## RUSSIA WILL PAY SEALING CLAIMS

Collector Milne Notified to Prepare the Claims of the Schooners Seized.

Those Interested Likely To Be Compensated in the Near Future for Their Wrongs.

How the Russians Treated the Unfortunate Sealers at Petropaulovsk.

Collector of Customs A. R. Milne has been notified by the Ottawa government that Russia is likely to pay the claims of the four sealing schooners wrong-fully seized by her cruser Kotick, while in the peaceful and lawabiding pursuit of their industry off the Copper Islands six years ago. He is now hard at work the claims of the sealing schooners in accordance with the request of the authorities, and ere long the sealers will, in all probability, be spending the money paid them, after their gal seizures of Victoria sealing vessels long years of waiting, for the wrongs done them by Russia. The four vessels ment. Some months ago the owners for whose ill-treatment Russia is said masters and others connected with the to be about to pay many roubles in compensation are the schooners Car-melite, Maria, Vancouver Belle and Rosie Olsen, the first three of which are still lying, rotting homes for myriads of rats. on the beach at Petropaolovsk. The last named vessel was released and sent back with a number of those on the seized vessels.

The Carmelite, Maria and Rosie Olsen sailed from this port, and to Vancouver Belle from Vancouver in the spring of 1892, on a sealing cruise along Japan coast and in the vicinity of the Kommanderofski and Copper islands. Carmelite was in command of Capt. Hughes, now master of the C.P. N. steamer Willapa; the Maria was in charge of Capt. Sprott Balcom, now in command of the schooner Ziliah May; the Rosie Olsen was commanded by Capt. Keefe, who sailed the schooner City of San Diego this season; and the Vancouver Belle was commanded by Capt. Copp. In those days the proscrib-Capt. Copp. In those days the proscrib-ed limit of thirty miles had not been fixed, and according to both the Russian and international law the sealers were within their rights to hunt anywhere save within three marine leagues -about 'nine niles-from shore.

four sealers were miles without the limit and breaking no laws, but despite all, it was seemingly, as Kipling ber 5th of this year the "Probates has said: "There runs no law of God Recognition Act" shall apply to the or man to the north of Fifty-three."
They were seized. Their vessels, skins, and in fact all they had, were taken and they were treated in a shameful

were all out in pursuit of the seal herds, when the Russian cruiser Kottck crawled over the horizon. Satisfied that he was breaking no law, Capt. Keefe was not greatly perturbed at the appearance of the Russians, nor was he fear ful when a best come over to be year. ance of the Russians, nor was he rearful when a boat came over to his vessel from the warship. Judge of his
surprise, however, when after searching
his vessel, the Russian captain demanded his papers and told him that his vessel was seized and he and his crew
were prisoners of the Czarso When the
boats returned the crew were also made
prisoners and a prize crew was placed prisoners, and a prize crew was placed board to take the schooner to Petro-At the time of his capture paulovsk.

Capt. Keefe had 337 skins. The next vessel seized was the Vanconver Belle, which was taken by the same cruiser some days later, miles out-side the proscribed area. Continuing her patrol, the Kotlick, five weeks later, came across the schooler Maria on August 21st, 1892. Capt. Balcom and his crew were elieved of their schooner and the 600 skins she had taken and a prize crew took her after the other two schooners to the Russian port on the Kamskatchan peninsula. Five days later she took the Carmelite. Capt. Hughes's vessel was at the time of her seizure hunting about 25 miles from the coast of the Copper islands and breaking no laws. She had 630 skins when cap-

The four vessels, with their masters and crews, were turned over to the Russian governor at Petropaulovsk by the commander of the Kotlick. The sealers, who by this time were almost naked, the Russian sailors having robbed them of nearly all they had, were imprisoned in a log cabin, which, it is said, had before it became a prison been a henhouse, and there they spent two horrible weeks watching the Russians parading past their jail arrayed in the sealers' sweaters and guernseys, wearing the long rubber boots of the hunters, watching the governor and his underlings lootthe schooners as they lay near the beach, and almost starving on the miserable allowance of the seven kopecks a a day allowed them by the governor to secure food. Had it not been for the sympathy of some of the Russian women they must have starved.

two weeks this was the life of the sealers, save when the governor, a pompous little mass of gold braid and brass buttons, amused himself by parauing the unfortunate captains, hunters and crews, whites and siwashes, before On one of these occasions his y was badly upset by the antics of siwashes, to whom so much finery of form was a treat. They, overcome iniform was a treat. by the gaudiness of the little Russian, erowded around him just at the stage his dignified chest was extended to the full and made him use language tole ated in official correspondence by fingering his braid and buttons. Aside from his opportunities of showing his authority, however, the governor in other ways from the schooners and the sealers. None of the posses-

ers and the seaters. None of the possessons of the aptured men, not even a jackknife, was safe from the greedy Russians. The little signal grass were taken to form ornaments for the gevernor's residence. The schooner's interns lighted his walks; in fact everything that was all and realized walks. thing that was of any value whatever was stripped from the schooners. The scalers' kits went, too, and the slop-chests were soon emptied. Everything taken. It was systematic plun

The governor was, however, none too sure that his actions would be tolerated, and after many communications with his superiors he made arrangements for the release of his prisoners. Capt. Copp. of the Vancouver Belle, was called, and to him the gove nor presented the schooner Rosse Olsen on condition that he er Rosie Olsen on condition that he would take as many of the crew as he could find accommodation for back to Victoria.

Two weeks after they reached Petro-paulovsk as prisoners of Russia, over eighty emaciated, half-starved and rag-ged-looking speciments of humanity— whites and siwashes—crowded into thes

Rosie Olsen and Capt. Copp set sail for Victoria, reaching here late in the fall of 1892. Those of the unfortunate who were not brought by the Olsen were brought across the Pacific by the American bark Majestic. Then came another issue. Capt. Copp. who was master of the schooner Wan-couver Belle, demanded the schooner Rosie Olsen, which he claimed had been presented to him by the Russian gover-nor. The Rosic Olsen was owned here, however, and her owners took possession of her. Capt. Copp started proceedings to secure her, but nothing was done in the matter and she rewerted, as she would under the shipping laws, to her

Those who were brought home by the Majestic were not any too well treated by the master of that vessel. When he reached here with the unfortunate sealers he dmanded \$50 a head from the customs nuthorities for their pissage and as it afterwards leaked out, had faken their effects as security for their fares. The American captain made quite a disturbance over his efforts to secure the payment he demanded for bringing the sealers home. His vessel was a leaky and ancient sailing ship and none too seaworthy. It foundered with all on board a year afterwards while on a voyage from Seattle to San

Francisco with coal.

What the amount of the claim of the sealers for the loss of their vessels and their ill-treatment is has not been stated. However, all will be glad that there seems a likelihood of a speedy settle-

Already two of the claims for the illehave been paid by the Russian govern masters and others connected with the Willie McGowan and Ariel, the two schooners in question, were paid \$40,078 through Collector Milne in settlefor the wrongs done them. These two vessels were seized by the Russian cruiser Zabraka while sealing miles outside the proscribed limits.

GAZETTE ANNOUNCEMENTS. Items of Interest Culled From the Official Publication.

The Gazette published to-night will contain the following announcements: Court of revision for the municipality of Spallumcheen will be held at Arm-strong on December 24th at 11 a.m. A meeting of the creditors of Winte-mute Bros. will be held at Richard Mc

Pride's office at New Westminster on November 21st at 4 o'clock p.m. The registration of Lancelot Grunner of Burnaby, as a justice of the peace for Richmond and Dewdney in the Westminster electoral district, is accept-

J. S. M. Morrison has applied to the tenchers of the law society for call to the bar and admission as a solicitor of the supreme court.

An order-in-council is issued by the

province of Ontario.

The following appointments are made: Angus McQuines, of New Denver, to be and they were treated in a sname of manner by their Russian captors.

The first vessel seized was the schooner Rosie Olsen. She was seized of July 4th, 1892. Capt. Keefe was laying to, about forty miles off the Coparation of the

Brinsley M. Walton has entered an action in his own behalf for \$599.77 and \$112 interest; and for William Walton deceased, for \$491.47 and \$92.50

Premier Semlin, chief commissioner of lands and works, gives notice that Egg island and adjacent islets, situated at the entrance to Smith's Sound, Ivory island and adjacent is ets at forth channel, Milbank Sound, have been reserved and set apart for lighthouse ourposes for the Dominion.

Bodwell-& Duff, solicitors for the applicant, give notice that at the coming session of the legislature they will apply

for a charter to incorporate a company to construct and operate a tramway from a point near the foot of Crater lake n Cassar to the head of Bennett lake. Fupper, Peters & Potts will apply for a similar charter for a line from Cranbrook to Golden. The following have been appointed quarantine officers of the board of hor-

ticulture for the purpose of carrying cut the provisions of the act regarding the inspection of fruit and nursery stock the inspection of fruit and nursery stock:
John McConnor, Golden; W. B. Townsend, Rossland; Fred Adie. Waneta;
Alex. Gorron, Crow's Nest Pass; W. B.
Pearse, Revelstoke; C. Rykert, Rykert; Jas. H. Schoffeld, Huntingdon.

KETTLE RIVER RAILWAY. D. R. Ker, of Victoria, has a letter the Times in which-he states that should the matter of the Kettle river railway charter come before the Victoria board of trade he will bring all the force he can bear to oppose it. Mr. Ker gives the reason why he will do this. He says that the time is not ripe for permitting any American railway to tap Boundary Creek. It evidently does not Boundary Creek. It evidently does strike Mr. Ker that the people Boundary Creek are probably better judges of what Boundary Creek needs in the way of railway facilities than is the man whose feed mills are served by the Canadian Pacific Railway Company. It is just possible that in matter the interests of Boundary Creek and the interests of Mr. Ker clash to some extent. This being so Mr. Ker could scarcely be looked upon as an un-biased and safe authority in determining the railway facilities for Boundary creek. It may be interesting to ple of the province to learn Mr. Ker's views upon the matter, but his opinion should carry no more weight than his op nion as to the best brand of rolled outs on the Victoria market. There is one other thing which should be borne in mind, and that is that the people of Boundary Creek indulge in a greater hope for the future of their district than in having it exploited for the benefit of

ELECTION PETITIONS. Conservatives Experience a Run of HI Luck in Ontario.

London, Nov. 10. As Osgoode hall this porning the petition against Jas. Us bell, Conservative member for East one in the legislature, was dismissed. yddence was offered. coe in the legislature, was dismissed. No evidence was offered.

The Centre Simcoe protest also came up. Thempson, Liberal, being the respondent, and trial was fixed for Nov. 26th. This petition will also be dismissed.

A run of ill luck continues for the Conservatives in the West York case, a dozen charges being dismissed this morning. One witness whom the petitioners had expected much from, having brought him back from Michigan, was proved to have been guilty of corruption, but the court decided he was not the agent of respondents. The court also stated that he had laid himself open to prosecution for perjury. The trial is now in the severith day and about half the charges were disposed of, including all the strongest.

LOCAL NEWS. Gleanings of City and Provincial News in a Condensed Form.

(From Tuesday's 'Dally.) The Victoria clearing house returns for week ending 8th November were \$785,185. For the week previous the returns were \$700,553, showing an increase of \$84,632.

-Some residents of Sooke district brought a large panther which was shot on Sooke mountain yesterday to the provincial police office this af--Miss Laurier, the lady medico

gave her services on the occasion of law is ultra vires. the New Westminster are, made the the by-law are, ho ound trip to Skagway on the last City of Seattle, and is again in this city. She ntends to start practice in Seattle.

The inquest into the death of Harry E. Smith at South Saanich will be held to-morrow, the hour not having been fixed. The body, it is expected, will be brought to town, though the opinion is held by the coroner this the coroner than the coroner that the inquiry should be held at Saanich. -In the police court yesterday after-noon Adolph Slear was committed for trial on two charges, one of being in un-

lawful possession of a magnetic com-pass, the property of a surveyor in the Five Sisters block, the other of being in unlawful possession of a parallel rule, property of another surveyor in the same block. -Captain Worsnop, speaking this af-ternoon in reference to the report tele-

graphed to the morning paper regarding the imprisonment of a large number of men and horses on Lake Linderman in consequence of a snow storm, utterly discredits the story. He says the yarn is preposterous on the face of it, as no such number as 400 men ever came up on any river steamer from Dawson, and that the figures in regard to horses are even more improbable. The Vancouver Island Ploughing Association will hold their annual match

on Saturday next in a field belonging to Mr. Joseph John, near Sidney. In the three different classes there are sub-stantial prizes coffered, the entrance fees being \$5 for professionals, \$3 for amateurs and \$3 for those who have never plowed at a match. From all never plowed at a match.

-In an interview published in yesterday's Times with Mr. R. H. Hall, of the Hudson's Bay fur department, that gentleman was reported as being impressed with the advantages and future possibilities of Skagway. Mr. Hall wishes it to be known that he looks upon the building up of an American city at the gateway to the Yukon as a great disadvantage to British Columbians, to whom the trade of the upper Yukon valley rightly belongs. His opinions of the Stikine route and of the Atlin gold fields are not so unfavorable, he says, as the reporter made them apwas reported as being imhe says, as the reporter made them appear. The possibilities of the Atlan lake district proving rich in alluvial gold are quite good, and Mr. Hall's interests in the Stikine river district are too great to allow of his condemning it as a route to the Klondike region.

(From Wednesday's Daily.)

The unsanitary shack on Cormorant street will form the subject of a motion by Ald. Humphrey at the next meeting of the city council. The same alderman will also ask leave to introduce the usual by-law allowing property owners in arrears with their taxes to vote at the municipal election.

Care the City of the city of

of Seattle for the Sound this morning iDr. Stanley Smith.

was Mr. Frank Pilkey, the station agent at Duncans, who, with his particular of the station of th bride, in on a honeymoon trip to Seattle the men who were arrested by Conand other mainland points. Mr. Pilkey stable Heal yesterday for stealing three was wedded to Miss Mabel Reeves, of sacks of potatoes from Clifford Little, Alberni, at Nanaimo on Monday even of the West Saanich road, were tried

Prince of Wales. In the early days of stence imposed was very light, namely the colony the event used to be regularly honored by horse racing and other sports at the Hill, but latterly its celebration has fallen into disuse. He royal highness is 55 years old to-day.

fortunate an escape.

Pacific squadron, at least at the Esquimalt station, was broken on Monday by the crew of H. M. S. Leander. The lighters from the coaling station were brought along side and before the day was done 900 tons of coal had been transferred to the vessel. Mr. Frith, of the coaling station, states that this is the fastest record which has ever been made on the station.

-A quiet wedding was celebrated this morning at St. John's Church, when Rev. Percival Jenns performed the cere-mony which made Mr. J. H. Smith, of Dixi H. Ross & Co., and Miss Christina Tulfanson, man and wife. The ceremony was witnessed only by the imnediate friends of the contracting par-ies. Miss Maria Tulfanson, sister of ties. the bride, acted as bridesmaid, and Mr. William Rennie supported the groom, the bride being given away by Mr. F. I. Smith. The newly-wedded couple left on the City of Seattle this morning. for a short wedding trip to the cities of the sound.

-Col. Whitehead, the leader of the Gypsy Queen party, was in the city vesterday on his return journey to Chi-Gypsy Queen party, was in the cago, taking passage for the Sound on this morning's Seattle. He registered the daying it exploited for the beneat of a few ambitious traders.—Nelson Tribute.

at the Victoria under an assumed name, as he did not wish to see any one. It will be remembered that Col. White the control of the c will be remembered that Col. White-head took in a party of 22 from Chicago last season, the expedition going by the Stikine route. Many of them have returned; but the colonel intends to go in again over the ice in the course of a late of the secure of the secu in again over the ice in the course of a month or two. A large stock of supplies for the party lies at awaiting his return, when they will be forwarded.

optional subjects, typewriting, short-hand and book-keeping.

-The marriage took place to-day, in St. James's church, of T. Newton Woodgate, officer in charge of the works at Esquimalt, and Miss Georgina Augusta Bowden, daughter of the late W. G. Bowden, of Victoria. The ceremony was performed by Rev. J. H. Sweet, assisted by Rev. C. G. Paulon, M.A., chaplain of H. M. S. Imperieuse.

-The information laid against J. M. Hughes, for infraction of the Bread by-law, was this morning dismissed, al-though the court over-ruled Mr. Gregory's preliminary objection that the by The regulations the by-law are, however, so lax, that no provision is made for the regulation of the weight of French rolls, which are plainly not loaves, as provided for by the by-law. Until the by-law is amended the court felt that no conviction could be registered, and the case was lismissed.

-Arrangements were completed yesterday for the twenty-eighth annual din-ner of the B. C. Pioneer Society, which has long been one of the leading social features of the city. The event will take place on the same date as last year, namely, Desember 9th, at 8 o'clock. The Occidental hotel will again be the scene of the festivities, and the success of previous gatherings of the society held at the same house, is a sufficient uarantee that this year's gathering of the veterans will be a success. The toast list is now being prepared, and from the enviable reputation many of the participants have already established as after-dinner speakers, it is evident that the feast of reason will be on a par with the other features of the affair.

(From Thursday's Daily.) -The Nor'-West Farmer, published at Winnipeg, Man., has a good half-tone illustration of the fruit exhibit at the B. C. fair, held at New Westminster last month.

-In addition to the sum of \$60 received at the Times office in aid of Mrs. Kinsey and family, the following donations are hereby acknowledged: Mrs. Hanington, \$3; J. G. Tiarks, \$2; A. Friend, \$1; Mrs. Galletly, \$5; Adjutant Ayre, \$1.

-Capt. J. G. Cox and Capt. Taylor, accounts there is going to be a record of Nova Scotia, the valuator for Canada turn out this year. The match begins of the scaling fleet, will leave for Ottawa en route to Washington in a few days. The commission opened its session at the United States capital this morning.

-A San Juan Indian named Jimmy was the only prisoner to engage the attention of Messrs. Belyea and Dalby this morning. He was fined \$5 and \$1 eosts, or 10 days' imprisonment, for be ing drunk, but as his companions had plenty of money he was not permitted to remain long in durance vile.

John M. Hey, an old man who has lately returned from the Skeena, was zine guns. She carries 20 officers and picked up on the street this afternoon Constable Clayards, apparently in great pain. He was examined by Dr. Fraser, who concluded that he had induced his complaint by over-drinking, and he was removed to his hotel.

--At the meeting of the Young Men's Liberal Club on Saturday evening, Mr. The licensing commissioners met C. E. Renour will give an address, takvesterday and took an adjournment for ing for his subject "What the Commita week owing to the suspension of tee of Fifty Are Aiming At." As Mr. Magistrate Macrae and the absence of Itenour is well qualified to speak on civic matters, it is pretty certain that his address will be of considerable in-

this afternoon before Justices Peace Dalby and Shotbolt. B of the The national flag was unfurled from pleaded guilty and seemed to feel bitterhe City Hall staff this morning in ly their positions. On account of one of the brithday of Albert Edward, them having a wife and family the sen-

-Ah Loy, the Chinaman who almost His escaped from Constable Abel, made a econd and (successful attempt for his tliberty vesterday. He was working in -Michael Carmody, who fell from the roof of a house at Oak Bay yester, and without irons, when he suddenly leaped over the wall and disapday, while engaged in shingling, and speared, the guards being obstructed in sustained a fracture of his left arm and their attempt to follow him by some some severe bruises, is progressing heaps of brush and other impedimenta. nicely to-day. Mr. Carmody is pleased that he got off so lightly, the fall being told Constable Carter that he was the one of about 35 feet, the softness of the ground being the reason he had so lieve it, and thinks the Oriental who The coal leading record of the North \$5.50 for a new pair of handcuffs, was then escaped and who cost the officer a much younger man.

> -A resident of the city who ime that a man was killed by William Hammond at Ashcroft was residing at the latter place, viewed the remains of the man picked up dead at Esquimalt, and says he is convinced in his own mind that it is the same man who com-mitted the murderous deed at Ashcroft, although the lapse of fifteen or twenty years had, of course, considerably al-tered the features. The gentleman referred to was working at Ashcroft at the time the affair took place, and saw Hammond pass on horseback, up the road to a blacksmith's shop, where he had his animal shod on the hind feet, and galloped on, never afterwards being seen in that neighborhood.

-Quite a lot of people appear to be interested in the charge of assault brought against Captain Owens, late of brought against Captain Owens, late of the City of Nanaimo, and the provincial court room was well filled last evening when the last stage of the preliminary hearing was reached. Magistrates Pier-son and McMicking were on the bench, and Messrs, Gordon Hunter and Geo. E Powell appeared for the prosecution and defence respectively. After the evidence had been completed, the court announced they had decided to commit accused being too late to secure the sureties last night.

-The coroner's jury empanelled vesterday to enquire into the circumstances surrounding the death of Henry Edward Examinations of candidates for admission to the civil service opened yesterday throughout the Dominion, the local examiner. Rev. Dr. Campbell, having five candidates before him. Pennanship, orthography, arithmetic and the preliminary examination. To-day the higher grade, for which there are also five candidates, was taken uppenmanship. Composition, arithmetic and geography being the subjects. To morrow grammar, orthography and transcription will be dealt with Thurs-

day and Friday being devoted to the having opened the door with the key Sound in the pocket of the man now known to have been Hammond. Ultimately the jury brought in a verdict to the effect that the young man died from wounds inflicted with an axe in the hands of some person unknown. The funeral will take place on Sunday from the family residence, corner of Gov-ernment and John streets. Deceased having been a member of No. 3 Com-pany, the remains will be honored in regular military fashion.

## Along the Waterfront.

Notwithstanding the many steamers that were out of employment when the Alaska business declined, it is a significant fact that the tramp steamer is conspicuously absent in the wheat carrying trade. The majority of the wan-derers are finding paying traffic, it is said, in Chinese and other waters, and have not looked to the wheat trade for business. Whether they will enter the mpetition ere the close of the season problematical. Another notable fact the absence of steel and iron sailing vessels in the trade. Yesterday anothe big wooden ship was chartered, therebeing no metal vessels available Wooden vessels are usually seldom en gaged for carrying grain, as they cannot stand as much as an iron vessel. They are liable to strain in a severe blow, allowing the seams to open and the water to reach the cargo.

News has been received from the north that the American tug Walloa, which went ashore a short distance south of the customs house on Mary Island nine days ago, has been floated, and is now on her way down with the bark Columbia in tow. The Walloa, it seems, went ashore in her endeavors to save her tow. She was going in to save her tow. She was going in to the island to clear and signalled to Capt. Clifford, of the tow Columbia, to drop anchor. The anchor either fouled or the bark did not wind it, and the tug in her efforts to tow the bark out got on the beach. The Columbia drifted toward a rocky point on shore, but from some fortunate cause missed it by a narrow margin and went squarely be tween a couple of submerged where she stuck fast. Both the and bark got off at the next long tide

There is a likelihood of Esquimalt being visited in the pear future by an Italian man-of-war. The protected cruiser Etna is a San Francisco, on her way around the world, and it is thought that she will soon come northward, and after visiting Esquimalt sail for Japan and China and thence homeward. The Etna is a first-class cruiser, and was built in 1885. Her displacement is 3,470 tons and her registered horsepower 6,018, with which she can average fiteeen knots an hour. Her length is 283.5 feet, breadth 43.5 feet and depth 19.2 feet. She carries two 10-inch 25-ton guns, six 6-inch breechloaders, five 6-pounders and ten maga 320 of a crew.

Of late a little band of waterfront pirates have been in operation in the upper harbor. They have taken advantage of the gloomy and inky-black nights to visit some of the sealing schooners lying in the upper harbor. Several of the schooners have been broken into and pillaged. On Tuesday night last they paid a visit to the schooner Florence W. Smith and stole particles from her cabin A visit several articles from her cabin. A visit was also paid to another schooner, but the watchinan made things too interesting for the callers to allow of them prolonging their stay on that vessel. A strict watch is now being kept for the threves, and should they be captured a lesson will be made of them.

R. M. S. Empress of Japan will sail for the Orient this evening. She will not come in to the wharf, as no freight is to be taken from this port. saloon passengers and 75 Chinese Two be taken out to the liner on the tender. The Empress is heavily laden with freight, her hold being crowded to the hatches. The shipments to the Orient are increasing with every sailing, and on every departure crowds of shippers clamor for space which cannot be given them. Every steamer going eastward could be filled nearly twice over.

Tug Resolute passed down last night on her way to Seattle with the bark Mercury, the barge Ajax and the hull of the wrecked Whitelaw in tow. She will sail to-morrow evening, carrying Captains Clift, Caine and Carroll, who will examine the wrecked steamer Brixham in the interest of the underwriters.

LAW INTELLIGENCE:

In Kaslo & Slocan Ry. Co. vs. Hall mines, the full court yesterday reserved judgment. The appeal was from a judgment of Mr. Justice Drake holding that limestone when taken up for other than building purposes is sidered mineral, and may be located as The section reads in part that:-"Mineral shall mean all valuable de-posits of gold, silver, etc., etc., etc., end mineral pigments. "Limestone, marble, clay or any building stone shall not be considered

as mineral within the meaning of this Mr. Gordon Hunter, for appellants, argued vesterday that this section de-barred limestone from being considered

under any case as mineral. Judgment was reserved. The respondents were not represented.

Hunter vs. McMartin was an appeal from a judgment of Judge Forin against the appellant, who was the third party in the action. The trial judge in his reasons for judgment made certain statements presumably within his own knowledge, but as to which there was no evidence. The appeal was allowed ith costs. L. P. Duff for appellant and Charles

Wilson, Q. C., contra.

This morning the first case to be taken This morning the first case to be taken up was the motion made on behalf of the prisoner for a new trial of the case of Regina vs. Sonyer. The prisoner, who is an Indian, of Duncans, is now under imprisonment for life for attempted murder of Jones at Hall's crossing. The ground on which Mr. Potts relied for a new trial was that Judge Harrison allowed in evidence of certain alleged confessions, and the next day in charging the jury he struck out of his notes certain parts of the evidence as naving been wrongly admitted. told the jury to pay no attention to the evidence so struck out.

The attorney general did not resist the application for a new trial, but wished a ruling from the court as to the admissibility of the evidence. The law and The funeral will take place on Sunda as to the admissibility of evidence ob at 2:30 p.m. from the parents' residence tained by questions put to prisoners by corner of Government and John street constables is so uncertain that he and at St. John's church at 3 o'clock thought an expression of opinion from JOHNSTON—At St. Joseph's hospital the full court would be very useful for the 10th Inst., Alice Jane, beloved the trial judge. The court refused to of John Johnston, aged 47 years.

ment of Mr. Justice Martin, who he that the defendant was a year of the premises on Broad street, reoccupied by Mr. Bethune and the dike Company. The appeal lowed (Mr. Justice Irving dis chief justice and Walkem holding that ccepting and demanding rent Klondike Company could not from Mr. Bethune. A. S. Potts fendant (appellant) and G. H. Barr

for respondent. In Regina vs. Dick and Little. nines regulation act for en Chinamen underground, were ed. The question involved the tutionality of the act, and as that tion will come up in Union Collier vs. Bryden, now on its privy council, this appe privy council, this appeal argued, the court being bound utional. R. Cassidy for appe the attorney-general contra. Leave tappeal to the privy council was refused 

## Sporting Intelligence.

BASKET BALL. The Wasps Won.

There was quite a crowd of spe the Dr'll hall last evening to w match between the redoubtable v their old-time antagonists the S muca enthusiasm prevailed, the mirers of the respective teams b demonstrative. The Wasps p stronger team and won by 10 pc The next match takes place to-morrow evening between No. 3 Company and the James Bays, and on Saturday, during the band concert, the Wasps will meet the intermediates of the Fifth Regiment.

FOOTBALL.

Saturday's Rugby Game. The Caledonia grounds are now in excellent condition, and if there be not too great a fall of rain between this and Saturday, they will be in perfect condition urday, they will be in perfect for the game to be played bet Victoria Rugby football team and Victoria Higgly football team and the couver club. The home team is prace regularly, and all the members are in condition. As this is the first chan ship match of the season the supp of the game should not fail to see i whoever wins it will be a hard f game and should draw a big crowd.

YACHTING.

The New Defender.
Bristol, R. I., Nov 5.-November 1 the keel of the new cup defender was the Herreshoff yards here, for the the Herreshoff yards here, for the final plans have now been approved, and the work on the yacht will go on with its usual care. The boat will, of course, be built under lock and key, the usual method of procedure that is adopted at the Herreshoff works, and little beyond the statement that she will be of the built-fin type and that her lines generally will not depart radically from those of the Defender, could be learned.

While the Herreshoff family is large, it looks upon "Naf" as its genius. At the age of ten he could sail a boat with consummate skill and judgment. When 17 he became a student in the Institute of Tech.

became a student in the Institute nology in Boston, where he still developed his taste for physics as developed his taste for physics as particularly applied to steam engineering and naval architecture. In 1870, when 22 years old, he became connected with the well known Corlis Steam Engine Company of Providence, R. I., and with the famous George Corlis gained great practical knowledge in engineering and the application of steam power. During his stay at the Corlis works he designed the engines and all the naval construction at the Herreshoffs?

When he left the Corlis company he joined the Herreshoffs as part owner, signer and superintendent, and there, his work, he has become deservedly

Gloriana, owned by E. D. Morgan. Nat Herreshoft's fully developed theory, but its value was demonstrated in the Pelican, a much smaller resset, built sereral months before the Gloriana was designed. The theory was subsequently carried to its perfection in the sloop Wasp which has been, and is, perhaps the most successful boat ever built at Eristol. The development of cup defending models was really began in 1500 Herreshoff's fully developed models was really models was really begun in 1892, with the centerboard sloop, Navahoe, built for Mr. Royal Phelps Carroll, N. Y. Y. C., which became famous in British as well as American waters. This vessel was built in the senth shop at Bristol.

The cup candidate Colonia, a keel boat followed, being set up in the south shops late in February, 1893, immediately after the Navahoe was launched. Irrevious to that time the centerboard Vigilant the the Navanoe was launched. Frevious that time the centerboard Vigilant, victorious cup defender, was started the north shop. The Colonia was lau ed in May, and the Vigilant in June. The Vigilant was the first vessel of size ever painted with bronze, and record here and abroad need not be called.

record here and annotation called.

The Defender was commenced in reary, 1895, in the south shop, and finished and overboard the following. The new defender, the yacht that recet Shamrock, will be built in the shop, where the Navahoe, Colonia and fender were constructed, and will p fender were constructed, and will per bly in form closely resemble the victous craft of 1895, as there may be ger in making too abrupt a depart of the successful design. The soft the Defender by N. G. Herreshoft not cease with her races. For three he has had her in mind, pondering her form and her performances, were unhappily too meagre to satisfy multitude of exacting yachtmen. this continued thought must result in ther improvement, if such is possible. fender were constructed, and this continued thought must result in ther improvement, if such is possible.

The Vancouver News-Advertiser
"No decision has yet been given
New Westminster-Victoria dispute the title to the championship for 1898 the title to the championship for 1833. Inc. Vancouver members of the Lacrosse Association are in favor of having the disputed match played in Victoria at an early date, probably Thanksgiving day, Victoria to put up the \$85 for the Westminster team's ex-

THE TURF.

London, Nov. 10.—At to-day's racing the Liverpool autumn meeting Lord Facuahart's Novveau Riche, ridden by To Sloane, won the Liverpool stakes. Sir Colonical Colonical States and Market Colonical States. rd party Sloane, won the Liverpool stee in his Miller's Galashiels was secon certain H. W. Gilby's Ramoion was The Wintree plate was won by Philopena. Captain Headworth Lambton's Samandal, ridden by Tod Sleane, was see ond and C. A. Beresford's little Craftot third. There were eleven starters in the event, and betting was 7 to 4 on Samandal. Mr. T. Conn's two-year-old bay Compton, out

Shepperton, by Royal Hampton, out of New Magdalena, ridden by Sloane, won the Wyredale plate. The Shewbread golding was second and King of Paris finished third. There were twelve starters in this race, and betting was 9 to 2 against Shepperton. perton. THE RING.

Chicago, Nov. 7.—Casper Leon, of New York, was given, the decision over Joe. Strutch, of this city, at the end of a six-round bout to night. The fight was Loen's all the way. way. DIED.

SMITH—At South Saanich, on or about October 23rd, Henry Edward, only son of George E. and Elizabeth Smith, attive of Victoria, aged 26 years. The funeral will take place on Due notice of the funeral will be give

Write to DR. BOBERTZ, he is The Doctor Who Cures weakness of men. Expert scientific treatment. Instructive book free. Address G. H. BOBERTZ, M.D., 252 Woodward ave., Detroit, Mich.

## Provincial

VANCOU

Vancouver, Nov. 7 stolen from the stab last night. The inland revenue tober were \$23,937. Robert Murray, co walked into Centre & ing parlors last night and thinking he whee pulled aside the control of the fore a casket and cra sleep. He was disco-and taken to the polic The resolution sent St. Andrew's and Cale nouncing its reading a regiment of Scotsm a regiment of Scotsi home or abroad has ed by the Lieutenar British premier, some grin of many Scotsn who claim that the those responsible in has brought ridicule nspiration is alleged the conclusion of Hallowe'en to a n and it is now suggest may repudiate the ts next meeting. Vancouver, Nov. 9. place last night bet

fishermen to decide licenses that should cannery. They could agreement, the canne censes to each canno men 10. Through the enter band a new opera h is to be erected in Though Vancous miralty it is withou an admiralty court.

case is tried here to trar have to be The board of trade to the proper depart NEW WES Mr. Michael Cos man of the Fraser occupied by the Sipany. On these wa ed a large cold-sto cost of about \$40,0 of engaging in the f of British Columbia but and sturgeon d is understood that opened in March of should be of great City, and should con the losses sustained. The new opera hall which will be

City through the ent bers of the City Ba to this city, and w want.
Preparations are mence the new tran completed the Roya medation as any c The first frost of the city on Monda and pools were coating of ice. A kept an account of several years found ster invariably re about the 11th The present ind in that direction n

NAN A banquet wil Nanaimo hotel to the newly-appointed tor, by the employ Island Shaft of Coal Company, of gan had been years. Little Freddie

of Mr. and Mrs.
while playing with
children on the E.
Wentworth street locomotive returni esterday afterno McKechine examin him suffering from ears and stomach child was resting expected under the Press. Over a hundred

guests sat down in the Nanaimo hote to a grand banque Morgan, late ov land shaft, who ha mines inspector British Columbia been in the emp for nearly a quar has proved himsel ent officer, havin from the bottom der by his honest The members of No. 1576, gave Templars' Hall and in spite of the rain and wind thi large attendance three sides of the fortably filled. T ed by the Orange ally they perform them, for the tab fully supplied with

epicure could no A drunken qua Thursday night at Jap stabbed anoth ing him instantly another, cutting h shoulder, but not derer was arrest and locked up. A ca verdict that he Jap hamed Muira heart with a knife On Saturday me lier Burma arrive commenced loadin the afternoon he put in an appear from then took till Sunday night ed with Nanaim monds, turned th Burma for San I San Francisco loaded into space of 50 hou ounkers, as the ed at 6 o'clock This not only ing facilities of t strates the fact ity is sufficient to without dependin

The home of M. Good, of the No. indeed a sorrowf little four-year-old was accidentally night. At six Good was prep tire, and left l fire in his nightinto an adjoining plenish the fire w scream and rush child enveloped in