PRISONERS SENTENCED AT END OF ASSIZE

Story of the Dondero Case—Chief Justice's Remarks to the Convicted

(From Friday's Daily)

The assizes came to an end yesterday with the sentencing of the prisoners found guilty. Leach was released on suspended sentence, Otendorf was sentenced to two years in the penitentiary at hard labor, Dondero for four years, while the indictment against Phil Smith for defamatory libel was quashed on account of a technical error in the way in which it was drawn up.

The following jury was empanelled in the Dondero case: E. B. Soul (foreman), W. F. Patterson, A. Murray, D. Fair, J. G. Allen, J. Turnbull, J. Mackenzie, C. J. Kerry, R. J. Knott, W. Armstrong, F. T. Pengelly and A. E. Caldwell. H. G. Barnard, K.C., had made the opening statement for the crown the day before, and yesterday Antonio Parravicini, the complainant, took the stand and gave evidence at great length. He told substantially the same story as he gave in the police court, which was fully reported but a few days ago.

His story was that last November Dondero made his acquaintance in Seattle, and afterwards introduced him to another Italian named Pardori. Later a third Italian made his acquaintance whose name has not transpired, and who is invariably referred to as the fat man. The fat man represented that he had recently returned from Alaska where he had made a fortune and had also inherited a fortune from his father, in whose will it was provided that he should distribute $27,000 among the poor Italians. He asked the men if they had any money, and they said they had $800 apiece, but Parravicini, otherwise known as Tony, said he only had a little over $400 on him though he had $2,000 in the bank at Victoria. The fat man said that they seemed to be good men and if they would all show their money to prove that they had good intentions he would divide the money with them.

Accordingly the quartette took the boat that night for Victoria so that Tony could get his money out of the bank. Donero shared his room on the way over and was constantly talking about the fortune they were going to get, saying that Tony must be sure to get his money or the others would miss their fortune. Fortunately for him half of his funds were in a savings bank whence he could not withdraw it on demand, but he drew $1,000. In the meantime Parodi had bought a valise, and the four repaired to a local restaurant to have coffee and settle the matter.

By Sleight of Hand.

The four men went into a box and after the coffee had been discussed it was decided that it was time that the three should show their money to the fat man in order that he might subsequently divide the $27,000 among them. The fat man produced a handkerchief which he placed on the table, and also brought out a large package which he said contained $27,000. Parodi and Dondero also threw fat looking purses on the table which were supposed to contain $800 each. Though a little reluctant at first, Tony's greed was fired at the thought of the fortune, so on being promised that he should be allowed to take care of the valise he placed his money on the table also. The fat man then gathered up the handkerchief and contents and placed them in the valise, but just as he was doing so Parodi threw his arm across Tony's eyes and kissed him. That was for the moment when the real money was taken and the imitation allowed to remain.

The valise was locked and the key given to Perodi, Tony getting the valise, and the four went out. It had been arranged that Tony should take the afternoon train to Nanaimo, where he would be joined early in the morning by Dondero and Parodi, the understanding being that the three were going to buy farms in that vicinity. Dondero hung to Tony like a leach all the rest of the day, finally seeing him off on the train and giving him seven or eight dollars spending money, for the $1,420 he had put on the table was all the money Tony had about him.

Tony's Pilgrimage

Dondero rejoined the other two, and the three took that afternoon's boat back to Seattle. Tony in the meantime was speeding to Nanaimo hugging the precious valise. On his arrival there he went at once to an hotel, locked himself into his room and took the valise to bed with him. About 5 o'clock in the morning, as Dondero and Parodi did not show up as agreed, Tony got anxious and broke open the valise he had promised to keep untouched until their arrival. He found that the bulging package and purses contained nothing but papers, and that the bulk of his savings, the result of six years of hard work in Alaska, had been stolen. His grief and rage knew no bounds, he destroyed the valise and threw it out of the window, and, rushing downstairs acquainted everybody with his misfortune. The Nanaimo officers advised him to return at once to Victoria and report the theft to the police, which he did, Detective Perdue remembering seeing the three Italians leaving on the Chippewa the day before. The U. S. immigration officers also recollected the incident, and yesterday U. S. Officer Smyre testified to the fact, as did Detective Perdue.

Luigi Located

Eventually, the accused was located in San Francisco and arrested and extradition proceedings ensued in which he was defended by counsel. He was, however, turned over eventually to Detective Perdue, who had been sent down for him. On the way back he became talkative and confided to the detective that he had been drugged and robbed by Parodi and the fat man. While in the police court at San Francisco he said he had not seen either of them again after leaving the restaurant.

Dondero took the stand on his own behalf yesterday, Mr. Quagliotti acting as interpreter. He very largely confirmed the complainant's story, except that he insisted that he had taken no part in the robbery, but was a victim himself. He said he had not placed any money on the table at the restaurant as he had very little and was moreover suspicious. Tony insisted on going to Nanaimo to hunt up some poor Italians, but he did not return to Seattle till the next day, and he gave an elaborate account of the scene which was supposed to have taken place in the ticket office when he was buying his ticket. He claimed that the fat man had drugged and robbed him later in the day, and left him in Victoria. Fortunately they had overlooked the money in one of his pockets. He said that he worked three days in a brick yard near Seattle and then went down to San Francisco by the City of Puebla.

Must Protect the Foolish

In summing up the chief justice said that Tony must be a very gullible person to be taken in by such a device, but the fact remained that persons were deceived by the transparent schemes of the confidence man. Although foolish, such individuals were entitled to the protection of the law. The question for the jury to decide was which of the two men was telling the truth. The complainant's story was corroborated to some extent, and it was unquestionable that he had drawn $1,000 on the day in question and that it had disappeared. His lordship found it hard to understand the defendant's story, and thought that the test of its credibility was whether or no they believed Detective Perdue's positive statement that he had seen the men leave on the boat the same afternoon instead of the following morning as the accused claimed.

The jury was not long in finding Dondero guilty as charged, and in giving sentence the chief justice remarked that the prisoner had been found guilty of a very serious offence, that of being concerned in the theft of a large sum of money from a fellow countryman, money which was probably the hard earned savings of years. His lordship imposed a sentence of four years at hard labor in the penitentiary, adding that he hoped the sentence would help to spread an impression amongst the criminal population of the United States, and particularly of Seattle, that this was not a safe territory to operate in.

Leach's Good Character.

When Leach was brought in for sentence, Mr. Aikman put H. F. Bishop in the box to testify to his previous good character. Mr. Bishop had known Leach for fifteen years and had formerly worked with him, and had never heard anything derogatory to his character. His counsel asked that his lordship be as lenient as possible, as the evidence on both sides showed that the man was frenzied with drink and was quite irresponsible. Mr. Barnard stated that the crown was quite willing that leniency should be shown and that the man should go on suspended sentence if his lordship thought it advisable. The chief justice said in part:

"The jury has found you guilty of shooting with intent to do grievous bodily harm. This is a most serious charge and if I were satisfied that you were in your sober senses it would be my duty to impose a heavy sentence. As has often been said, drunkenness is no excuse for crime, or otherwise criminals would only have to get drunk before committing the crime in order to escape, but still the circumstances are conclusive to me that you were not in the possession of your senses.

"The jury added a strong recommendation to mercy to their verdict, a recommendation which I intend to carry out, and it is fortunate for you that the government has given its consent to the utmost latitude being shown. You may go on suspended sentence on three conditions. The first is that you abstain from strong drink of all kinds, the second that you do not carry fire arms, and the third that you find two sureties in $250 each that you keep the peace."

Otendorf Sentenced.

When Otendorf was called up for sentence, Mr. Aikman put John Haggerty in the box to give him a character. He said the prisoner had worked for him for six months, had done his work well and so far as he knew was a law abiding citizen. In passing sentence the chief justice said in part: "The jury has found you guilty of theft from the person, but the proper verdict in your case would have been that of robbery. There is no doubt in my mind that you deliberately waylaid the man. You have made matters worse by committing what the jury have shown by their verdict to have been perjury on your part in the witness box. You will serve two years in the penitentiary at hard labor."

SUNKEN TREASURE STILL AN ATTRACTION

Failing to Float Steamer Queen Christina, Salvors Are Looking to Wreck of Brother Jonathan

Private advices from Crescent City state that the attempt to float the British steamer Queen Cristina, which went ashore near there last October, will be abandoned and the vessel wrecked.

The steam schooner Del Norte recently took parties to the wreck who thought it might be possible to haul the vessel off. After an examination the plan of salving the steamer was given up and it is now stated that she will be wrecked.

The divers who looked at the Queen Cristina are now said to be searching for the steamer Brother Jonathan, which was wrecked in that vicinity years ago, and, besides a great loss of life, carried down a great deal of treasure.

The Brother Jonathan was lost in 1865 with heavy loss of life when bound from San Francisco north. She was ovedloaded, and Capt. Wolff, who was one of the many victims, said as the last boat left the side: "Tell them that if they had not overloaded us we would have got through all right, and this would never have happened." The Brother Jonathan had a considerable sum of money on board to be used in paying the troops in the northwest. In the Colonist of that year it was stated that the presence of this money on board gave rise to tales of treasure, but it was not considered that the cargo and money together was worth more than $250,000.

LIQUOR IN SASKATCHEWAN

Petition for Local Option and Other Changes in Law—Budget Promised for Monday

Regina, May 14.—The presidents of the village and district of Howard have petitioned the legislature to make some important amendments to the liquor law. Their petition was presented to the House today by Mr. Stewart. It backs up the demand of the social and moral reform association and prays the legislature to amend the liquor law so as to give local option on the straight majority vote and to abolish the bar and treating system.

Mr. Wylie gave notice of a resolution to the effect that the present system of wolf bounty does not give the residents sufficient incentative to destroy wolves.

The Provincial treasurer announced that the estimates would be down tomorrow, and that the budget would be proceeded with on Monday.

UNNECESSARY ALARM OF LOCAL SPORTSMEN

Visiting Naturalist in Hunting Garb Creates Excitement at Shawnigan

The sportsmen of Shawnigan Lake were startled, not to say horrified, last week to see a gentleman whom they took to be an unsophisticated stranger, start from the neighborhood of the Strathcona hotel with gun in hand, and to all appearances in search of grouse or any other game that might present itself.

Some rushed to the nearest telephone to obtain the assistance of wardens in order that this visitor, who had the temerity to so openly set about breaking of the laws of British Columbia, should be made an example of. Others—more sympathetic—approached the appropriately clad sportsman and confidently explained that this was the close season and that he must not think of shooting game birds unless he had $25 or $50 to contribute to the provincial treasury.

The stranger, who was none other than R. C. Andrews of the American Museum of Natural History, who is visiting the Coast for the purpose of investigating the characteristics of the whale of the Pacific coast, did not seem particularly disconcerted over the consternation which his sporting costume and armament created. He announced his determination to continue the hunt, despite the friendly warnings received.

"Oh, but you must not," persisted one adviser. "You will get into trouble. It was only the other day that a man was heavily fined for an infraction of the game law."

When the excitement had grown to such a pitch that it was almost impossible to ignore it, Mr. Andrews explained. He told them that he desired to obtain a few birds of different varieties as specimens, and that, for that purpose, he had been granted a permit in order that he might secure whatever he considered of value in that line. Hence he had no fear of the law, and, while appreciating the consideration of those friends who had taken the trouble to post him on the regulations, he did not think that there was any good to worry over his welfare.

With that the contingent of sportsmen who had gathered turned about abashed. Some seemed to feel just a little disappointed, and one even went so far as to remark, in a whisper, that "it was good to be a naturalist."

Mr. Andrews will leave today for the west coast. He will visit all the whaling stations, and expects to spend practically all summer investigating the whale, its life and peculiarities, in order to submit as complete a report as possible to his chiefs of the New York institution.

KESTREL SEIZED A FISHING STEAMER

American Halibut Fishing Steamship Frances Cutting, of Tacoma, is Prize of Capt. Newcombe

(From Friday's Daily)

Found fishing inside the three mile limit at the north end of Vancouver Island, the American halibut schooner, Francis Cutting, owned by the Seattle Fish and Cold Storage company, was seized by the Dominion Fisheries cruiser Kestrel and brought to Vancouver yesterday morning.

The Kestrel left recently for her summer station but Commander Newcombe kept a watchful eye and early Wednesday morning sighted the Francis Cutting with her dories out engaged in hooking the British Columbia halibut into American boats. The Kestrel ran alongside and claimed the steamer as a prize. No resistance was made and Commander Newcombe put one of his officers in charge of the fishing vessel. The dories were hoisted aboard and a line made fast and the long tow to Vancouver started.

The Kestrel steamed into Vancouver just after 11 o'clock yesterday and took the captured vessel to Heatley avenue wharf. The crew of the American vessel, are, of course, under arrest as is the skipper who was taking lunch with Captain Newcombe when the Colonist correspondent climbed aboard.

"What happened?" said the Dominion officer in reply to a question. "Well, the Captain here, unfortunately fished inside the three mile limit at the north end of Vancouver Island. I did my duty and here we are."

Commander Newcombe telegraphed to Ottawa yesterday morning and the Dominion Government will decide if the vessel is to be confiscated. The owners have the opportunity of fighting against confiscation in the courts if they wish to. As the Francis Cutting is a well built steamboat worth about $30,000 The capture is an important one.

The last prize taken by the Kestrel was the American gasoline schooner North, of 40 horse power, brand new, and on her first trip. She was captured at Quatsino about two and a half years ago and confiscated by the Dominion government. Her owners fought the case in the courts and lost and the North was sold by auction

ARE REPORTED MISSING

Prospectors From Victoria Believed to Have Been Lost in the Woods

Harvey and Horace Waters, two prospectors who went from Victoria to the West Coast to engage in prospecting in the vicinity of Nootka are reported to have been lost in the woods according to a telegram received yesterday. The Waters brothers went to the Tahasas river and Indians from Nootka report to officers of the steamer Tees which yesterday carried the news of Clayoquot, that for a month the boat of the missing prospectors loaded with supplies from Victoria has been lying at the water's edge deserted. There is a tent and a prospecting outfit, and food supplies. When the Indians found the boat lying deserted they made a search for the owners, but although they have searched for four weeks no trace has been found of the missing men.

Fire at Industrial School

Toronto, May 15.—Victoria industrial school, Mimico, a reformatory, caught fire tonight and one of the large workshops was destroyed, occasioning a loss of $15,000, with $10,400 insurance. The boys behaved splendidly in fighting the fire and everyone escaped.

Silk Waists

Charming and Chic

Yesterday we received the smartest consignment of Silk Waists that we think has been our good fortune to handle. Tailored in New York, they represent the most advanced styles:—

SCOTCH CLAN TARTANS..... $7.50
LOUSINE SILK, very handsome black and white mixture..... 6.00
ENGLISH TAMALINE SILK, black, brown and navy..... 5.25

We also received, by same shipment, the very latest American novelty

"Phoenix" Mufflers and Collar Sets

Just the thing for windy days and chilly evenings, delightful and serviceable. Come and see them.

Dress Goods and Dress Making a Specialty

A large and expert staff. Well equipped rooms

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Latest Ideas in High-Class Exclusive Millinery

THE LOCAL MARKETS

Retail Prices

Flour	
Royal Household, a bag	$2.00
Lake of the Woods, a bag	$2.00
Royal Standard	$2.00
Purity	$2.00
Wild Rose, per bag	$1.75
Calgary, a bag	$2.00
Hungarian, per bbl	$7.75
Snowflake, a bag	$1.70
Snowflake, per bbl.	$6.80
Moffet's Best, per sack	$2.00
Moffet's Best, per bbl.	$7.75
Drifted Snow, per sack	$1.70
Three Star, per sack	$2.00
Foodstuffs.	
Bran, per 100 lbs.	$1.60
Shorts, per 100 lbs.	$1.70
Middlings, per 100 lbs.	$1.75
Feed Wheat, per 100 lbs.	$2.00
Oats, per 100 lbs.	$1.85
Barley, per 100 lbs.	$1.70
Feed Cornmeal, per 100 lbs.	$1.90
Chop Feed, best, per 100 lbs.	$1.50
Whole Corn, per 100 lbs.	$1.80
Cracked Corn, per 100 lbs.	$1.90
Hay, Fraser River, per ton	$20.00
Hay, Prairie, per ton	$17.00
Hay, Alfalfa Clover, per ton	$20.00
Vegetables.	
Celery, two heads	.25
Lettuce, hot house, per head	.05
Garlic, per lb.	.20
Onions, Australian, per lb.	.08
Potatoes, local, per sack	$1.50
New Potatoes, four pounds	.25
Cauliflower, each	.15 to .25
Cabbage, local, per lb.	.04
Red Cabbage, per lb.	.05
Rhubarb, four pounds	.25
Asparagus, two pounds	.25
Dairy Produce.	
Eggs—	
Fresh Island, per dozen	.30
Cheese—	
Canadian, per lb.	.25
Neufchatel, each	.05
Cream, local, each	.10
Butter—	
Manitoba, per lb.	.35
Best dairy, per lb.	.35
Victoria Creamery, per lb.	.40
Cowichan Creamery, per lb.	.40
Fruit.	
Grape Fruit, per dozen	.75
Oranges, per dozen	.25 to .50
Lemons, per dozen	.25
Figs, cooking, per lb.	.08 to .10
Apples, local, per box	2.00 to 2.25
Bananas, per dozen	.40
Figs, table, per lb.	.25
Raisins, Valencia, per lb.	.15
Raisins, table, per lb.	.25 to .60
Pineapples, each	.50 to .60
Cranberries, per lb.	.20
Cherries, California, per lb.	.25
Nuts.	
Walnuts, per lb.	.30
Brazils, per lb.	.30
Almonds, Jordon, per lb.	.75
Almonds, California, per lb.	.30
Cocoanuts, each	.15
Pecans, per lb.	.30
Chestnuts, per lb.	.30
Fish.	
Cod, salted, per lb.	.10 to .13
Halibut, fresh, per lb.	.08 to .10
Halibut, smoked, per lb.	.15
Cod, fresh, per lb.	.06 to .08
Flounders, fresh, per lb.	.06 to .08
Salmon, fresh, white, per lb.	.12½
Salmon, fresh, red, per lb.	.15
Salmon, smoked, per lb.	.20
Oysters, Olympia, per pint	.40 to .50
Oysters, Toke Point, per dozen	.40 to .50
Shrimps, per lb.	.25 to .30
Smelts, per lb.	.05 to .10
Herring, kippered, per lb.	.12½
Finnan Haddie, per lb.	.12½
Smoked Herring	.12½
Crabs, 2 for	.25
Meat and Poultry.	
Beef, per lb.	.08 to .18
Lamb, per lb.	.15 to .25
Mutton, per lb.	.12½ to .20
Lamb, per quarter, fore	1.50 to 1.75
Lamb, per quarter, hind	2.00 to 2.25
Veal, dressed, per lb.	.15 to .18
Geese, dressed, per lb.	.18 to .20
Ducks, dressed, per lb.	.20 to .25
Chickens, per lb.	.25 to .30
Chickens, per lb, live weight	.12½ to .15
Guinea Fowls, each	1.00
Pigeons, dressed, per pair	.50
Rabbits, dressed, each	.50 to .65
Hares, dressed, each	.75
Hams, per lb.	.18 to .20
Bacon, per lb.	.25 to .30
Pork, dressed, per lb.	.12½ to .15
Seeds.	
Timothy No. 1, per lb.	.08
Clover, Red, per lb.	.25
Clover, Mammoth, Red, per lb.	.25
Clover, White, per lb.	.22
Clover, Alsyke, per lb.	.21
Clover, Alfalfa, per lb.	.22
Rye Grass, Perennial, per lb.	.09
Rye Grass, Italian, per lb.	.09
Red Top, per lb.	.15
Orchard Grass, per lb.	.20
Kentucky Blue Grass, per lb.	.22
Lawn Grass (fancy mixed)	.25
Rape Seed (Dwarf Essex)	.12
Vetches, per lb.	.06
Millet, per lb.	.04
Am. Banner Oats, per ton	$45.00
Swedish Oats, per ton	$45.00
B. & K. Gaston Oats	$45.00
Spring Wheat, per ton	$50.00

PEOPLE OF DUNCANS ARE ENTHUSIASTIC

In Support of Anti-Tuberculosis Movement—Another Sanitarium Needed

After delivering an address before an enthusiastic crowd in the opera house of Duncans on Wednesday, Dr. C. F. Fagan, provincial health officer, returned to Victoria yesterday. The subject of his remarks was "Tuberculosis, Its Prevalence and How to Check Its Ravages." The object of Dr. Fagan's visit to the people of Cowichan valley was to endeavor to rouse enthusiasm among them in the cause of the anti-tuberculosis association of British Columbia. In this he succeeded, his speech being liberally applauded and the sentiments expressed unanimously endorsed.

Dr. Fagan stated that he felt sure that the residents of Duncans would undertake to perform their part in the endeavor to stamp out the white plague in British Columbia. He had suggested that they organize a branch body in order that effective work, in the way of raising funds, etc., might be instituted in that part of Vancouver island.

Dr. Fagan stated that the work of erecting a large modern sanitorium at Tranquille would be started without delay. The plans were already in his hands and as soon after the design was approved, construction would commence. The association, having the assurance of backing to the extent of $30,000 from the provincial government, would be able to carry out these plans without further loss of time, although considerable more money would be necessary in order that the whole scheme being considered might be realized.

In this connection it was explained by Dr. Fagan that the institution at Tranquille would be utilized for the treatment of incipient patients. The object of this was to avoid, so far as possible, giving the building an air of individualism. Such a thing was detrimental to the successful curing of those in the early stages of the disease. Thus it would be imperative that a separate institution should be constructed for the use of advanced patients.

The recent visit of a deputation selected from the medical fraternity of British Columbia to Westholme for the purpose of a site was explained by the fact that those interested were in search of a suitable locality for such a sanitorium as that last mentioned. It was not considered, however, that this part of Vancouver island was adapted for a hospital for advanced consumptives. Other possible sites were in mind but no decision had yet been reached.

"What we first want," Dr. Fagan said, "is the funds. Once having obtained all the money that is needed the problem of finding a site will not be difficult to solve. But it should be understood that an institution for the accommodation of those who are well in the grasp of the malady is almost as badly required as one for the treatment of the incipient patients."

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