PUGET SOUND ARGUS.

FRIDAY, SEPTEMBER 15, 1882.

What England is Fighting For.

N. Y. Evangelist.

The massacre at Alexandria took place on the 11th of June; the bombardment followed on the 10th of July. One whole month England was waiting for some atonement for that horrible outrage, some show of a disposition to punish such barbarity and crime. But instead of that the military party, which was now in full power, felt not so much shame at this inhuman massacre as annoyance at the continued presence of English ships in the harbor. They had a perfect right to be there, as American ships would have had a right to be there if Americans had been massacred in the streets of Alexandria, and punishment was so long delayed that the authorities, instead of punishing, seemed to justify the act, and to make it their own. Instead of seizing and punishing the murderers, they began to plot to drive out the fleet. If they had had torpedoes, they would have blown up the ironclads. As it was, they could only throw up breastworks and plant guns with the plain intent, as soon as they were strong enough, to open fire. Now it is not in human nature, least of all in the military nature, to see such preparations for attack with a tranquil mind, and Arabi Pacha was politely requested to desist. Not only did the English admiral request this, but the Khedive and the Sultan commanded it. The wily Arab professed compliance, and declare that all mounting of guns had been stopped; but when an electric light from the fleet was turned on the forts, the men were found as busily at work as ever. After this discovery of falsehood and treachery, the admiral thought it prudent to take some other security than the word of a Moslem; and we know the rest.

"But," we are often asked triumphantly, as if this single question demolished our whole argument, "what business has England in Egypt?" It may be well to answer this question before we go farther. Englishmen, as individuals, have just the same rights in Egypt which Americans have—no less and no more. We claim the right, which we have exercised more than once, of going to Egypt, as to any other foreign country, and going quietly about our business, asking nothing but the protection of its laws. We think it not an unreasonable demand of the Egyptian government to insist that it shall see to it that American citizens shall be protected in life and property, that they shall not be robbed or assassinated. If, in spite of all assurances of protection, they *are* robbed or murdered, the very least their government can do is to make a demand, respectful but determined, that the robbers or murderers shall be punished. The most violent denouncers of English intervention can hardly deny that in this respect Englishmen have the same rights as Americans.

But farther, beyond these general rights, which are common to all foreigners, England as a country has some special claims to consideration. England has fought for Egypt and for Turkey again and again. Indeed it may be said that both owe their continued existence to England. When Napoleon invaded Egypt in 1798, he would have taken the country and kept it if it had not been for England. The Egyptians could do nothing. Napoleon swept away the Mamelukes at the battle of the Pyramids. It was an English fleet under Lord Nelson which fought the battle of the Nile. It was an English general who gained the final victory on land which drove the French out of Egypt. Napoleon invaded Syria, and carried everything before him till he encountered the English at Acre, who soon put a stop to his victorious career. Again in 1831 Ibrahim Pasha invaded Syria, and would have marched on Constantinople if he had not been stopped by the European powers. In 1854 England and France went to war with Russia to preserve Turkey. Thus often has England fought for Turkey and for Egypt, and the bones of her soldiers who have fallen in defending those Moslem powers, are scattered on many battle fields in three continents—in Europe, in Asia and in Africa. It is not yet five years since England put forth her powerful hand to save Turkey, which was at the feet of Russia. A Russian army was at the gates of Constantinople. It had always been a mystery to us why it did not enter. There was no power to oppose it. Russia could have planted her guns on the heights overlooking the Bosphorus, and the Russian flag might have waved from all the minarets of Constantinople. When lately in that city, we had pointed out to us the position of the Russian army, which was camped almost under the walls, and again we asked, as we had so often before, Why did not that great army march in and take full possession? In every case the answer was the same: It was stopped by the English fleet, which came up the Dardanelles and through the sea of Marmora, and anchored in sight of Constantinople. The Sultan, who has lately protested so energetically against an English fleet in the harbor of Alexandria as an invasion of his sovereign rights, was not at all disturbed at the sight then, but on the contrary felt an immeasurable relief, as if he had been reprieved from a sentence of death, when he saw the flags of the great English ironclads from the windows of his palace. After thus saving both Turkey and Egypt again and again, we think it not a great presumption for England to ask whether she has not some rights in the East which Turk and Arab are bound to respect?

England has great material interests in Egypt. We say nothing of the interest of bondholders, of money loaned for internal improvements—for railroads and canals, and piers and ports. This very harbor of Alexandria, which has been the scene of such great events, was built largely by English money. But leaving aside all that, the interest of England in the Suez canal is greater than that of all the world beside. Eighty or ninety per cent. of all the ships that pass through that canal, are English. It is the highway from England to India. The distance from London or Liverpool to Bombay is nearly five thousand miles less by the Suez canal than by the old route around Africa. The control of this therefore is not only a commercial convenience; it is a military necessity. Suppose there were another mutiny in India, and Arabi Pasha had command of the Suez canal, and should think it a good time to "get even" with England by stopping all transit, and that the English troops should have to be sent around by way of the Cape of Good Hope, the two or three weeks' delay might cause the loss of the English Empire in India. Is England going to leave a matter of such vital interest to the chance of the caprice of a military adventurer?

Now we think it is not difficult to understand what England is fighting for. She has immense interests in Egypt, and Egypt is in a state of anarchy, which threatens to destroy those interests. England is fighting to put down that anarchy, and to restore order and good government. In this she is fighting for the real interest of Egypt as well as her own. If the present state of things continues, Egypt is utterly ruined. The only hope is in prompt and decisive action, which shall crush rebellion and reestablish order. At the same time England is fighting for the Suez canal, as she would fight for Malta and Gibraltar, as outworks of Britain, whose preservation concerns the integrity and safety of the British Empire.

For these reasons, which might be enlarged to any extent, it is clear to us that England has a right to send her troops to Egypt to settle this business between a faithful ally, the present Khedive, (whom the military party would sacrifice simply because he has been such a friend of England,) and his rebellious soldiers. She has a right to go there, if she has a right to go anywhere, to fight for the security of her Indian empire. In the battle which she has undertaken, she is fighting for *our* interests as well as her own: to make it safe for Americans to visit Egypt, and go up the Nile, and to pursue their lawful callings—their travels, or their business affairs, or their missionary enterprises—in the East.

Opinion of Judge Greene.

Fred Kross et al. libelants, *vs.* schooner Dakota, her tackle, &c., respondent.

Articles being read only, and that to men imperfectly understanding the language, were not binding on the men. But assume they were binding. Then the question arises, were they binding so far as they provided for a forfeiture of half or whole wages in case of refusal to reship. Forfeitures are not favored in the law. They must be fairly agreed to, on a clear understanding, and for good consideration, or they will not be enforced. Specially true is this in case of a forfeiture of wages against a sailor.

These articles were either for a round voyage from San Francisco to Puget Sound, thence to New Caledonia and back to San Francisco, or for a mere coasting voyage from San Francisco to the Sound. If the former, then the signing of new articles was a mere formality, for default of which a forfeiture were preposterous and outrageous; if the latter, then the signing of them was, except in one view, a thing entirely irrelevant to the voyage they actually shipped for, and a forfeiture on account of a refusal were impertinent and absurd. The view in which the signing would not be irrelevant to the latter voyage is, that Puget Sound were a point where a crew going foreign would be hard to get at the wages named. But in that view, the provision for forfeiture was in effect a stipulation determinative of the amount of wages for a foreign voyage and entered into without the presence of a shipping commissioner. If the terms of shipment for a foreign voyage can be fixed in the articles of an antecedent domestic voyage, then the statute requiring articles for a foreign voyage to be entered into before a shipping commissioner can easily be evaded or rendered nugatory. A provision in effect to that is against public policy and void.

But these articles cannot be considered as an agreement for anything but a voyage to Puget Sound. This is not because articles valid and binding could not be made, under U. S. statutes, from San Francisco to Port Townsend, thence foreign and back to San Francisco; for the statutes do not affect to curtail, in the slightest, the natural right of the sailor to contract to perform any voyage of what courses and duration he pleases—they only seek to surround him with such safeguards in the making of his contract as shall tend to secure him against imposition and oppression. But it is because these shipping articles, if New Caledonia were to be touched at in course of the round voyage, should have been executed like those for any other foreign voyage, that is to say, in the presence of a shipping commissioner.

The receipt of the sailors, signed under the circumstances disclosed in evidence, is of no binding force upon them as a release of wages.

As regards the boarding-house order, it was payable to Peter Witt's order. It does not appear to have been so paid. Peter Witt has not endorsed it. There is no proof of its payment. It does not appear to have been accepted, or agreed to be paid, by master or owners. It is now on the files of this court to all appearances unpaid. But I am of opinion that if the libelant Kross credits the amount of this order on his claim against the vessel it will be a perfect bar to any suit by Witt against him. Decree accordingly.

D. W. Smith and J. C. Haines for libelants.

C. M. Bradshaw for respondent.

The Charge to the Star Route Jury.

WASHINGTON, Sept. 8.—In the criminal court this morning Judge Wylie, after some explanatory remarks to the jury, began his charge. He said:

By the act of March 3, 1879, Congress appropriated $5,900,000 for maintenance of the Star Route service. That appropriation was for the fiscal year 1880. The appropriation was all that was asked by the department. The records of the Treasury and Post Office departments showed that for three previous years there was an unexpended balance of nearly $4,000,000 to the credit of the department. There was in evidence a statement showing that the postmaster general, on December 8, 1879, had asked for a re-appropriation of $2,000,000, to meet deficiences in the appropriation for the Star Route service. This was a statement calculated to arrest the attention of Congress, for it showed in five months after the beginning of the fiscal year there was a deficiency of $2,000,000. That was a fact to alarm the country. Investigation followed, and an additional appropriation was made, with a provision for limited expedition and increase of service upon routes. That was as far as the action of Congress ought to have gone. Other circumstances were fit subjects for judicial investigation. This investigation followed, and an indictment was found against those alleged conspirators. This indictment might be said to have five features:

First, historical; second, describing conspiracy; third, the means; fourth, overt acts; fifth, partition of money.

The historical part was well known. As to the means used to carry on the conspiracy, the jury need not trouble themselves about that. Whether or not they were sufficiently described in the indictment was not theirs to consider. The division of money depended upon the question of the existence of a conspiracy. That was really the only consideration for the jury. Whether there was a conspiracy followed by the commission of an overt act. The false papers and petttions were the means used, and it never has been held that the government was required to accurately describe the means. Whether parties were mutually interested in the several contracts was of course no consequence. Their interest in the conspiracy must be considered. The parties were, according to the indictment, individual owners of contracts, and mutually interested only in the conspiracy. Any overt act under any one of the contracts was an overt act under all of them.

Referring to the prayers, Judge Wylie said: The conspirators were jointly united for one purpose and several for others. Each man stood on his own defence. The jury could not convict one man of a conspiracy, but they could convict two of them. If there had been only one overt act committed, and the jury acquitted the party committing it, then the defendants must all be acquitted. Brady, who had been called the key—the master key—to whom conspiracy and no overt acts were shown to have been committed by any other of the defendants, then they must all be acquitted. The position taken by the defense, that all the defendants must be shown to have been interested in all the contracts, was false. If it had been shown that they were criminally interested in only one, that was sufficient, and the commission was established. Surplustage in the indictment could not vitiate it. This indictment charged but one offense and one conspiracy. It could not comprise two conspiracies. Part of the defendants might be wholly acquitted and part convicted, but if the jury found two conspiracies, three of the parties guilty of one and the remaining four guilty of another, then indictment failed.

SAN FRANCISCO, Sept. 8.—In the freight market a very fair business was done during the week, thirteen spot charters having been drawn at steadily declining rates. Exporters still act with a great deal of caution, however, and manifest a disposition to await some sort of an adjustment of the Liverpool market before commencing operations on a large scale. Arrivals of the past day or two have been heavy, and confronted by the circumlocution of adverse influences the prospects are not by any means encouraging. The total disengaged tonnage is 60,468, against 72,429 tons during the same time last week. The market closed weak and unsettled, at about £2 10s iron ships for orders, and this it is not by any means certain could be obtained.

The new bark Newsboy will carry a cargo of lumber from the Tacoma sawmill to Australia

TIMBER ON HOMESTEADS.—The following is the latest ruling in regard to cutting and disposing of timber on homesteads: Timber land embraced in a homestead, or other entry not consummated, may be cleared in order to cultivate the land and improve the premises, but for no other purpose. If after clearing the land for cultivation there remains more timber than is required for improvement, there is no objection to the settler disposing of the same. But the question whether the land is being cleared of its timber for legitimate purposes is a question of fact, which is liable to be raised at any time. If the timber is cut and removed for any other purpose, it will subject the entry to cancellation, and the person who cut it will be liable to civil suit for recovery of the value of said timber, and also to criminal prosecution under section 2,461 of the Revised Statutes.

SUMMONS.

IN THE DISTRICT COURT OF THE third Judicial District of the territory of Washington, holding terms at Port Townsend for the counties of Jefferson, Clalam, Island and San Juan.

Lottie Williams, plaintiff vs. Harry Williams, defendant.

Action brought in the District Court of the third Judicial District of the territory of Washington, holding terms at Port Townsend, for the counties of Jefferson, Clalam, Island and San Juan, and complaint filed in the county of Jefferson, in the office of the Clerk of said District Court.

To Harry Williams, defendant.

In the name of the United States of America, you are hereby required to appear in an action brought against you by the above named plaintiff in the District Court of the third judicial district of the territory of Washington, holding terms at Port Townsend, in Jefferson county, for the counties of Jefferson, Clalam, Island and San Juan in said territory, and to answer the complaint filed therein (a copy of which accompanies this summons) within twenty days (exclusive of the day of service) after the service on you of this summons—if served within this county; or, if served out of this county, but within the third judicial district, within thirty days; or, if served out of said district, then within sixty days—or judgment, by default, will be taken against you according to the prayer of said complaint.

The said action is brought to obtain a decree dissolving the bonds of matrimony heretofore and now existing between the plaintiff and the defendant, and that the custody and control of the minor child, Maurice Winfield Williams, be adjudged to the plaintiff, and for such further equitable relief as may by the court be granted, and for costs of suit, on the ground of cruel and inhuman treatment of plaintiff by defendant, continuing during their cohabitation as husband and wife; and you are hereby notified, that if you fail to appear and answer said complaint as above required, the plaintiff will apply to the court for the relief demanded in the complaint.

Witness the Honorable ROGER S. GREENE, Judge of the said District Court, and the Seal of said Court, this 10th day of August, A. D. 1882.

(SEAL.)

26-6w JAMES SEAVEY, Clerk.

C. M. Bradshaw, Att'y for Plaintiff.

Notice to Creditors!

In the matter of the estate of Harriet D. Dyer, deceased.

Notice is hereby given by the undersigned Administrator of the estate of said deceased, to all persons having claims against said estate, to present them with the necessary vouchers, to me, at my residence or place of business, at Port Townsend, Jefferson County, W. T., within one year from the date of this notice.

JAMES SEAVEY.

Administrator of the estate of Harriet D. Dyer, dec.

Port Townsend, W. T., August 4, 1882.

NOTICE.

Camphene, Naptha, Benzine, Benzola, Coal Oil, crude Petroleum, or other like explosive fluids, or like dangerous articles, will not be carried as freight upon the O. R. & N. Co.'s steamers.

Refined Petroleum may be carried, provided the packages are marked on the outside with the name of manufacturer, and the fact that the contents have a fire test of at least one hundred and ten degrees Fahrenheit.

JOHN MUIR,
28-d1w2 Supt. of Traffic.