

## WALKEM GETS A NEW TRIAL JUDGMENT IS NOT A UNANIMOUS ONE

Mr Justice Morrison Dissents  
From Full Court  
Finding.

(From Wednesday's Daily.)

The case which attracted most attention when the Full court assembled to deliver its judgment this morning was that of Rex, vs. Walkem, and in that, two of the judges decided that a new trial should be granted, but from this Mr. Justice Morrison dissented.

When the judges were seated on the bench the chief justice announced that they had not prepared any lengthy judgments, but that they thought it better to give their decisions now than to reserve them until after the vacation which was just about to commence. The first case called was that of Rex, vs. Walkem and in that the chief justice announced that a new trial would be granted. Mr. Justice Clement had prepared a judgment dealing with the case and with that he concurred.

"I regret very much that I do not concur in the view of this case entertained by the majority of the court. However, it may be of public advantage if the case should go to the Supreme Court of Canada, as then the points about which there is such uncertainty now may be finally settled as the only instance in which an appeal will lay where the court is not unanimous as in this case."

Mr. Justice Morrison then read a dissenting judgment as follows:

The indictment against the accused upon which he stood his trial before His Honor Judge Kane contained two counts, viz.:

1. That G. A. W. on or about the month of February, 1907, at the city of Vancouver, in the Province of British Columbia, did counsel or procure one B. B. of the said city, a single woman, to commit an indictable offence to wit, the said B. B. then being with child by the said G. A. W. to unlawfully permit to be used on her a certain instrument or other means with intent to procure the miscarriage of a said B. B.

2. That the said G. A. W. at the city of Vancouver, in the month of February, 1907, did unlawfully supply one B. B., a single woman then being with child by the said G. A. W., with a certain drug to wit, "ergot," knowing that the same was intended to be unlawfully used by the said B. B. with intent to procure a miscarriage of a said B. B.

Upon this indictment the accused was tried and convicted on both counts. The learned judge reserved the three questions following for the opinion of this court pursuant to section 1014 of the Criminal Code 1907, viz.:

1. Is counselling a person in Canada as charged herein against the accused to submit in the United States to a performance upon said person in the United States of an abortion by an instrument or other means, an offence against the criminal law of Canada the person counselling and the person counselled being in Canada when such counsel was given?

2. Is there any corroboration whatever of the evidence given in this case by the woman to whom the drug "ergot" is alleged to have been supplied and upon whom the abortion is alleged to have been performed, she being a consenting party to the taking of said drug and the performance of said abortion?

3. Was sufficient evidence given that any drug or noxious thing was supplied to said woman by the accused with intent to procure her miscarriage?

At the same time leave was given the accused to apply to this court for a new trial pursuant to section 1021 of the code on the ground that the verdict sustained the weight of evidence.

The facts as substantially found by the learned trial judge were that B. B. was with child by the accused and that while in a critical stage of pregnancy she advised certain treatment and administered as well ergot pills to her with a criminal intent. These experts, having failed to then advise her to go to a certain town within the province to have a criminal operation performed upon her. This she refused to do. There is nothing in the proceedings before us to preclude the opinion that the learned trial judge relied upon this evidence in finding the accused guilty on the first count of the indictment. That the criminal act was not committed as counsel or at all does not avail the accused. When a person with criminal intent solicits or advises another to commit an offence which the other does not commit at all, such soliciting by whatever means it is attempted is an act done and that act done is punishable by indictment. It would be a slander upon the law to suppose that such an offence is not indictable in a criminal court. Rex vs. Higgins, 2 East 17.

That brings me to that part of the evidence which relates to what happened in the United States following the counselling to proceed there for the purpose of counselling a criminal act, which was shortly after the previous counselling.

It is indisputable that the laws of Canada can have no force or effect proprio vigore in a foreign country, in this case the United States. It has therefore been urged upon us that the act counselled to be committed abroad as if it had not been committed and

consequently all the evidence relating to those incidents is inadmissible, and its reception has brought about an illegal trial, a conviction arising out of which cannot stand.

With deference I submit that the evidence is relevant and admissible as going to prove guilty knowledge or intention as well as to show the condition of health. The testimony of it is to prove and to corroborate or corroborate if necessary the proof already given that she was enacting a crime. It is not inadmissible by reason of its having a tendency to prove or to create a suspicion of a subsequent felony. Although conduct on other occasions is never admissible to prove the actus reus it is admissible to prove the mens rea. Rex vs. Goering (1848) 15 L. J. M. C. 215.

And Bayley J. in Rex vs. Ellis (1826) 6 B. & C. 145, said: "I think it was in the discretion of the judge to consider the prosecution to the proof of one felony or to allow him to give evidence to other acts which were all part of one entire transaction. All the evidence in this case tended to show that the prisoner was guilty of the felony charged in the indictment."

A transaction in the criminal sense may be a continuous one extending over a long period. In such a case the acts or statements accompanying such continuous are admissible as part of it—Rowan vs. Haigh (1824), 2 Buls 99.

Then coming to the second question dealing with corroboration. Upon a trial on a charge of this kind the law does not require corroboration. The conviction here cannot be quashed for want of corroboration. There is a clear distinction between corroboration as required by law and that required as a rule of prudence or procedure. In the former case a conviction on uncorroborated evidence would be illegal whereas in the latter case it would be perfectly valid. Rex vs. Stubbs (1855), 25 L. J. M. C. 16.

But counsel contend that inasmuch as the learned judge stated he had found corroboration that he would not have convicted in his absence, and he proceeded to show that there is no evidence of corroboration. The transcript of the discussion of the question of corroboration between counsel and the learned judge does not sustain this contention. This is the way the discussion terminated.

Court—I am not going to put corroboration in there because the law does not require it.

Mr. Martin—But you have required it.

Court—I have not, but I have found it for my own satisfaction here which makes it stronger in my mind. Will you put in "corroboration." But I will tell you I do not think it should be there at all.

As to the third question it has been held that if a man who believes a thing to be a noxious drug and induces a woman to take it, he is guilty of attempting to procure abortion by incitement although as a matter of fact the commission of the offence by the woman is impossible in the manner proposed.

Dealing with the application for a new trial we must apply the same principle as is invoked in similar application in civil cases. The reason it seems is that original cases are tried by courts whose normal jurisdiction is civil and therefore the prisoner entitled to the benefit of the civil procedure.

The cases should be very rare indeed. I can conceive few cases where I would do myself, where I would sanction or encourage an abortion. The questions of fact which had been fully thought out and examined by the court of first instance. Applying that principle to this case the opinion of the learned judge convicted against the weight of evidence. Lord Ashbourne in Guildhall vs. General Steam Nav. Co., 1908 A. C. 141.

Though on the whole case as submitted I think it should be referred back to the trial judge for amendment or reinstatement under section 1011, subsection 3, and while I think the question (1) is hypothetical and question (2) is answered in the negative would not carry the matter any further, because the way standing on the judge, nor affecting in any way the validity of the conviction, yet I venture to think that the authorities sustain the contention that the act done of counselling is an indictable offence by common law regardless of where the act counselled is to be committed.

The King vs. Cole 5 C. C. 330 is authority for this that the common law jurisdiction as to crime is not dependent even in cases prohibited by the code unless there is such repugnancy as to give prevalence to the latter law.

In Stephens' Criminal Law of England the learned author deals with counselling as embodied in question (1) opposing his own doubt to the authorities then extant with a scrupulousness which given the scope of law would lead us to the power bestowed on certain raised or views there expressed seem to have been adopted by later writers, but as has been said, text books are written on a date and a repetition by subsequent authors does not necessarily make those dicta law.

Subject to these observations I would answer all the questions submitted in the affirmative, and as to the application for a new trial I would refuse it. I feel more inclined to do so having regard to section 1019 of the code, as well as to the power bestowed on the minister of justice to review the whole proceedings in case of a conviction and sentence.

The first question which was put was whether or not the counselling of the committing of an abortion in the United States was contrary to the laws of Canada. He answered this question in the negative and stated

that a number of the cases which had been quoted did not touch the one before the court. This one stood alone as the crime counselled was to have been committed by the United States and therefore could not have been against the peace of Our Lord the King. He found a case in England which had not been quoted by either counsel which bore on this case. In that the hypothetical case was propounded as follows:

"If A, in England, incites to commit a robbery in France is he guilty of a crime?" The learned judge who tried the case decided not. In the matter of murder there is a statute which governs but not in any other crime. It was stated that the law of England had nothing to do with the law of France and no matter how highly defensible it might be between civilized countries to have a law which would cover such cases this was a matter for legislation and not for the courts.

Mr. Justice Clement said he had also found another ruling which said that the law of the proper English law forbids the fresh juices of oranges, apples, figs and prunes are separated from the pulp, and then combined in such a way that the medicinal action is intensified.

Orange Juice alone will not cure Skin, Stomach or Bowel troubles. But when taken in connection with "Fruit-a-tives" the result is a complete cure. "Fruit-a-tives" may be obtained at all dealers or will be sent on receipt of price—50c. a box—6 for \$2.50. "Fruit-a-tives" Limited, Ottawa.

Continuing, the learned judge said that the ergot incident was a long story and he was a serious question as to the admissibility of certain evidence. If there was a mis-trial it was his duty to direct a new one and he so directed in this case on both charges. He answered each of the questions propounded in the negative. The chief justice concurred.

### EFFORT TO CLEAR UP WEST COAST MYSTERY Constable Cox Again Goes to Nootka—Difficulties in Investigation.

Alberni, June 22.—C. A. Cox, chief constable for the West Coast, returned from Nootka on the 18th inst., where he had been investigating the disappearance of the Waters brothers and searching for the one whose body had not yet been recovered. Next day he was called to Victoria to give evidence before the coroner's inquest, and left again for Nootka on Sunday for Nootka, where another effort will be made to obtain more information.

According to the medical evidence at the inquest it appears that a portion of the skull, or side of the head, was missing in the body recently brought to Victoria, and if the missing piece can be found its appearance or position may help to identify the man whose death, which the unfortunate man met his death. Those of the public who think that more results might be forthcoming from the coroner's inquest, or are not aware of the nature of the ground to be searched. The small portion of the reserve which is clear is covered by a rank growth of coarse grasses and ferns, and is now grown up since the white men disappeared. The rest of the reserve is heavy bush with a thick growth of underbrush, sal-balm, and other plants. The white men disappeared three months ago and the heavy spring rains have long since washed away and covered up any traces by which their movements might have been followed.

### MANY SPEND THEIR HONEYMOON HERE

What Victoria may possibly lack in the way of establishing a record for June weddings, she is more than making up in the record she is establishing for June honeymoons, and may well be called the honeymoon city of the Sound for there are at the present time fifteen honeymoon couples resident here in two of the hotels alone. The newly married people have all arrived within the last two days and come mostly from the American side and from the mainland.

For years the summer here has attracted tourists and at intervals has been the place chosen for many honeymoons. Before, say the hotels, the people who are supposed to know, have there been the same number of newly married couples here at the one time. Last year Victoria established a record for twelve honeymoon couples came here in the one week, but this year the old record is beaten by four and that within the last two days. At the Dominion hotel there are now a honeymoon couple, and at the King Edward there are three, who have united in the holy bonds of matrimony and are in Victoria as the spot wherein to spend the first week of unalloyed happiness.

The twelve who are registered at the Dominion are Mr. and Mrs. L. J. W. Froyce, of Tacoma; Mr. and Mrs. F. E. Peterson, of Friday Harbor; G. M. Schwartzbough and Mrs. Schwartzbough, of Seattle; C. E. and Mrs. Bolds, of Portland; E. W. and Mrs. Bennett, of Vancouver; Washington; Mr. and Mrs. Benjamin Bingham, of Eugene, Ore.; Rev. C. Wellesley-Whittaker and Mrs. Wellesley-Whittaker, of Vancouver; John and Mrs. Willis, of Mt. Vernon; Mrs. H. M. Irwin, of Independence, Ore.; George and Mrs. Whitely, of Spokane; A. Allan and Mrs. Allan, of New Westminster; and L. E. and Mrs. Stearns, of Bellingham, while the King Edward is responsible for A. T. Graham and wife, of Seattle; Mr. and Mrs. C. J. Johnston, of Seattle, and Mrs. H. J. Garden and Mrs. Garden, of Vancouver.

Some of the gentlemen when spoken to on the matter replied that the choice had in the main been left to the young brides, who all appear to have been very much in the matter of their choice of a place wherein to spend the honeymoon. Questioned on the significance of the choice of all falling on the one city, in spite of the fact that the young couples are all strangers to one another, one bridegroom remarked that it was evident that the charms of the city of Victoria were well known throughout the province of British Columbia in the adjacent states of the union.

## Orange Juice and Health FOR STOMACH AND SKIN.

Few of us realize what an important part the skin plays in keeping us well or making us beautiful.

The millions of tiny glands, or pores, are intended to rid the system of waste matter, which the blood brings to the skin. It is a well known medical fact that the impurities which are off more Urea or waste matter than the kidneys. Just think how much poison remains in the system when there is any skin trouble.

The impurities are intimately associated. Find a person with a dry, harsh skin and you will find one who suffers with indigestion or constipation, or both, usually.

Both of these troubles are judicious use of orange juice. Both can be cured by taking the juice of an orange every morning before breakfast, and taking "Fruit-a-tives" at night. "Fruit-a-tives" are fruit juices in tablet form. The fresh juices of oranges, apples, figs and prunes are separated from the pulp, and then combined in such a way that the medicinal action is intensified.

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### LADYSMITH WANTS VICTORIAN ENTRIES

### Handsome Prizes Offered for Outside Crews at Dominion Day Regatta.

Ladysmith, June 22.—The committee that has charge of the sports for the big celebration here on the First of July, is encountering considerable difficulty. The athletic programme has all been arranged and promises to be a huge success. The regatta, however, is not going so well. The Indians who had been offered \$5 a paddle are asking for \$3, and this the committee absolutely refuses to give. "The would rather put up a handsome trophy for competition for Victoria four-oared crews, but the date is rather inopportune and it is doubtful if it can be worked.

The Victoria clubs who are rather tickled on the amateur question. They take the ground that as cash prizes are being offered the whole thing is being run under professional auspices, and that, therefore, they do not compete. This is wrong. Professional and amateur events can be brought off at one athletic meeting so long as they are distinctly specified and the professional does not compete for the special prize. The regatta will be strictly amateur, and the committee are very anxious to get the Victorians to come. They are prepared to put up really handsome prizes for water polo, relay races, and a four-oared crew competition. The Y. M. C. A. and the J. B. A. A. could enter a couple of crews each or more for the event, and the committee would be glad to see them. The winners would feel proud to possess it. It is at least hoped that the special difficulty will be removed, and that the Victorians will be up and in large numbers. Their attendance is all that is necessary to make the day a great sporting success.

### PERSONAL MOVEMENTS.

Mr. and Mrs. P. Hutchinson and daughter left town on Saturday for St. Louis.

Miss Lepansky came down from Nanaimo this morning.

Miss Gourlay returned this morning from a short visit to Nanaimo.

Joe Meissner was in town to-day.

Mr. and Mrs. W. Myles are on a visit to relatives in Seattle.

Mrs. P. Cain and family are spending a couple of weeks in Vancouver.

Mr. Meissner was in town to-day from a short visit to Nanaimo this morning.

John McGill, of Vancouver, is spending a few days with his sister, Mrs. T. Jackson.

Mrs. Gordon paid a visit to Nanaimo on Saturday.

### WILL ACT AS AGENT OF ALBERNI LAND COMPANY

Reported Appointment of H. Carmichael to Handle Business in Province.

Alberni, June 22.—Herbert Carmichael has, it is reported, been appointed by the Alberni Land Company, better known by their former name of the Anderson Townsite Company, with power to transact all business on their behalf. Mr. Carmichael, who has just returned from a visit to the Old Country, arrived in Alberni by the S. E. Tees on Sunday night. While the important holdings of the company here will not at present be put on the market for general sale, it is understood that arrangements will be made so that no bona-fide settler will be prevented from building for want of a site at reasonable prices, while the purely speculative purchaser will be discouraged. It is possible that a portion of the townsite may be cleared up and the necessary streets opened to encourage genuine residents.

Last week A. D. Cooper, real estate agent, New Alberni, negotiated the sale of six acres of the farm belonging to H. Woodward, Cherry creek, to P. F. Wright, a new arrival from England. Mr. Wright is an expert horse-shoer, having been employed in that capacity in one of the crack regiments in Britain and intends to carry on his business here. The price paid for the six acres which are nearly all cleared, is between \$500 and \$600.

A fly so minute as to be almost invisible ran three inches in half a second, and was calculated to make no less than 50 steps in the time a man could breathe here. The price paid for the six acres which are nearly all cleared, is between \$500 and \$600.

There is a man in Victoria who apparently has a strong sense of his duty and likewise a complete absence of any sense of the ridiculous. He is a driver of one of the sprinklers employed by the city. During the rain this afternoon he continued to sprinkle the streets on his beat as though it were the dustiest day in the history of the city. His object may have been to enable the city authorities to say that for once at least this season the streets are being properly laid in this section, even if the city sprinklers did not have very much to do with it.

## GRAND DISPLAY OF FIREWORKS

### VESEVIUS ATTRACTED IMMENSE CROWDS

### Spectacular Effects at Royal Athletic Grounds This Evening.

(From Tuesday's Daily.)

Just before 10 o'clock last night, when the historic feast of lanterns was represented at the Royal Athletic Club grounds, to the music of the band and "Vesuvius" belched forth smoke and flowers and sky rockets, there were hundreds of children on the grass in front of the stand, having jumped the surrounding fence as soon as the eye of the management was removed to the eruption. There was not a vacant seat in the stand and along the fences there were also more. Perched on the outside fence was every man that could sit there and outside the grounds for miles the roofs of houses were occupied with observant humanity.

Long before 7:30 last night people were seen moving in crowds from all directions towards Cook street and at 8 p. m. the accommodation provided had all been taken. The spectacular effects of the exhibition were among the best ever seen in this city. The fireworks display was perhaps never so equalled in Victoria, and the spectacular effects produced by the eruption of Vesuvius were most entrancing. Many who attended last evening will undoubtedly be present to-night so that there should be a record attendance this evening.

The arrangements for seating the crowd are excellent. The grand stand has been enlarged so as to accommodate hundreds more than the permanent one would hold.

The opening part with the march past and exciting scenes drawn from a fete day in Naples was diversified with the fireworks and the special one would hold.

To-night the set pieces will include a reproduction of the Falls of Niagara, which, together with a fine portrait of the most beautiful woman of Victoria according to the selection of an un-biased committee. The acrobatic monkey will be given for the special treat of the little folks, and Chinese table rockets, the Sun of Empire, the Maple Leaf, and other strong pyrotechnical features will be added to the fireworks which will be set off by the hand of a fireworks expert who will be seen in the heroics for the first time in this province, and every part of the show moves rapidly and close together.

The pantomime and circus feature will be strengthened to-night by the addition of two aerial teams, making 14 circus acts in all, and two new ballet marches.

### LICENSE BY-LAW BEFORE LADYSMITH COUNCIL

### Measure Proposed is Same as That Recently Adopted in Victoria.

Ladysmith, June 22.—Ald. Matheson introduced a by-law at to-night's meeting of the council which may raise a loud outcry from the licensing trade. Hitherto the city has had no by-law for the regulation of licensed premises and had relied on the provincial law. Ald. Matheson's proposed measure is virtually a copy of the by-law recently adopted in Victoria, and embodies all its chief provisions.

An application for the transfer of a license is to be accompanied by a fee of \$25. The windows of licensed premises are to be darkened to a height of five feet from the sidewalk, the top portion to be left clear so that a person can see into the barroom. No person under the influence of drink is to be permitted to remain in a barroom, and no female customer is to be allowed to enter the bar.

Clause 7 is the most important, providing as it does, for the hours of closing. No barroom is to open on a Monday before 4 a. m., and all barrooms are to be closed all day on Sundays at 12 o'clock p. m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, and at 11 o'clock p. m. on Saturdays.

The penalty for any infraction of these provisions not otherwise provided for in the statutes, is not to exceed \$50.

The by-law was read a second time and will be taken in committee at the next meeting of the council.

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VICTORIA, B. C.

TOOK FAREWELL OF  
PASTOR LAST NIGHT

Metropolitan Methodists Made  
Presentations to Mr. and  
Mrs. Adams.

(From Tuesday's Daily.)

Last evening a farewell was taken of Rev. G. K. B. Adams and Mrs. Adams at the Metropolitan Methodist church. Several presentations were made by subsidiary bodies to the church as well as by the congregation, the pastor and his wife both being remembered. Owing to the absence of the chairman at the beginning of the affair Mrs. Jenkins presided until the arrival of Rev. George W. Dean.

The preliminary part of the programme was taken up with musical selections which included the following: Song, "The Bonnie Banks of Loch Lomond," Mr. Waddington; organ solo, "Le Salut d'Amour," by Sir Edward Elgar; duet by Miss Muriel Hall and Mr. Waddington; song, "Wherein You Walk," Mrs. Bethune; song, "The Silver Ring," Miss Muriel Hall; song, "Adown the Vale," Mr. Griffiths; Miss Hall and Mr. Bethune responded to encores.

Following this came the presentations. Following the rules of chivalry Mrs. Adams was the first to receive attention. She was called-forward and Mrs. Jenkins and Mrs. Whittier, on behalf of the Ladies' Aid, presented her with a very handsome dressing case. Mrs. Adams replied in a suitable manner, thanking the ladies for their kind remembrance.

Then followed the Sunday school. A. E. Lewis, on behalf of that body, presented Mr. Adams with a fish set, emblematic as he said of one of the great industries of British Columbia. He referred to the fostering care Mr. Adams had given to their branch of the church work. In a general way too he spoke of the excellent services Mr. Adams had done and of the excellent company of noted preachers he had followed. He said that they would watch his career in the future with great interest, and wished him every success wherever he might go.

Mr. Adams replied suitably. He asked the congregation to rally round their new minister, remembering that nothing would so much tend to the upbuilding of the church as the loyal support of the minister by the congregation.

The business department of the church then took a hand in the proceedings. Arthur D. Hastings, recording steward, and F. J. Hall, the treasurer, read an illuminated address, and F. J. Hall, president of the quarterly official board, presented the following paper with a purse of gold. The address was as follows:

Dear Sir and Brother: In the good providence of God you have been permitted to spend four weeks in the service of the Methodist church as pastor of the Metropolitan church, Victoria, and now that the happy relationship is about to be severed we wish to express our appreciation of your life and work in our midst.

In your personal life and conduct you have ever set an example of Christian righteousness that will be a fragrant memory to us, and will inspire us to a closer walk with God. Your Christian character has been beyond reproach and has been the means of attracting many of your ministry. Each Sunday has found our faith in the power of a preacher of the gospel of the Son of God, and your labors have been a rich blessing to many. Your work as a leader of the official boards has been of material assistance in providing a church upon the sound financial basis that it has to-day, and we shall ever be grateful for the manner in which you have conducted the temporal side of our work.

To Mrs. Adams we extend our heartfelt wishes for her future welfare, knowing as we do that a real helpmate she has been in all good work. We realize that her presence in the councils of the societies to which she belonged will be greatly missed, and as a hostess in the parsonage she has ever proved herself ready and willing to welcome one and all.

We pray that you both, with your family, may enjoy God's richest blessing in the parsonage at Winnipeg; and that you may meet with your abundant success in your new sphere, which is such a joy to a preacher's heart.

We beg of you to accept the accompanying purse of gold as a small token of our friendship and esteem. Following the formal dismissal, the Rev. Mr. Adams in replying alluded to the many kind words that had been spoken to him during his pastorate. He had endeavored to do his duty and would ever remember Victoria. The congregation then rose and sang the beautiful farewell hymn: "God Be With You 'Till We Meet Again."

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### NOTICE.

Is hereby given that the partnership heretofore subsisting between John Piercy and Frederick Arthur Pauline, in carrying on business as wholesale dry goods merchants at Yates street, Victoria, B. C., under the style or firm of J. Piercy & Co., has been dissolved by mutual consent as from the 25th day of December, 1907. All debts due to and by the firm of J. Piercy & Co. will be received and paid respectively by Frederick A. Pauline, who will continue to carry on the said business.  
Dated 2nd May, 1908.  
JOHN PIERCY,  
F. A. PAULINE.

### TEACHER WANTED for the Lower Bella Coola School. Duties to commence in July with beginning of school term. Musical young lady preferred. Apply Mrs. B. B. Jacobson, secretary, Bella Coola P. O., B. C.

### TWO EMPRESSES BOUND ACROSS THE PACIFIC

### China Left Yokohama Sunday and India Yesterday for Victoria.

Two Empresses are at present crossing the Pacific on their way to this port within a day of each other. A cablegram from Yokohama states that R. M. S. Empress of China left that port for Victoria at 10 a. m. on Sunday last with 100 saloon and 620 steerage passengers. The China has 150 steerage passengers and 50 tons of freight to be landed here.

Yesterday R. M. S. Empress of India left Yokohama, on schedule time, for Victoria with 50 saloon and 345 steerage passengers. She has 75 steerage passengers and 50 tons of freight to be landed here.

This is the first time on record that two of the Empress liners have crossed the Pacific in such proximity. The Empress of China was scheduled to leave Yokohama on June 11th, is just twelve days behind time. It is expected that the Empress of India will arrive at Victoria July 1st and the India on the 2nd or 3rd.

As mentioned in yesterday's Times the death occurred at Duncan, after a long and painful illness of Cecelia Fairclough, beloved wife of P. W. Rolston, M. D. N., at the age of 67 years. The deceased is a sister of Mrs. Spauldine of this city, and only a short time ago was in the hospital, where she died here.

\$1.00

VOL. 36.  
**LONDON TIMES  
CHANGES H.**

LORD NORTHCLIFFE  
IS SOLE PROP.

Napoleon of Journalism  
Attained a Long Career  
Ambition.

London, June 23.—Lord Northcliff the principal proprietor of the Mail and many other public acquisitions the sole proprietor of London Times. The preliminary arrangements have been kept a secret and the sale of the paper so soon after its organization is limited is sufficient to satisfy its purchase by C. Arthur will create astonishment to the world.

The purchase was completed within the last few days. Arrangements for the transfer of the paper will be made in a few days unless precipitated by what regarded as a premature announcement of the sale.

"While I am unable to be much Lord Northcliffe's latest acquisition, I can say prices paid for the good will of the machinery alone has paid \$400,000, this being the amount put upon it by the Times, within my knowledge that it is a good deal more than it is worth with another of more up-to-date order."

MR. PUGSLEY Suing  
NEWSPAPER OWNERS  
Over Four Writs Issued Against  
McKane, Reputed a Millionaire.