We have received a telegram from Messrs Hesketh and Richmond, requesting us to state that they were not retained to appear in the City of London draining case, nor did they say that they would consider themselves retained The telegram further states that Mr Whitford said that Mr Tyler would send retainers, but Mr Tyler never did so.

An accident happened on the Moanataiari tramway yesterday, at the No. 7 section. A truck loaded with Old Whau quartz was coming down when the chain attached to the traction wire broke, just as it was sent over the incline The truck ran until it came to the pass loon over the steep trestlework, when it cut through the rails and was capsized into the creek. The quartz of course was scattered about and the

Bachelder's Pantascope of a tour through America will open for exhibition at the Thames at the Academy of Music this evening. The panorama has been specially painted to the order of those enterprising gentlemen Messrs Bachelder and Logan, and wherever the views have been exhibited they have been most highly spoken of as faithful representations. There depression in the Whau and City of are the city of Utah, the palace of Brigham | London stock, says: — "When persons Young, the great Mormon temple, the Pacific railroad and scenes thereon, a ship in a storm, with accompanying thunder and lightning. The moonlight scenes are said to be charming, and the rising morn very naturally depicted, whilst he views of Auckland harbour (copies of paintings by the local artist, Mr J. Hoyte) and of Sydney harbour are said to be unmistakable. Mr Frank Verten sings at intervals in his very popular style.

The City of Glasgow Hotel, Tararu Road, was sold by auction by Mr E. Binney yester-day, and purchased by Mr William Innes for £20.

For several days past there has been a group of photographs anclosed in a handsome frame of the window of Mr Waller stobacconist's shop which has attracted a great deal of attention, on account of the artistic manner in which the photographs are arranged and the fidelity of the likenesses. This group consists of the members of the Naval Brigade. In the centre are the flage of the company and the drill mill The officers also occupy central positions, and then the men, 80 in number, are grouped around. The like esees are pit photo size, and each member of the company can be recog nised at a glapce. Amongst the rest we noticed that of Mr Perritt, who was killed in the Pumping Association shaft recently. The photographe form taken and arranged 37 Messra Foy, Bros., photographers, of Shortland, on whom the vork reflects infinite credit.

It will be seen by our advertising columns that a sermon on the sad death of John Perritt in the Pumping Association shaft, will be preached by the Rev. James Hill to-morrow evening in the Presbyterian Church.

At the half-yearly meeting of the Court Pride of Parnell, A.O.F., held on Wednesday evening at St. George's Hall, the following officers were elected for the ensuing six months:-Bro. Schumaker, C.R.; Bro. Girvan, S.C.R. Bro. Veale, Treasurer; Bro. Ahier, Secretary; Bro. Coombes, S.W.; Bro. Probert, J.W.; Bro. Hindman, S.B.; Bro. N. Milnes, J.B.; Dr. Lethbridge, Court Surgeon.

The half-yearly meeting of the Star of Hauraki Tent, I.O.R., for the election of officers, action of others."-Arrived: The p.s. was held in the tent-room, Mackay-street, on Tuesday evening, when the following were appointed officers for the ensuing term : Hicks, P.C.R.; H. Paltridge, C.R.; — Williams, D.R.; J. Somerville, 'ec.; J. Nicholls, - Barnett, C.S. The quarterly report read, showed a healthy state of the finances. It was decided to send to England for a new banner, which may be expected in time for the

Mr W. H. Jones writes as follows, in the Auckland Evening Star: - "Sir, - Your own comments, and the letter of 'Coromandel Scripholder.' have met with a responsive echo in th minds of nearly every speculator in Auckland, and would, beyond doubt, receive practical expression in a host of letters but for the diffidence felt by individuals to appearing in print; indeed to such an extent does this diffidence operate, that although shareholders have been morally certain of the fact of gold being stolen from the mines, yet the difficulties that have a prosecution has been attempted have helped to deter them from taking action. However that may be, cases are innumerable in which workmen invariably) have been made to pay large dividends which when worked by companies never paid expenses, and this has been done. The night is fine. found to be the case in every instance. A score Two avamples : ould be named which I was personally victimised, however, stand out in this bold relief from the rest, viz., the Whau and Dauntless and Sink to-Rise. In the case of the Whau the expenses were so heavy, and the then operations so barren of result, that the shareholders were led to believe that the mine was exhausted, and thus induced to sign a winding-up order. Singular to say, however, it was afterwards purchased by parties who had an intimate knowledge of its workings, amongst whom was a former mine manager. The divi-dend list and marketable value of its scrip since their purchase will show how far their knowledge and judgment warranted the specu-Comment is unnecessary. Sir, in my warmth I have. I fear, trespassed too much or your space, but your directing attention to a matter in which I feel keenly must plead my excuse in asking your insertion of this letter."

The following is the classification of trades of the immigrants per ship 'James Wishart,' Capt. Groundwater, which left London for Auckland on the 19th March:—Married Men: Bootmakers, 2; bricklayer, 1; cabinet-maker, 1; carpenters, 12; cooper 1; dairyman, 1; farm labourer, 1; fitters, general smith, 1; harness-maker, 1; labourers, 13; masons, 2; navvy, 1; painter, 1; plumbers, 2; shoemaker, 1; storekeeper, 1; tanner, 1; wheelwright, I. Unenumerated, 2. Single Men: Bricklayers, 2; baker, 1; carman, 1; carpenters, 4; girdener, 1; labourers, 19; masons, 2; mechanic, 1; painter, 1; rivetter, 1 shoemaker, 1; stockman, 1; sugar-baker, 1; tailor, 1. Unenumerated, 4. Single Girls; Domestic servants, 3; general servants, 3, nurse, 1, Unenumerated, 8. Recapitulation: 48 married men, 48 married women, 60 single men, 19 single women, 48 male children, 40 female children, 15 infants. Total: 278 souls, equal to 219 statute adults.

The following in a classification of trades of the immigrants per ship 'Queen of Nations,' daily expected in Auckland from Belfast :-Merried Men : Agriculturist, 1; baker, ; gardener carpenters, 3, farm labourers, 31; carpenters, 3; tarm abouters, 3; gardener, 1; general smith, 1; labourers, 11; mason, 1; mason, 1; machinist, 1; ploughman, 1; shepherds, 3; shoemakers, 3; tailor, 1; wheel-wright, 1. Unenumerated, 2. Single Men: Blacksmith, 1; carpenters, 8; farmer, 1; farm labourers, 29; gardener, 1; groom 1 labourers, 22; shoemaker, 1; smith, 1; servant, 1; tailor, 1; telegroph clerk, 1. Unenumerated, 3. Single Girls: Cook, 1; domestic servants, 19: dairymaid, 1: general servants, 22; housemaids, 3; upholsterer, 1; Unenumerated, 2.

The Otago Daily Times has the following "Our Auckland correspondent refers to land purchasing from the natives, as carried on in that province. We are told by a gentleman recently from that province that one of the most active land speculators and agents. Mr Brissenden, was said to have been just appointed a Government land buyer, at a salary of £600 a-year, and that as he could not speak the Muori tongue, another £300 is allowed him for an interpreter. We can scarcely credit this report, but it reaches us on good authority, and if incorrect in its material features should be officially contradicted." Our contemporary, like most people in the South, is in quite verdant state with respect to how native land purchases are managed in the north. If he were here he would be compelled to credit things much more incredible than the above.

Mind Your Stops. -The omission of a comma on an epitaph in a cemetery causes the inscrin-Krected to the memory of John tion to read. Phillips, accidentally shot as a mark of affection by his brother."

SPECIAL TELEGRAMS.

(Per Anglo-Australian Telegraph Press|Agency.)

AUCKLAND, Friday. An official inquiry will be held to-morrow into the charge against the doctor of the ship 'Loch Awe' for behaving indecently and using foul language towards the single girls on the passage out. All the girls readily obtained employment and also a fair proportion of the married women, The Danish immigrants proceed South to-morrow, in the 'Wellington.'-The Chamber of Commerce have adopted a memorial to the Hon. Julius Vogel, protesting against the pamphlet issued by Dr. Featherston, comparing Auckland unfavourably with other provinces. The Star to-night, in alluding to the alleged who, from the position they occupy, should uphold the interests of shareholders, make use of their influence and information for

the purpose of 'bulling' or 'bearing' stock, while they buy and sell, deserve to be held up to the execration of all honest men. This is what has been done in the cases mentioned. It is immaterial whether the shares are above or below value leading men convected with the mines ought not to be found buttonholing small holders, and advising them to sell, asserting that 'the gold has run out,' that 'they had got past it,' and so forth. Yet men who have been notorious in connection with the Whau mine, have thus amused themselves, and shares have bobbed up and down in response to their breathings. The way bona fide investors have been victimised before, rendered them fearful of anything resembling a ral stuff had been put through. The yield swindle, and they are more ready to become panic stricken at a likelihood of a fall in stock. This lays them open to the machinations of practiced operators. There is only one safeguard. we cannot too strongly urge, namely, that in mining as with other business transactions, men shall act reasonablyshall look well to the prospects of the mine before buying, and demand reasons satisfactory to themselves ere selling. There are no changes in mines or their prospects like those we see in the scrip market, and when the cause of many of the fluctuations is so palpable, it behoves shareholders to be very wary, and act more on their own judgment than on the

'Luna' and s.s. 'Go-ahead.' Sharemarket: -- Sales: Queen of the May, 12s; Moanataiari, 30s; Queen of the Thames, 7s; Union Beach, 15s. Buyers: Caledonian, £9 5s; Una, 4s: Golden Calf (double issue), 10s; Cure, 12s 9d; Old Whau, £4. Sellers; Ruby, 5s.

(FROM OUR OWN CORRESPONDENTS).

COROMANDEL, Friday. The City of Auckland, owing to severe weather, stopped conveying quartz to the battery, and will crush on Monday .- The Three Brothers have specimeas and picked stone got yesterday.-Slips are reports all along the track to Paul's been met with in those isolated cases in which | Creek.—The man charged with lunacy was brought up to-day, and was remanded for further medical evidence. There mines in the hands of tributers (i. e. former have been heavy rains with high winds all day. No material damage has been

TAURANGA, Friday.

respected settler, died suddenly yester- the Prince Alfred battery was completed day. At an inquest held on the body the following verdict was returned:-" Death from natural causes." Dr. Armitage, through illness, was unable to render any assistance.—This district is about to suffer a loss in the departure of the officer in charge of the police department (Mr Naden), whose official duties and private life command the respect and esteem of the community.

SOUTHERN TELEGRAMS.

(Per Anglo-Australian Telegraph Press Agency,)

CHRISTCHURCH, Friday.

In the Provincial Council yesterday Mr Andrews moved, "That the time has arrived when cremation, or burning of human bodies, in order to prevent pollution of the ground and streams which results from burying such bodies, and that a sum be placed on the estimates for] the purpose of establishing the most approved system of cremation."-Sir Cracroft Wilson said he seconded the motion with great pleasure. - A short discussion ensued, during which no positive objection was made to cremation, but the general opinion was that the time had not yet arrived for bringing it into operation. Ultimately the motion was withdrawn.—The sum of £500 (?) was voted for Municipalities, the House being of opinion that although it could not make over the proceeds of the dog tax, auctioneers' and publicans' licenses as previously proposed, the Municipalities had at least an equal right to grants of public money as Road Boards.

The Clunes Guardian gives the following particulars of a fatal mine accident :- " One of those terrible accidents that every now and again deal death to some unfortunate miner, and shock the whole community, occurred on Monday afternoon, between three and four o'clock. at the claim of the Lothair Extended Company. John Matthison, employed as braceman at that mine, fell from the surface to the bottom of the shaft, a depth of 307 feet on to the cage, and was killed instantaneously. He was a brother of the wife of Mr McDougall, the manager a single man, about 27 years of age, and stout made. He went to work at seven c'clock in the morning for a twelve hours shift. At about half past 3 in the afternoon he was standing upon the raised sill that at the surface forms the very verge of the shaft, to which his back was turned. Two other men were standing by in conversation. Suddenly, while laughing at some remark made by one of them, he lost his balance, and, throwing up his arms, fell down the shaft, and being unable, from the manner in which he fell, to seize either the rope, the dividing slabs, or the beams which go up to the brace, he went to the bottom and met with inevitable death by striking upon the iron cage, which was down at the

MINING MATTERS.

TOOKEY-LOWE'S TRIBUTE.-The crushing for Lowe and party, which was com-pleted yesterday at the Manukau battery, did not yield quite so well as was expected. An average of an ounce to the ton was looked for but the total vield after melting was only 17ozs 18grs, and there were in all 25 tons of stone put through the mill. The crushing was, we understand, a trial from a new block. and although the return is moderate, it is, we learn, payable, and will encourage the tributers to proceed further with their prospecting works.

ALBURNIA .- A retorting took place at the company's battery yesterday, in order to free silver to be used again, and the result of the retorting was 1500zs gold. The final retorting for the company will take place at the end of the month, by which time the specimens will he put through, and the total vield will no doubt be a very handsome one considering the many stoppages which have taken place and the comparatively small quantity of stuff reduced during the present month. No retorting has yet taken place for the company at the Ballarat and Ilunes battery, where a quantity of stuff from the main reef in the Dixon's No. 1 main level has been crushed. This stuff showed up for a very fair average yield and will add very average yield and will add very considerably to the total result of the month's yield. The stuff generally is looking well both in the mine and at the battery. Gold shows pretty frequently especially in the hanging-wall reef, which is the only one on which stoping is at present carried on, for on the new reef the only work at present progressing is the rise which is going up

on it. TWENTY-THIRD OF JUNE. - Retorting for the tributers of the Twenty-third of June mine took place at the Prince Alfred battery yesterday after 101 tons of genewas 23ozs 15dwts of gold, a very handsome return considering that a large yield had previously been obtained from specimens selected out of the same stone. The lode from which the stuff has been taken is about two feet thick, but only a portion of it is reserved by the tributers for crushing.

ALL NATIONS .- Retorting for the All Nations Company took place yesterday at the old battery of the Kuranui after about a fortnight's run with six head of stampers, and a handsome return of 14502s 10dwts of gold was obtained as the result. The mill was for three days employed on a crushing taken out of the Oddfellows' old leader, which only yielded 12ozs, and which therefore reduced the average return very materially.

LONG DRIVE TRIBUTE. - Retorting for the Long Drive tribute also took place at the Kuranui battery yesterday, after about a fortnight's run with the same force, but the yield was only a moderate one of 64ozs 10dwts of gold. The old battery of the Kuranui has been rented by the All Nations and Long Drive, and is kept exclusively employed on crushings from these mines.

WATCHMAN TRIBUTE .-- A crushing for Long and party, tributers of the Watchman, who are working the old Virginia City ground, is now going on at the Prince Alfred battery, but is not likely to yield more than a moderate result. UNITED.—The shareholders of the

United claim, formerly the Durham Ox, have commenced forwarding a trial crushing to the Prince Alfred battery from the reef which they recently opened n the upper portion of their ground. Owing to the break in the weather yeaterday, however, they were obliged to discontinue, for the stuff has to be sleighed from the workings to the tramway, a considerable distance, which not only makes it more inconvenient to send quartz to the buttery, but adds considerably to the expense.

yesterday, except the retorting, and the return is likely to prove far greater than There were in all 40 tons was expected. of stone gput through, which produced 4000zs amalgam, which was squeezed through hot water. There was very little gold showing through this parcel, but an average of 25 ozs to the ton was expected. The result will be considerably in excess of this average, and these fortunate tributers will have to congratulate themselves on another handsome vield.

OLD WHAU.-The manager reports that there is no change in the mine since the previous day. The show of gold is quite as good as it was then, and a parcel f specimens come to hand, small in quantity, but on the whole rather richer than those taken out ton the previous day. Operations are still confined to driving, and before rising on the main reef or commencing stoping, the level will have to be timbered. Meanwhile the crushing for the company at the Moanataiari hat tery is improving from day to day, and is now showing up for a very handsome average.

CITY OF LONDON.-The trial crushing from the winze on the No. 2 reef is not vet completed, and will occupy the mill for several days to come, but it does not show much improvement, and is only shaping for a moderate yield. This crushing is to be followed by a trial from the junction of the lodes at or near the City of York boundary, in the 170-feet level. Operations in this level are being carried on with considerable difficulty at present owing to want of ventilation, and we are informed by the manager that a quantity of gas accumulated in the drive yesterday which could hardly be ex pelled by the fan. It must be unlike the carbonic acid gas which accumulates around the Caledonian, Tookey, and Pumping Association, which, like water, sinks until it obtains its own level, and as the 170-feet level is higher than the others is might naturally be expected to rush down into the deeper levels, which it does not appear to have done in this instance.

QUEEN OF BEAUTY .- The contractors are now driving on the course of the No.1 reef, which shows splendid gold. Yesterday an excellent sample of specimens came to hand from this lode

The Mining Department of Victoria offers a reward of £109 for the discovery of a safe and efficient means of signalling between the top of a shaft and the several entrances, and between each entrance (separately) and the surface. The examination of the invention will be conducted by a board to be appointed, and the reward will not be payable until the invention approved by the board shall have been tried for six months. In the Canterbury Provincial Council, Mr.

Jollie stated that one out of every 500 persors brought into the province from the old country became inmates of the lunatic asylum at Sunny side. If 3,000 persons were brought in, an in crease of six in the number of injuster of that institution might be anticipated; and it was necessary, therefore, that the appropriations should be increased in a corresponding ratio.

RESIDENT MAGISTRATE'S COURT .-YESTERDAY. (Before W. FRASER, Esq., R.M.)

JUDGMENT SUMMONS .- Macdonald and Miller v. Young, claim £4. Defendant was examined, and was ordered to pay within a month. JAMES RAE V. G. CAREW FITZGIBPON. Claim £26 16s, on a dishonoured promissory note. Plaintiff was examined, and

judgment given for him, with costs, £3

ADJOURNMENTS. - Several cases in which R. M. Mitchell sued for rates due to the Kauwaeranga Board, were adjourned, owing to the absence of plain--F. W. Gledhill v. N. Brand, claim £50 for money received, was adjourned by consent.—Murphy Brothers v. M. Kitt was adjourned for a week.—Murphy Brothers v. Mrs McQuillan, was adjourned to the 28th August .- Murphy Brothers v. C. H. Wilson, £10 6s $1\frac{1}{3}$ d was adjourned to the 28th of August. Non-suit.-R. M. Mitchell v. George

Smith, a claim of 9s 6d for rates. Plaintiff was non-suited for non-appearance. JUDGMENTS CONFESSED. - Murphy Brothers v. J. R. Wooderson, £3 11s 1d: defendant was ordered to pay at the rate of 5s per week .- Do. v. J. Clarkson, £7 14s 61d; defendant was examined, but no order was made. - Do. v. W. Fillmore, £1 14s Id; defendant was ordered to pay within a month.

JUDGMENTS FOR PLAINTIFFS .- Murphy Brothers v. H. Baker, £1 8s 91d; Do. v. Whelan, £4 14s 7d; R. N. Smith v. J Diamond, £26 10s 3d.

MURPHY BROTHERS V. ELIZA BROWN -Claim £2 2s 7d. Defendant deposed that she was the wife of John Brown, who took formerly considerable interest in public matters on the Thames. The last she heard of her husband he was in Coromandel. Defendant said the case ought to be brought against her husband. -The case was struck out, and his Worship remarked that Mr Murphy would have to be more careful in trusting married women.

ALEXANDER BINNIE V. VULCAN G.M.C. -Claim £33, for wages. Mr Macdonald for plaintiff.-Plaintiff deposed that he was employed as mine manager of the Vulcan G.M.C. ground at £3 per week. Judgment was given for the plaintiff. E. K. TYLER V. DANIEL MCAULEY .-

donald for plaintiff. - Defendant said

Claim £30, for damages.

he did not owe a copper.-E. K. Tyler deposed that he commenced to reside at Grahamstown shortly after the 3rd February, 1872. At that time the Karaka Creek was running as shown in a plan produced. Three or four months after he entered into possession he saw a trench being cut by several men, diverting the creek so that the creek instead of flowing round his fence came against it. The first flood that came washed with such force against his fence that it carried away part of the fence inside his premises for about twenty or thirty feet along the allotment, and for two or three feet in. Upon that he made inquiries which led to his seeing the defendant. He pointed out that the diversion of the creek was damaging his property, and defendant came and saw it. Next day he came with one or two men, and endeavoured to repair the damage by throwing the soil again into the allotment. Witness endeavoured to explain that he should turn the creek again. He caused some sticks to be driven in and some planks to be put up with the view of turning it, but in flood time the water rose over the planks. On a subsequent occasion the water took away some of the planking. Defendant repaired the fence in a temporary sort of way. At that time he explained to defendant that it was useless if out, or put up some strong protective works. He acknowledged that he had diverted the creek. The action of the creek was to wash away the earth from the fence, which consequently leaned dant on account of a communication from the Waiotahi Board. Nothing being done about three weeks ago a heavy flood came, and twenty or thirty yards of the fence came down. A considerable portion of the ground was washed away. He asked the defendant if he would secure the place against future damage, and he said he would not. If the channel of the creek had been left as when he originally took possession of the allotment no damage would have been done. -Defeu dant said that Mr Tyler benefited by the turning of the creek. The fence which had come down had never stood .- R. W. Hollis denosed that Mr Tyler pointed out the situation of the allotment and creek. Witness made a plan showing the present course of the Karaka Crock He knew the former course of the creek. It ran parallel to Mr Tyler's fence. The effect of the diversion would be to bring the current directly upon Mr Tyler's allotment. It would have the effect of undermining the fence. To the extent of 30 feet it would injure the property. About 12 feet had come away. He had made an estimate that it would cost £12 13s to repair the damage. That would be the cost of putting up a wooden retaining wall, and otherwise repairing the lamage. - Defendant said that the fresh had not injured the fence. It was the high tide that had brought down the fence. - R. J. McFarland, engineer, deposed to the same effect as Mr Hollis. It would take £12 8s 6d to make a substantial job. - Defendant said the Board had charge of the creek. -His Worship said he could only give judgment for the plaintiff for £12 8s 6d, and costs, £4 18s.

SUPREME COURT, -- IN BANCO.--WEDNESDAY.

(Before Sir G. A. ARNEY, Chief Justice.) APPEAL -Riordan v. The Tokatea Gold Mining Company. This was an appeal from a decision of the Warden's Court at Coromandel .- Mr Rees appeared for the appellant, Mr Hesketh for the responents. Riordan brought his action in the Warden's Court to dispossess the defendants of a piece of ground used as a machine site, upon the ground that a 'leascholder's miner's right" by virtue of which defendants held the ground was not a sufficient title, that the only miner's right recognised by the law was that provided by the Goldfields Act, 1866, under which the appellant alleged the machine site was occupied. The appeal came before the Court in the form of a special case sent up by Mr Warden Keddell The contention was that their leasehold miner's right, which hore date March 13th. 1872, was a satutory title, and in effect the same as a miner's right granted under the regulations framed under the Act of 1866. It did not appear in the Court below that the plaintiff had a miner's right, and consequently he could not bring the action. The question for the Court turned wholly upon the construction to be put upon particular sections of the Goldfields Acts, upon the

to have held separately miners' rights for the ground occupied by the mine, they should have a miner's right for the machine site, because this was an occupation of ground for "mining purposes." The site was in this light a claim, and as a claim must be limited by the area allowed to each miner's right.—His Honor : Suppose a race, a reservoir, dam, or other extensive work, is it contended that miners' rights must be held for land covered by these works? For there is this distinction, that a machine site is a use of the surface: so with dams, races. reservoirs. &c. A miner's right clearly refers to what is under the groundmining for gold. - Mr Rees: The words of the statute are very general whatever any manner of working whereby the the surface shall be removed, &c."-His Honor: The practice seems to have grown up of granting (separately) sites for the purpose of using the product of the mine beneficially. Are these sites granted for gold mining purposes?-Mr Rees: The machine site forms part of the claim, and must be held by miner's right. A miner's right gives a title to the ground, a "leaseholder's miner's right" does not; for the lease is obtained first, then the leaseholder's stuff, with a mesh say of six to nine miner's right is applied for. A man must | inches. This not could be roped with have a miner's right before any title any size rope. (I am told that at every arises; a leaseholder's miner's right re- set of timbers are a set of bolts, I preferred back to the lease, and conveyed no title. It was a condition imposed after the granting of the lease, merely for the purpose of revenue. This machine site was land held outside the lease, and there ought to be another miner's right held for give them confidence, knowing that it.—Mr Hesketh, for the respondents, con. iat a safe distance below them is it.—Mr Hesketh, for the respondents, contended that the site was an adjunct to the claim—a necessary adjunct, by which only the claim could be enjoyed. There was sufficient power given by the Act to the Governor to make regulations for the granting of machine-sites. The object of the leaseholder's miner's right was to consolidate other miners' rights in respect to the area of land held. The Act of 1869 must be read with the Act of 1866. The granting of the lease put the person in whose favour it was made in the position of using the land free from any goldfields penalties. He became an authorised person. He was in the same position as the man holding an ordinary miner's right. 'the defendants, at the time the action was brought, possessed two qualifications -(1) a miner's right under the Act of 1869, which was in every respect equivalent to the miner's right mentioned in the Act of 1866; (2) a lease, which

authorised them to make use of the ground without incurring any of the penalties of the Goldfields Acts .case had not concluded when the Court rose.—Herald. REGULARITY AT ELECTIONS. In the Auckland Supreme Court (in banco) on Wednesday, the case of Harris v. Crispe came on for argument: - This was a proceeding by quo warranto, for a rule nisi to call upon Mr Joseph Crispe to show under what authority he holds a seat in the Provincial Council. - Mr Gillies moved that the rule might be made absolute. Mr Rees to show cause -Mr Rees argued that in the first place it was not enough merely to show that one person had not a majority of votes uuless it was also shown that another person had. The matter, it would appear, would turn upon the vote of Thomas Hyland, if the eight persons claims of right to vote because their names were on the roll for the House of Representatives were allowed. Thomas Hyland's affidavit was to the effect that he intended to vote for Harris, and to the best of his belief he did so. The vote he did not take the creek straight being illegal and given for Harris, it would have to be struck off, and should the other eight votes be counted to Harris, he would only have 70 votes, as against 71 in favour of Cripse. The statement on the other side - of the be-ALBION (POVERTY TRIBUTE). - The over to the creek. The damage was still lief that Hyland voted for Crispe-was crushing for Northy and party, tributers increasing. Witness asked his solicitor of the Poverty and Charleston mine, at about three months ago to write to defend to the contrary. Mr Rees also submitted preceding the departure of the 'P.C.E., that the eight persons who claimed to vote had no right to vote at the late election. It was absolutely necessary that the names of persons claiming to vote should be on the electoral roll for the provincial district before the Return. ing Officer would be in the position to receive, or they in the position to tender their votes. The right of these parties to vote had been based upon the second section of the Provincial Elections Act. which reads as follows :- " The electoral rolls for the House of Representatives shall be conclusive evidence of the right of persons whose names shall be thereon to vote at the election of Superintendents of Provinces and of members of Provincial Councils, as hereinbefore provided.' Τn accordance with the 3rd and 4th sections of the Provincial Elections Act, 1858. and the different sections-especially the 70th and 37th sections-of the same of 1870, it was contended that as a matter of principle it was necessary that the voter's rame should be on the provincial electoral The name being on the roll roll. for the House of Representatives was only conclusive evidence of the right to be on the roll for the district, which was the guide for the reception or rejection of the votes in relation to that district. If the name was not upon the district roll the vote could not be given. He submitted that the questions of fact with regard to Hyland's vote must be taken as against the mover, and that with reference to the

question of law, the eight gentlemen laiming had no right to vote.-Mr Gillies replied: He asked the Court to observe that the statute of 1858 was specially for the purpose of amending the law relating to elections, and that it was especially intended to regulate the right of voting. The second section stated that the name being on the electoral roll of the House of Representatives should subject when New Caledonia was chosen be conclusive evidence, not of the right to as the place of banishment for Comhave the names placed upon the roll hereinafter mentioned, but to vote at the elections source of danger to the Australian coloof members of the Provincial Councils as hereinbefore provided; and that this was the very statute which provided for the other rolls being made up. It was manifestly the intention of the Legislature to make the rolls for the House of Representatives final and conclusive evidence of rights to vote, and it merely provided the splitting up of these rolls into separative legislative rolls as matters of convenience. In the case of the rolls for the House of Representatives there was power of revision given; but there was no such provision in regard to the provincial rolls and the electors were not parties to their names being put upon the several rolls into which the roll for the House of Representatives was divided. It kept confined to the Peninsula, but were was, he considered, clearly the intention of the Legislature that the provincial district rolls should have no validity beyond being guides to the Returning Officer for the time being, but that the absolute right to vote should be determined, as by the second section, by the fact of the parties being duly registered upon the

roll for the louse of the General As-

contended that, assuming the defendants voted for Harris. The probabilities were | Among other things he says Mochefort a case that should go to a jury .-- His Honor reserved his decision .- Herald.

CORRESPONDENCE.

PREVENTION OF MINE ACCI-DENTS.

To the Editor of the THAMES ADVERTISER.

shafts, I have often wondered that the mine managers have never asked for a preventive. I know nothing of the fixing or finishing of shafts, I beg to say before starting, but I think if we (at sea) can save life through a few preventors, surely our mine managers may try the same. A plan such as I humbly suggest to them can be carried out in such a way that the workmen may work with a greater degree of confidence than they do at present. It is this, that a net (not a pilchard net) be made the size of the shaft, of either log, lead, whale, Hambro, or rattling sume at the four corners of the shaft.) This net could be worked to those bolts at such a depth below the men as not to interfere with any work they may be doing, yet, at the same time, will a preventor to a tumble into death. Many might say it will interfere with the working of the shaft; I say no. If men are working where their lives are in danger, it is time for others working in the same shaft to stop, if, as may happen, it interferes with cage work. Should the bolts be of sufficient strength I would safely guarantee that a big lump of wood or iron, falling from a height, would make a passage for itself, and yet leave but a small hole for a man to get through: and I will undertake to say that a weight of half a ton falling flat on the net would be effectually stopped, and end on would only break a few meshes, through which a man, unless stunned, could not pass. If he had anv senses left, the first thing he touched. like a drowning man, he could and would cling to, and what so easy as a net? Again, it might be said, "But we have pump columns (or any other sort of columns) down our shaft, how then ? Fit your net to your shaft If one piece will not do, make it so that it can be laced together easily. All I say is, do something to keep us from these frigatful accidents which might, with care be avoided. In my humble opinion, there is too much rush and hurry in carrying out work here-too little care of life. People seem to be somewhat of the same opinion asa Dutch boatswain I was once shipmates with; when a countryman of his was killed by a fall from aloft, his expression was, That there vas plenty more Dutchmens in Holland."—I am, &c., E. L. Millett.

THE ESCAPE OF ROCHEFORT. We give the following further details

respecting the escape of Rochefort :-SPECULATIONS REGARDING THE COMPLICITY OF THE CALEDONIAN AUTHORITIES. Regarding the way in which the escaped Communists managed to elude their keepers and the extent of the complicity of the authorities at New Caledonia our informint had not, of course, the opportunity for noting facts which he possessed in relation to the proceedings on board. He freely expresses his own opinion on the subject, but as it is a narration of what is testified to form observation we prefer to give such statements concerning matters of fact as Follett is in a position to supply, leaving readers to draw their the Governor of the Settlement gave the prisoners permission to go out in a boat, and that the Governor subsequently left Noumea for another part of the island, taking the gunboats on the station with him. In the meantime the barque sailed. The same night, however, the Governor returned to Noumea, when the prisoners must have been reported missing and the vessel they had gone in been suspected. But no steamer was sent in pursuit. although from the fact that, as before stated, the barque was still within sight of the island, it is extremely probable she would have been overhauled. Although the vessel could not have been forcibly stopped, permission might have been asked to search her. Our informant states that he has since heard from a person who left New Caledonia subsequent to the departure of the 'P.C.E.,' that the idea of pursuit was abandoned by the authorities on the pretext the barque had too good a start. Another matter which seems unaccountable is the fact that the prisoners should have been on board from pefore midnight, and the barque not sail until eight o'clock on the following mornin, and yet that they were not missed, or if missing, that no search was instituted. During the passage Rochefort stated that his escape had already cost him a flarge sum of money, but he, of course, did not vouchsafe the most remote clue as to who the recipients of his bounty were. These statements are just given as we have received them, and our readers must draw what deductions they choose on this sub ject, which is now being rigidly inquired into by a French General despatched to New Caledonia for the purpose. It is at least certain that escape from the penal settlement has been deemed almost imnossible: and in reply to correspondence from the English Government on the munist prisoners, who were deemed a nies, the French Government maintained the strength of the position-a boast which has assuredly not been horne out in the present instance. ROCHEFORT'S ACCOUNT OF HIS TREATMENT.

During the passage from New Cale donia to Newcastle, which was a remark ably short one -only seven days -Rochefort exhibited great nervousness and fear of being recaptured. Whenever a vessel hove in sight all the Communists went below. He was very sick, and almost constantly drinking tea. He stated that he was very well treated on the island having being allowed full liberty so long as he duly reported himself each night He with Groussett and Jourde, were permitted to go out shooting, etc. The other three lived in Noumea, together with the majority of the Communists, who have full liberty and earn their livings at various occupations, being prohibited only from leaving the island They are not treated in any way as ordinary convicts. DOUBTFUL STATEMENTS.

Several statements which Follett has regulations framed under them, and Gold sembly. With regard to the other made on the face of them appear very Mining Districts Act, 1873.—Mr Rees question, Hyland did not swear that he doubtful and these we at once discredit.

entirely against his qualified assertion, fell overboard. The first account of this and at least it was left in the position of occurrence given by him was that when a disputed fact, which could only be de- two or three days out the captain and he termined by the production of the voting were struggling on deck, both intoxicated, papers. He submitted that it was clearly and they tumbled over. The boat, he said, was being towed astern, and so they were saved. This he afterwards contradicted by saving that Rochefort never drank, and that he was sitting on the rail when he fell over; that the boat was on deck, and was lowered at once, the captain (on deck) remarking that "It was a pretty fine thing passengers tumbling over in this way." A third version was that Rochefort slipped overboard when Srn,-Seeing of late the number of accidents from falling away off stages in first getting on to the vessel. The fourth version, that captain and mate fell overboard. It is quite clear that there is no foundation whatever for the statement about the captain or Rochefort falling overboard. The statement about the Governor taking the gunboats away also seems to be a mistake.

REWARDS ROR THE 'P.O.R.' SERVICES. Follett says the cantain and owners of the 'P.C.E.' received £1,000 for their part in the matter. He further says that the crew were promised £10 a-piece by Rochefort. About this he also tells two stories. On the one hand stating that he did not get his money, and again that he went ashore with the captain, and following Rochefort up obtained it in French money, for which he only obtained £6 when exchanged.

CAPTAIN LAW'S STATEMENT. The Captain of the 'P.C.E.' states with regard to Follett's account of the affair

that Follett was shipped at Noumea as

assistant to the ateward. That he had

previously been locked up in gaol at

Noumea for vagrancy. That the Go-

vernor of the island was away from Noumea

ten days previous to the escape, but arrived the day after the 'P.C.E.,' had

left. He also says that there were two.

gunboats and a frigate lying between the

shore and his vessel, and he cannot un-

derstand how the boat containing the

six escaping prisoners could have passed

the sentries at the Peninsula, where

Rochefort and two of his companions were confined, and have also got past the gunboats and frigate unless there was complicity on the part of the French, as it was customery to challenge all boats. The story about himself, Rochefort, or the mate falling overboard is without a shadow of foundation. He admits being on shore the night previous to their departure, and thinks the mates were also; but says he was aboard by twelve clock. The sinking of a boat with a grindstone he says is contradicted by the fact that the boat was picked up next day. Upon this fact he referred us to Cant. Jackson, of the 'Clio.' How the Communists got on board he does not say, but adds that they first showed themselves on themselves on the following afternoon. I'he copy of the "Bow Bells" he says was not pro-cured in Noumea, but was bought by his wife at Newcastle, and was not given to Follett to build a fire, but is now on the hulk 'Cantero' in this port. The men had escaped before they reached his vessel, and he does not consider. therefore, that he is responsible for the laches of the French authorities. He confirms Follett's statement regarding their treatment on shore. He believes their intention was originally to go on to Sydney in the open boat, a journey which two convicts performed once before, and which, owing to the steady trade winds, is not attended with very great danger; but that they altered their intention in favour of stowing away aboard the barque. One of them first showed himself on the following afternoon; they then gave falso names, which were entered in the logbook, and are there still. He first noticed the resemblance between the portrait in "Bow Bells" and Rochefort, and showed it to the latter, who admitted his identity, as stated by Follett. Groussett. who reads English fluently, at once translated the account of Rochefort contained in the number into French. The Communists, he says, only paid £5 each for their passages, and promised nothing to the crew with the exception of a gratuity to the steward, which Rochefort offered on account of his kindness to him during his sickness. The first time the full names of the passengers were given was at the Custom-house, Newcastle, where they entered their right names. He says Rochefort was not the least afraid of the approach of any French vessel, as he informed the captain that, after the vessel ... was three miles from shore, they, being political prisoners, could not be taken off an English ship. The captain further adds that he wants Follett on a charge of obtaining money on false pretences. He will not give us any information as to how the prisoners escaped or how they got aboard his ship. In reply to Dr Lang, who presented an address on vellum to Rochefort in Sydney, Rochefort said he could not state now how he escaped, but it would yet be known. He vindicated to Captain Law the principles of Communism, particularly their claim that the municipal government should be elective, but repudiated all responsibility for the excess committed, and said that the mob threw open the gaols, when the miscreants, who were beyond control, shot down their own officers, or anyone they met. Rochefort expressed great admiration for Gambetta, who, he said, would be the next President for the French Republic. CAPTAIN JACKSON'S STATEMENT. With reference to the point on which

Captain Law referred us to Captain Juckson, of the schooner 'Clio,' the finding of the boat by which the Communists made their escape to the barque, Captain Jackson says that on the trip referred to by Captain Law, he left Noumea two days previous to the 'P.C.E.,' and does not mow from personal observation anything that transpired immediately after the escape of Rochefort and his companions. He says, however, that the general opinion in Noumea when he was last there was that Capt. Law knew all about the intended escape prior to its being carried into effect. He merely gives this as the substance of opinions communicated to himself by persons resident at Noumea.

FUTURE INTENTIONS OF ROCHEFORT. It is stated by Follett that, from what te heard the Communists saying, Rochefort seemed disposed to proceed direct to England, and send from there to France for his family and his brothers and sisters. From England he contemplates agitating with the view of gathering together his supporters, and he will return to "La Belle France" as soon as ever he feels it safe to do so. It has since been stated by Sydney paper that Rochefort contem plates settling in Switzerland, and not in England, in the meantime. The movements of the refugees after their arrival n Newcastle on the 27th have already been reported. Rochefort, Groussett lourde, and Pain left Sydney in the mail steamer 'Cyphrenes' on the 11th for San Francisco, and late telegrams have, announced their arrival in New York. - Star

Why are young ladies given to blushing Because it's a becoming red.