ted, the crux was as rroboration neces necessary that this orated in every defere with justice.

and Di

court to-day.

the weight of evidence was against the verdict. This application Judge

res of the morning was a statement

When the court opened Mr. Higgins

Lampman refused. One of the feat

en made to blacken en McIntosh in co ase, but as far as he this black had stuck not to the girl As ry character of the arding her experat if ever perjury was in such a case only natural to be should try to proand also what was mother from a at she had gone as absolutely nothevidence to show wasa bad, mean er. The only thing was that she had any. With any weakshe had throughloyal to those she nds. For example reatened with being the care of a docof her condition and nes of Doctors Carter

ad been made to show tion on the part. o get more money. slightest ground for tosh hoped for any prosecution. Tha it had been clearly to the prosecution. ally was very angry man with a large she had thought sh ughter, believing that ner. Instead of that into the mud. illness the mother

or in regard to the only natural. Great a taken by counsel woman going to out it had been clearhad not asked him d told him to settle As to any possible Curtis and the Mcnot pay any attenthat the McIntoshes oney to secure eviwas preposterous.

girl's evidence, she ne to Dr. Carter if not told her to see a esche had given that mitted a crime ich corroboration of the girl, however, the was what might be narks when arrestrl's mother.

r, there was the story on the street with l his admission when ad made an examina ut had not committed eved that everythin sh had said was true. h the interview en her and Dr. Carter, statement that that if he had done kindness to her as tion put forward by Carter had not cor The girl's evi: stified him in finding , and in addition the ned by Dr. Carter's ective Clayards. Reesche, he found that ent corroborative

d been made by the. the defence to make he entry "A. M. Smith" ter had something to rl's presence in the some reason or other peared to think itself natter. If there was y were they so anxings up. They pro-too much. He benessy, when he ad-possible for any one without being seen. entry in the books, ce between believing made by some since by the Poodle he defence, he would tive that the name afterwards. The e at that time had d by the license con consequently would rt to watch every one here. It would be a r a man desiring to be Smith said he was ave accepted the entry an Smith and give hir had suspicions of the e man's alleged wife: doubt that the girl pretion believed that she Dr. Garesche also bee was pregnant and so Hall. He therefore did could do anything but

and Gordon, the former f in a bad position by ey to go away, but he that he had been by Gordon. The fact. run away was in jt-There was nothing ow that the prosecution for Gordon's departure. close without comthe conduct of the acnsel. He regretted ns had so far forgot his his profession and his nt as to go to witnesses side as he had in this d not have gone to see advise her regarding This was, at least, very ce with the course of as to Curtis, there was an inducement had him. Mr. Higgins had me around to his office and he would treat him ith had called Curtis nd had opened the conving which there had of the Poodle Dog ow-money, and Curtis had me around after the would settle with him. out by Mr. Shaughdence throughout apand straightforward. alk of the Poodle Dog was the suggestion nat he should go to the battleship fleet and until after the trial. vere the threats as to ppen to Curtis if he ap-t to give evidence. In

to blackmail. Curtis had demanded money to go to Seattle to see the fleet, "I find Carter guilty and Garesche guilty," said Judge Lampman in lots of money, while he had none, and evidence he had come to the consistion Following this Mr. Higgins asked for cave to appeal the verdict against Dr. Curtis with him. After that he told Carter and Mr. Taylor announced that Curtis that he had him in a trap and would have a similar motion to make garding Dr. Garesche. Mr. Higgins' prosecute him for perjury and that if he did not he would take action against him for extortion and blacknds is that the verdict was against weight of evidence and Mr. Tay-

's that there was sufficient corroborative evidence to convict Dr. Garesche. prepared an information charging Curtis with extortion, but had been fter some argument Judge Lampman adjourned the case until this morning, advised by Mr. Elliott that he could arter going to jail in the meantime not make the charge stick. His only Garesche going free to appear remedy was to take an action under the common law, and his honor knew Two years and six months was the how difficult it was to get a convicentence meted out to Dr. Richard H. tion in that way. When he saw the girl he was not re-Carter for performing a criminal optained in the case and would not have taken it up if he thought she was a ration, a crime of which he was yes-

rday found guilty. In sentencing pure girl before she met Dr. Garesche. His object in talking to Curtis was to him, Judge Lampman told Dr. Carter that he believed he had merely been get evidence of an attempt to black-mail. He had practiced law here for he tool of someone else in this mater, but the evidence had fastened it some years and he did not think any-one would accuse him of doing any-thing that was not right. In this case self upon him, while the other party ent free. The sentence appeared to break Carter up completely. While he he had made no attempt to do anything was plainly affected when the judge wrong. He had tried to act in a legitigave the verdict against him yestermate way and at the same time look lay, he did not appear to realize his after the interests of his clients. ition fully until the sentence was Mr. Taylor in reply said that in view of the explanation made by Mr. Hignounced this morning. Before pro-ncing sentence, his honor heard an plication from Mr. Higgins for gins his motives were not so black as

eave to appeal on the ground that they had been painted yesterday Whatever the motives in a case of this kind the method might vary. All with the best of intent were inclined to err It was an unfortunate circumstan made by Mr. Higgins regarding the strictures passed upon him yesterday for his conduct of the case for the Mr. Higgins had left so much to be ex-This Mr. Taylor, for the plained and which had been the subject rown and Judge Lampman accepted of adverse comment by himself and his honor yesterday. In view of the explanation he would have to withdraw ose and asked for permission to make his remarks of yesterday. He regret-statement regarding the strictures ted exceedingly for the sake of Mr. statement regarding the strictures ted exceedingly for the sake of Mr. used upon him yesterday for having Higgins and for the sake of the profession that he should have seen fit to reone to see the young woman in the sion that he should have seen fit to re-ase, and also for his dealings with sort to methods which were open to

write. First he wanted to explain question. ow he got into this case. R. T. El- Judge Lampman remarked that he was liott, K. C., had telephoned him that Dr. Garesche had been arrested and asked him to go to the police station to arrange ball for him. Mr. Elliott thad said that from what he knew of the case Garesche had settled the matter by the payment of \$750 for the seduction and loss of service. He had told Mr. Elliott that if the girl was pure he would have nothing to ott, K. C., had telephoned him that glad to hear Mr. Higgins' explanation to with the case, but Mr. Elliott had fore the court lay in the character of sked him to go ahead and get Dr. the questions he asked in cross-exam-Carter out. In the police court next ination. These questions could not, however, be taken as evidence and a pressed to have the case go ahead, and the magistrate appeared to agree with him. He was forced to act and was as it were pitchforked into the dence as it was before him.

case. He went to City Solicitor Mann to ask him about the matter, as he was solicitor for Mrs. McIntosh, to the ground that it was against the him about the girl's character, weight of evidence. He could find no and also had discussed the payment of this \$750, suggesting that if the the prisoner to ball but he knew that harge of abortion was correct, Mr. Mann. Mrs. McIntosh and her daugh-ter were all liable to arrest for com-to grant bail in the case of a prisoner to bail out he knew that it was nevertheless customary in the cases of appeals. His honor had power to grant bail in the case of a prisoner cases of appeals. His honor had power to grant bail in the case of a prisoner bounding a felony. He had asked Mr. Mann particularly about the girl's this would apply in this case. allowed out on suspended sentence and

him that it had been good until she met Dr. Garesche. Mr. Mann had said tended to take his appeal. The authorthat ten minutes' talk with the girl would assure him of this, and he had suggested to Mr. Mann that he should bring the girl and her mother to his office, where they could talk the mat-ter over. Mr. Mann had refused to do this, but had told him that if he wanted to see the girl he had better go to her home for the purpose. He had asked the girl for her mother when he called and had also warned more particularly to instances in which A is been by the set of the girl to tell her mother that he did not the set of the girl to tell her mother that he did not the set of the se did not desire to see Carter prose-cuted, but that she did want to see Garesche punished for his attempts to principle that it would not interfere The court above had laid down the where the story of the trouble was in a case of the kind, except where in a case or the kind, except where the evening paper and she expressed herself as being very anxious that Mr. Higgins said the point in his ap-

and told her that if she told the truth and did not exaggerate the case would go no further than the police Unit, but if the the told the police would go no further than the police und that the benefit of the doubt aris-ing should go to the prisoner. Judge Lampman-If there was any tion Accented by the Local

Court, but if she did not tell the furth and did exaggerate, it would go to the higher court, and all the facts to the higher court, and all the facts would come out. After leaving the girl he believed her character was

good. Next day the case had come up in the police court and he had been forced to act. The next day he called Mr. Moore, the areas the called day he called Mr. Moore, the prosecutor, to his of-Mr. Taylor replied that if His Honor fice and told him of this visit to the refused the leave it gave Mr. Higgins his opportunity to go to the higher court. Without that refusal he could not very well get an appeal. He suggested that Mr. Higgins formulate a After this a man who had been series of grounds on which he asked calling at his office in discussing the case had told stories about the girl

At the same time he told Mr.

else to take the case, as he be-

ved the girl's story of her charac-

agreeing with statements of Dr. Gar-

siri. It was then, and not until then, that he had been retained by Dr.

As to Curtis, a man, James Frank,

had met him on the street and had him that Curtis was looking for

have no evidence but

ey in connection with the case.

sche

ische regarding her character. He had then called Doctors Garesche and Car-

his office and heard Dr. Gar-

Elliott he would have to get some

leave to appeal and if His Honor then refused him leave, he would have something to go to the higher court The with. Judge Lampman said he was of the

same opinion regarding leave sche's story, which agreed with the torics he had been told about the to appeal. Mr. Higgins had shown no ground for granting his application. He did not want to shut Mr. Higgins out from the right to appeal, but at the same time he did not see how he could grant the application so that all he had to do now was to pass sentence. "Stand up, Carter," said the judge. Carter stood up and the judge ad-

He had gone to the Poodle Dog for dinner and had called in the proprie-tors and asked them what about this iressing him, asked if he had anything to say as to why sentence should

then asked to see Curtis, and h, one of the proprietors, had to see Curtis, and toto. He had, he said always been careful in his practice and had never called him in. When Curtis came he ed him what this meant. Gorhad said that Curtis told differ-Curtis had refused to tell. He none of this trouble. He certainly was clubs. Curtis why he was moving in itter, and Curtis said he wanted He know that is contained the Mrs. McIntosh what she said he He knew that if Curtis went had. He had performed no abortion He knew that if Curlis went had never intended to do so. He bave no evidence but their had not made the statement credited p. m. to-day the House took a recess interview with the collector while chants. The knew that if Curlis went had never intended to do so. He p. m. to-day the House took a recess in interview with the collector while chants. The knew that if Curlis went had never intended to do so. He p. m. to-day the House took a recess in interview with the collector while chants. The knew that if Curlis went had never intended to do so. He p. m. to-day the House took a recess in interview with the collector while chants. I was absent from the ship, and when People often contrast the honesty of Gregor, 549 Vancouver street. rainst Curtis' word, and so led to him by Detective Clayards about

his opinion this was an attempt to in- him on to get evidence of an attempt having told the girl she would have a miscarriage. Judge Lampman, in passing sentence he wanted some. He had then sent that he was guilty. He would have for Dr. Carter and had confronted preferred that the case should have gone to a jury and they should have. Curtis that he had him in a trap and that if he gave evidence he would prosecute him for perjury and that the matter. The case had, however, come before him and he had decided that he was guilty and the duty now devolved upon him to pass sentence. mail. The next day he had actually The crime was a serious one, as shown prepared an information charging by the fact that the extreme punishment was imprisonment for life. He could not help thinking that he had been unlucky in this case. He was not the man who started this trouble. He

had been the tool of someone else who had escaped punishment, while the evi-dence had fastened the crime on him, he would sentence him to two years and six months in the penitentiary. On hearing the sentence Dr. Carter almost collapsed, and as the court crowd filed out of court at the order of broken man.

WHO IS AGENT FOR STEAMSHIP TRANSIT?

Prospective Passengers and Local Shipping Men are Seeking Enlightenment.

vessel during the last few days and it still remains unanswered. When the Transit was first taken over to Van-cauver to be fitted up as a passenger Iquique. It is some facts regarding Capt. Wors-the bound of the bound of the orem stated by one of the orem stated be did not know what the package contained. Signal, Wm, H. P. Sweeney, Alex. cauver to be fitted up as a passenger wessel to make a trip to Nome from "Upon my arrival with the steamthis port at cut rates for steerage ac-commodation, a report was circulated to the effect that she would sail from the Terminal city. Later this report was

Transit which were to be presented to my dismissal from the Lonsdale if I "the Victoria agent." In addition to did not fall in with his ideas regardthese inquiries some of the local com-ranies have received freight for the "Realizing that I would have con steamship and are in something ap-proaching perplexity.

tory answer will undoubtedly be re- the Mexican coast and forwarded my ceived with pleasure by those who are resignation to my owners. I received seeking for enlightenment.

CAPT. DANIELS HERE

**ARRANGING SETTLEMENT** 

Master of Schooner Has Claim for Salvage of

Otter.

Capt. Daniels, master of the Port

WILL VISIT VICTORIA

DURING JULY NEXT

usually take an intense interest in and gave to the customs collector at tennis. It is probable, however, that Nanaimo. I might mention here that

him what this meant. Gor-sid that Curtis told differ-. One moment he said that the dome when he had told from Vancouver, Seattle, and Tacoma

CONGRESS TAKES RECESS

Washington, D. C., May 29 .- At 3:30

VICTORIA TIMES, TUESDAY, JUNE 2, 1908.



1 1

HIS SIDE OF TROUBLE

No Attempt He Says Was Made to Evade Customs Laws.

Capt. Percival Shadforth, of the Can-adian-Mexican liner Lonsdale, gave the following statement for publication relative to the recent seizure of a shipment of cigars belonging to him by the collector of customers and Nashing of the Royal statements explaining a matter over Capt. Percival Shadforth, of the Can- dale. the sheriff, he sat with buried head, a adian-Mexican liner Lonsdale, gave

Capt. Shadforth referred to an inter-view with Capt. Worsnop, manager of

The question propounded above ap-pears a pertinent one and a satisfac-position, that of master of a vessel on

a reply from them in which they stated that they could not understand my motive for desiring to leave the line and explanation I received a letter from my Japan. owners expressing appreciation of my Mr. McGregor has had great opporaction, and requesting me to with-draw my resignation ro Mr. Waldron was in Vancouver and they expected that he would smooth over any diffi-culties existing between Capt. Worsnop and myself. "From that time I saw little of Cant.

Worsnop. During his absence in the

from the outer wharf he handed me up their lives for their country.

tion. The club games which have been mentioned before, have not yet been definitely decided upon. Cowichan is the only club which has signified its intention of entering, but it is exnected

Was the girl he had seen and the that it was Carter. He had ques-ted Curtis had refused to tell. He Curtis had refused to tell. He available. He then said he would send a man down to the Lonsdale to put the Samaurai went into commerce, and

dollars as a fine.

nop prejudiced the customs officials not as bad as they were painted, as he against me with the object of getting had proven again and again. me dismissed from the Lonsdale, so that he could fill my place with a cap-honesty in ordinary life. It was when

# **HEARS ADDRESS**

CHARACTER AND CUSTOMS

Murray McGregor, Brother of Two Victorians, is Guest of Honor.

The Canadian Club of this city to requesting me to continue as master of day entertained one of her own citizens the Lonsdale and to forward a full ex-planation of the circumstances leading to my resignation. In reply to this

> tunities of studying the lives and char-The luncheon was held in the Driard

A. E. McPhillips, in the absence of

Miss Agnes Deans Cameron and her the girl to tell her mother that he had been there. The girl had told him she was innocent before she met Dr. Garesche. At this time he had which was dear being up a shipment of bananas for example there was the evidence of Detective Clayards which was clear. Mr. Taylor quoted authorities to without recourse to the steamsnip Otter when the broke down off Ahousat recently. It is understood that the C. P. R. and dealer by the San Blas rult Company. Both the shipper and the consistence with the club for niece, Miss Brown, both so well known to Victorians, this city being their

The show she could dentify them but has described by the sense and show that it was against the weight of every the sense the weight of the stress and that the sense and show that the sense sense the weight of the sense sense sense the weight of the sense sense the weight of the sense sense sense the weight of the sense sense sense the weight of the sense sense sense the sense sense sense the sense sense the sense sense the sense sense the sense sense sense the sense sense the sense sense sense the sense sense sense sense sense the sense sense sense sense the sense sense sense the sense sense sense sense sense sense the sense the sense sense sense the sense sense the sense sense sense sense the sense sense sense the sense sense sense sense sense the sense sense sense sense the sense sense sense sense sense the sense sense the sense sense sense the sense sense the sense sense the sense sense sense "Immediately upon reaching port on Tuesday night Capt. Worsnop came aboard and severely censured me for making this call. I am aware that a concern in which Capt. Worsnop is interested was negotiating for this bus-iness and that his criticism and re-buke were called forth by the upset-ting of these negotiations through other parties securing the trade. "Capt. Worsnop accompanied the Lonsdale to Nanaimo from this port and, when the vessel had pulled out from the outer wharf he handed me from the outer wharf he handed me the letter which he referred to in the interview given in the Times last even-ing. This letter contained a notifica-tion of Cant Worsnor's receined as a notifica-ism gone mad.

Offer of Pacific Coast Associa-tion Accepted by the Local Club. Miss May Sutton, the champion lary tennis player of the world, is expected to be present at the annual open tennis tournament which open knew of the passengers on the spectra the annual open tennis to make plan regarding this letter. The tast night a communication or nor the use of the transpection as taken the subjected sum transk useally turned to strangers. The victoria Cub would fall bu with the arrange-tion is subjected and arrangements will a continue large shipment of cigars that 1 knd. The victoria Cub would fall bu with the arrange-companied by a party of other cal-tion regarding to cigars that 1 knd. The victoria Cub would fall bu with the arrange-cication was accepted and arrangements will a concepted du bursheed or the collector to declars contained by a party of the facing contained an other of the same regarding the species of the citize and the contained an arrangements will a contained an arrangements will a contained an arrangements will a contained and the subjected muta-to beware of anything of that kind. The offer of the Pacific Coast and a plan and a party of diplomatis gathered at the subject of the same regarding the letter. The to beware of anything of that kind. The offer of the Pacific Coast and a plane and the subject of the same regarding the site of the coll and the subject of the same of the coll and the subject of the same of the coll and the subject of the same of the coll and the subject of the same of the plane of the same of

will at once be made for the accom-modation of the visitors. The Victoria Club courts are small and the accommodation is not very large as the general public do not usually take an intense interest in Japan with Oxford and Cambridge in American experiences she dwelt on the special train for Paris. crewd an extra grand stand will be erected and all preparations made to make the best of the cramped posi-boat which carried the cigare and ware the cigare and ware the country work to count of the came off to the steamship in the row-tion was the secret of success.

148 A Charles and the second performance allow

Capt. Worsnop and a policeman honesty of the Japanese. He found this aboard. The former demanded me to one of the most disappointing features CAPT. I returned I found a customs officer, the Chinese merchant with the disshow him the letter, referring to the smuggling incident which I had received from Capt. Worsnop which was not given to him. He then seized the contract. This, however, was improvcigars and told me he would hold the ship until he obtained four hundred can to impress upon them the necessity ollars as a fine. "I feel convinced that Capt. Wors-

tain who would work hand in hand a Japanese was losing on a contract with Capt. Worsnop in furthering his that he usually was ready to go back private business interests. In tender-ing my resignation for the second time to acknowledge guilt, but would often to my owners I have been actuated by the same reasons as previously, the antagonism which Capt. Worsnop has always displayed toward me since my ideas of honor and morality are wholly first acquaintance with him. Until my different to ours. Loyalty either to the resignation is accepted by my owners country or the family is considered far Seen by a Times reporter to-day. I will retain command of the Lons- more important than common honesty steamship Greenwich, which left San

Among those present were: Kenneth Peden, Wm. M. Allan, Geo. D. Walsh, G. L. Milne, M. D., W. K. Houston, D. B. McLaren, Sydney Child, F. H. Worlock, H. H. Molony, Luke Pither, Jas. Thomson, Percival T. Herd, H. Booth, K. Worsfold, W. S. Terry, T. S. Gore, P. E. Nyland, T. H. Slater, G. Stuart Seaton, B. H. John, J. A. Turner.

#### KLONDIKE WANTS MEN.

Guggenheims Will Employ Labor Drawn From Vancouver.

Vancouver, May 29 .- Three hundred men are to be hired in Vancouver within the next ten days to work on the Guggenheim ditches and flumes in the Klondike during the present summer. In the course of a few days O. B. Perry, general manager for the Guggenheims, will arrive in Van-couver from Seattle to make arrangements for the employment of this labor.

#### VISITING VICTORIA.

Vancouver, May 29 .- Mr. Ling, attached to the Chinese embassy in London, went to Victoria to-day on official

#### MISS CAMERON'S TRIP **TO MACKENZIE RIVER**

dining room, and a choice meal was She Plans to Visit Peace River Country on Her Way Back.

#### PERSONAL.

Dong Jun Lun, secretary to the Chinese

J. Murray McGregor, who addressed the

# ADSHEAD DIED AT SEA

### STEAMSHIP GREENWICH RAN SHORT OF COAL

#### **Replenished Bunkers at 'Frisco** Yesterday and Left for Victoria.

# On May 8th while the Watts-Watts

by the collector of customs at Na-naimo, and the imposition of a fine of \$400 by that official. Capt: Shadforth further says that no seconded by George Clarke, and carried which port she left on May 2nd. She coaled and sailed last night for the Royal Roads. On the way up the Canadian-Mexican line, which was published in last evening's issue of the Times and said, "Capt. Worsnop states that he wrote a letter to me three days previous to the arrival of the Lons-dale from Mexico this trip notifying me Who is the agent for the steamship Transit, advertised to sall from this port for Nome on Monday under char-tle? The above question is one that has been freely asked by many shipping men and prospective passengers of the vessel during the last few days and it till remains unanswered. When the and was wrecked off the Mexican coast. Upon being discharged from the hospital. Cant. Adshead took command of the Greenwich which was last in these waters on February 11th when she coaled at Ladysmith. He was a young man with the promise of a successful career with the Watts-Watts company, and his death will be regretted by many local shipping men who were intimately acquainted with him.

## **APPLICATION MUST GO TO FULL COURT**

#### Mr. Justice Martin Refuses to Go Outside His Assignment.

Vancouver, May 29.-A recrudescence of the conflict between Chief Justice Hunter and Mr. Justice Martin occurred this morning in Chambers when the latter refused to consider an application of Charles Wilson for leave to consolidate the appeals in cases fixed for hearing before the Full court in Victoria next Tuesday. Mr. Justice Martin took the ground

that as the application concerned action before the Full court it was without his jurisdiction to deal with it, as his assignment for June from the Chief Justice was to sit in Vancouver, and he could not consider a matter before a Full court of which he was not a member. The result is that the application has to be made to the Full court for consolidation, with a consequent delay and expense to the litigants.

## BRITISH ROYALTY SEE FALLIERES OFF

# President is Welcomed Home

## ON U. S. BATTLESHIP

Seattle, Wash., May 29 .- At Puget Sound naval yards the yellow flag floats from the mast of the battleship Kentucky as a result of smallpox having developed aboard. One sailor is confined with the disease and several others show signs of it. The Kentucky is now anchored above Charleston. She will be fumigated thoroughly. Should the disease become epidemic

a man down to the Lonsdale to put the cigars under lock and key. "Following this, Capt. Worsnop had chapts complete the cruise around the world.