to bot laying of a new m voir and extending present waterworks by a large majority by-law was 215; ag olled. 264. The Gold Range Vancouver, has put Arm Quartz Mining Philip's Arm. H. Co., and Messis. Miller, Adolphus W Seymour are amon ectors of the Gold It is rumored that the proposed smelt ask the city for a and in addition claim emption and a free \$50,000.

The city council brush and underwo from all vacant lots of Vancouver, owner charged with the o brush and underw as cover to footpads The sudden death Pleasant Saturday Ellison, one of the pected residents on A man named T. the police that he v er street at two o'cl ing and robbed of he had \$150 on him the highwayman sa for him. The police to locate Johnston

ticulars, as the af

a rather incredible

Thursday night a r

the East End and

all the money be bread. On Thursday last North Bend a Cl walking along the tr been cleared off-t rarrow passage betw of frozen snow. Th short for the train unfortunate Celesti means of escape. J of the track, he ende the snow, but it w and he was caught most horribly man hedy being strewn distance along the of accidental d the railway employee from all blame in matter.

ROSSL Rossland, Nov. 25. curred at the Alf m causing serious inju men employed in the A. McDaniels and I engaged about five mouth of the tunnel when it exploded, l insensible. Patterson to recover consciousn mouth of the tunnel alarm, secured assis their injuries were terson is pretty sure Daniels may also, by

The week has been sales of real estate. & Fort Sheppard ad site are being purchas bers than was expec The volume of busin fices is so large that of the Winnipeg real Rossland I

Last Saturday e closed for the Tamar consists of five claim ed is \$60,000. A paym made, the balance di property is situated of the Salmon, one west of the Nelson track. It was owned Campbell, Ed. N. Blov lan, and was bought lcy, Jr., for a Montre The Rossl

Rossland, Nov. headed by Licutenan tosh, of the Northwes purchased for \$40,000 group of three claim Crown Point group mine, situated on General G. S. Warre the vendor. The clair granted, and the new sume development at The Slocan Star has dividend of \$50,000, This makes the

date \$300,000. Preliminary steps to of trade were taken expected to begin with The Le Roi mine i ments to ship largely Mountain Railway as Trail smelter. In a f will be producing and tons per day.

The Nelson Saw Mil mill at Trail was tota fire this morning at 2 sawn lumber was save A company called th tain Gold Mining Comp ganized to work the C mineral claims on S near Ivanhoe, Triumph

Recent showings on have amply justified to N. Bouche, the super how the property shou and the value of it.