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SIDEWALK WORK BEING HELD UP

ENCROACHMENTS AND TREES IN ERFERING

Action in Courts and Course of Property Owners in Past Delay Construction.

(From Monday's Daily.)

Sidewalk construction is held back at present, owing to the legal tangle over the city's powers to remove trees from the streets, and also owing to the fact that it has been found that in many cases in which the city was about to start work the property owners had built their fences and in some cases their houses out on the street. The council is, therefore, anxiously awaiting a judgment from the court on the tree question while a settlement of the other matter may involve more or less trouble.

Since the trouble over the removal of trees from Rockland avenue, which culminated in F. W. Jones securing an injunction from the courts restraining the city from removing a tree from in front of his property, the city has met with similar objections to the removal of trees in other places. In some instances while one section of the people residing on a street favor the removal of trees which are in the way another section object and the hands of the council are tied in regard to carrying out the proposed work. This is the case, for example on Douglas street near Humboldt, as well as in other places. There was some difficulty of a similar nature regarding some trees on Douglas street near the fountain but in this case an agreement has been reached and the work can now proceed. At present, objections are being met here and there to the removal of all kinds of trees, including poplars, scrub oak and other varieties of the poor kind of trees.

The encroachment of property owners on the street is a cause of even more worry to the council for in practically every portion of the city property owners have shown a decided disregard for street lines, and built their fences and in some cases their houses on the street. In these cases, it is said, the street lines are all right, but the property owners have discredited it. Toronto street is one on which work is now delayed on account of houses being built on the street.

According to an alderman the difficulty in the way of settling this trouble lies in the provision in the law which requires the city in a case where a fence or house has stood on the street for any length of time to not only pay for the moving back of the fence or building, but also to pay the owner of the property the value of the portion of the street which he had enclosed. Such trouble is not likely to recur for the city has now the power to prevent any one from erecting any more fences or buildings on streets, but the council is confronted by the fact that in the cases where the fences and buildings have encroached on the street for some time the city has to recompense the man owning the property which thus encroaches.

EARL AND DIVINE HEALER.

Britisher Arrested at Princeton Over Practising Medicine Without a License.

Princeton, Ind., June 1.—Mayor Chapman, of this city, has received a letter from the British consul at Chicago asking for full details concerning the charge against Francis Schlater, a divine healer, who was arrested for practising medicine without a license. Schlater claims to be an earl and a British subject, and has made such representation to Ambassador Bryce at Washington in asking the protection of his government against what he says is an unjust prosecution. The Chicago consul has taken up the investigation. The mayor has forwarded a full statement.

MAY PROVE THAT MRS. GIUNESS IS ALIVE

Startling Development is Expected in "Castle of Death" Mystery.

Chicago, Ills., June 1.—A dispatch to the Record-Herald from Laporte, Ind., says:

Herman W. Worden, counsel for Ray Lamphere, held on a charge of murdering Mrs. Guiness and her three children by setting fire to their home, in a statement yesterday indicated that the defence would make a determined effort to prove that Mrs. Guiness is alive.

"We have every reason to believe that she is alive," said Mr. Worden. "I expect letters to-morrow which will indicate the readiness of the man who received a letter from Mrs. Guiness as late as May 4th to come to Laporte to prove the fact."

PRINCE RUPERT ACREAGE.

Portion of Larson Estate is Sold to Vancouver Capitalists.

Vancouver, June 1.—The estate of the late Peter Larson, of Helena, Mont., and E. J. Mathews, of Seattle, have sold to Vancouver capitalists two hundred acres of land in south Prince Rupert, adjoining the Grand Trunk Pacific properties, at $150,000.

TRAGEDY OF LOVE.

Russian Suicides Because Sweetheart Will Not Marry Him at Once.

Ottawa, June 1.—Max Schafftel, a young Russian, committed suicide at Carleton Place by drinking carbolic acid. His sweetheart refused to marry him immediately.

WILL GO TO NORTH POLE BY SHORT ROUTE

Peary Has Another New Plan for Reaching Coveted Goal.

Brussels, June 1.—At Saturday's session of the International Polar congress Herbert L. Bridgman, president of the department of geography in the Brooklyn Institute of Arts and Science, submitted the scheme for reaching the North Pole prepared by the Peary Arctic Club of New York. The plan involves the use of Peary's old ship, the Roosevelt, which will leave in the fall, winter on the north shore of Grantland and thence make a dash for the pole in 1909. The coast of Grantland will be followed westward to Cape Columbia over a route which will shorten the distance 100 miles and counteract the effects of the eastern currents.

One of the features of the new scheme is the more rigid massing of the sledge division in order to keep the men together. Upon the return voyage Peary proposes to explore Crockerland, a section of the unknown Arctic, the exploration of which he thinks may revolutionize the existing ideas regarding the heretofore untraversed polar regions.

Mr. Bridgman moved that the convention place Lieut. Peary's scheme on record with a vote of congratulation to the lieutenant.

The forenoon session of the congress disclosed the fact that an American is preparing to undertake an expedition to the South Pole in 1911, upon plans worked out by Lieut. Peary. The latter, however, is not to take part in the expedition. President Roosevelt, to whom Lieutenant Peary disclosed this idea, is said to have endorsed it enthusiastically. The identity of the American who is to make the voyage has not yet been revealed.

DECORATION DAY.

Flower Laden Boat Set Adrift on Potomac in Honor of Naval Dead.

Washington, June 1. — President Roosevelt and thousands at Washington on Saturday participated in the observance of Memorial day. All government departments and the principal business houses were closed. Appropriate services were held at Arlington and all the other cemeteries in the vicinity of this city.

A boat laden with flowers was set adrift on the Potomac river in tribute to the dead of the navy, and there was a parade of military organizations and patriotic bodies.

NO QUESTION ABOUT THAW'S INSANITY

Judge Dowling's Statement in Strangely Unusual Interview at Detroit.

Detroit, Mich., June 1.—"There is no doubt but that Harry K. Thaw has paranoia," said Judge Victor J. Dowling, of New York, on Saturday, in an interview on the famous trial over which he presided. Judge Dowling arrived here on Saturday to make an address at the Knights of Columbus banquet.

"There is no question about Thaw's insanity," said the judge. "There is no doubt that he has paranoia. Do I think Thaw will ever leave the asylum? That depends upon his form of insanity. If it is decided that he has paranoia, of course he can never recover."

"Thaw was sent to Matteawan to remain there as long as his condition is dangerous to the community. People generally believe that when a man has money he can be acquitted on whatever charge may be placed against him, or freed from the responsibility for whatever crime he may have committed. That this is not true was proven in this case. I always thought that the verdict of the jury was just, and that was the prevailing opinion in New York after the verdict was returned.

"Do I think the testimony in the Thaw case was demoralizing to the community at large? No, I do not think so. The newspapers toned down the evidence considerably. Such tragedies often teach a great moral lesson."

SHOWING IN INGENICA FIELDS

MINING CONDITIONS ARE VERY DIFFICULT

Samples of Gold Reach Vancouver—Average Run Eight Cents to Pan.

Vancouver, June 1.—A. E. Johnson, the first man to visit the Ingenica gold fields in northern British Columbia, returned to Vancouver this morning. He brought samples of gold which had been obtained two feet below the surface. In value he had two dollars' worth of coarse gold which represented three pans, but usually the pans ran only seven or eight cents each.

Mr. Johnson declares that while gold is undoubtedly to be found in large quantities, the mining conditions are very difficult. At four feet depth miners invariably encounter water, and their holes are drowned out. Nobody has ever been down to bedrock. The country is flat and the streams sluggish, and there is no way of avoiding the water except by large workings which require capital.

Mr. Johnson will leave for the new diggings again just as soon as he can make arrangements to get in the machinery. It may be found later that the bench claims can be worked with profit.

CLOUDBURST CLAIMS EIGHTEEN VICTIMS

Floods Sweep Mexican Village of Pachula Out of Existence.

City of Mexico, Mex., June 1.—Floods have wrought great damage in the neighborhood of the City of Pachula during the past two days. Eighteen people are said to have been drowned, and the village of Pachula has been entirely wiped out of existence. The extent of the property loss is not given.

The flood was caused by a cloudburst, which caused the Baran, usually a dry and much travelled road, to be transformed into a raging torrent.

GUILTY OF BIGAMY.

Renfrew School Inspector Had Wife and Nine Children When He Married Again.

Renfrew, June 1.—John E. Anderson, inspector of schools at Brockville and formerly principal of the Renfrew public school, pleaded guilty to a charge of bigamy. Over a month ago he married Miss Florence Jamieson, the youngest daughter of Rev. W. S. Jamieson, a Methodist minister here. He has a wife and nine children in Toronto, two of whom are married and have children. He is 54, but gave himself out as 39. He will be sentenced next Saturday.

BATTLESHIPS AT 'FRISCO.

First Division of Atlantic Fleet Returns From Tacoma.

San Francisco, June 1.—The first division of the Atlantic fleet, under Rear-Admiral Sperry, consisting of the Connecticut, Kansas, Vermont and Louisiana, returned here yesterday from Tacoma and dropped anchor in man-of-war row, by the side of the Maine. The battleships, which were accompanied by the hospital ship Relief, arrived off the heads last night, but did not enter the harbor until shortly before noon. All four ships of the first division will be sent to the drydock.

The battleship Minnesota, Captain Hubbard, also returned to this port to-day, having come from Bremerton.

ENTIRE FAMILY DROWNS.

Shocking Tragedy in New Jersey—Party Was Celebrating Paid-up Mortgage.

Philadelphia, Pa., June 1.—An entire family, consisting of Wm. Eidelman, aged 37 years, his wife, Elizabeth, aged 32, and their two children, Anna, aged 11, and William, aged 7, were drowned in Pensauken creek near Riverton, N. J., yesterday by the capsizing of a small rowboat. The family was taking an outing in celebration of the fact that the father had cleared off the mortgage on a home he had purchased.

250 YEARS OLD.

Washington, June 1. — President Roosevelt at 11 o'clock to-day pressed an electric button which gave the signal in Kingston, N. Y., to start the parade in celebration of the two hundred and fiftieth anniversary of the founding of that town.

An extended celebration of this event is in progress in Kingston, of which the parade that the president set in motion is a part.

SHOOTS HER SWEETHEART.

Jefferson Country Girl Then Turns Revolver on Herself and Suicides.

Watertown, N. Y., June 1.—Miss Orthe Huphen, of Oxbox, shot herself and her sweetheart, Barne Laidlaw. Laidlaw's wound will not prove fatal, but the young lady will die as the result of the self-inflicted wounds. The scene of the shooting was Jefferson county farm. Miss Huphen is 25 years old.

MAURETANIA MAKES NEW OCEAN RECORD

London, June 1.—Despite the fact that she was using but three propellers the Cunard liner Mauretania, which left Liverpool on May 27th, is making a remarkable trip to New York. She has already broken one ocean record. She covered 635 knots from noon May 30th to noon May 31st, averaging 25.5 knots an hour.

KURDS ENGAGE IN WHOLESALE MASSACRE

Russia Hotly Demands Indemnity for Depredations—Unpleasant Position.

London, June 1.—A special dispatch from Teheran to the Times says that Persia has agreed to accept compensation for the families killed by Russians, and suggests a joint investigation, but that Russia will not accept this proposition, and is unwavering in hot demands for indemnity for depredations alleged to have been committed by Persian bandits.

The dispatch further says that Kurdish tribesmen have surrounded Urumiah, and are indulging in wholesale massacre and pillage. The agitation against the court has been renewed at Teheran, and the situation is most uncertain.

FRENCH DERBY RESULTS IN DEAD HEAT

Seasick II. Neck and Neck With Quintette II. at Chantilly.

Paris, June 1.—W. Vanderbilt's Seasick II., with Henry up, ran a dead heat with M. Deschamp's Quintette II. for the French Derby valued at $20,000 at Chantilly yesterday afternoon. Both horses were odds on favorites and the finish was a gruelling one. Vanderbilt's Maidstone won this stake in 1906.

Seasick II. is engaged in the English Derby to be run at Epsom on Wednesday next.

PHOTO OF MURDERER IN VICTIM'S RETINA

Outline of Man's Face Reproduced From Eye of Dead Woman.

Altoona, Ills., June 1.—Belief in the theory that the last object seen by a murdered person may be fixed as a photograph negative in the retina, caused Coroner Stresper to have a photograph taken of one eye of a woman, whose body was taken on Thursday from the Mississippi river and who, it is thought, was murdered and thrown into the river.

The developed photograph, the coroner says, shows a faint outline of the face of a man with a hooked nose, and a beard. The coroner says he will try to find the possible murderer by the use of this photograph. A post mortem examination established the absence of water in the lungs, although the body had evidently been in the water for several weeks and the neck was broken.

FRUIT CROP RECORD.

Hamilton, Ont., June 1.—Farmers from Niagara peninsula predict that the fruit crop this year will be the greatest in its history, and claim there is no variety of fruit that will be an exception. Cereals and hay are also unusually heavy in the district.

DEAD IN HOTEL FIRE.

London, Ont., June 1.—William A. Lecombe, assistant foreman of the fire brigade, lost his life in a fire at a city hotel. Death was caused by suffocation. A number of guests had narrow escapes. The damage to the hotel is slight.

DUAL WHIPCORD CRIME IN PARIS

ARTIST IS STRANGLED, HOUSE RANSACKED

Mother-in-Law Shares Terrible Fate—Gagged Wife Hears Dying Struggles.

Paris, June 1.—A double murder early on Sunday morning, for absolute brutality would be hard to parallel even among the crimes of Paris.

Adolphe Steinheil, a noted painter, and son of Louis Charles Auguste Steinheil, one of the most celebrated French artists, and a grand nephew of Meissonier, was strangled to death at his home in the Rue de Vanoigard. His wife's mother, Mme. Japin met a like fate. His wife was gagged and bound to the bed and heard her mother's dying struggles as she fought for life with her murderers.

The painter was found resting on his knees with the body bent backwards. He had been strangled by a whip cord. His features were blackened and his limbs already stiff. In another bedroom was the body of Mme. Steinheil, mother of Mme. Japin, also strangled, and the body fastened to a bed.

Every room in the house was ransacked and jewels and money exceeding $5,000 had disappeared.

CONEY ISLAND AUTO TRAGEDY

Two Killed and Others Injured When Machine Overturns Through Skidding.

New York, June 1.—A touring automobile with a party returning from Coney Island, was overturned while speeding up Ocean Parkway, and two of the men were killed. Two others were seriously injured but not fatally.

The dead are Wm. Goneberg and Thos. Nolan. Those who were injured are Victor Brandie and James McKenna. Brandie has a fractured arm and McKenna a broken shoulder. Two other men who were in the car at the time of the accident escaped without injury. The automobile skidded while rounding a curve and overturned.

KILTIES BAND.

Calgary, June 1.—The Masonic orders here have combined in having Kilties' band play three concerts in Calgary. The One Hundred Thousand Club and the Board of Trade are presenting a banner with the city coat of arms. Arrangements are being made for a public holiday and the closing of the schools.

PRICE OF SCHOOL BOOKS.

Fredericton, June 1.—The government has completed an arrangement with Gage & Co., of Toronto, for a supply of school books. The prices will be reduced about one half.

AGRICULTURAL COMMISSION.

Frederickton, June 1.—Hon. D. V. Landry, commissioner of agriculture, W. W. Hubbard, of St. John, and Geo. E. Fisher, of Chatham, have been appointed on the agricultural commission.

WELL KNOWN RIVER CAPTAIN.

St. John, June 1.—Capt. John Ferris, harbor master of St. John, is dead. He was a well known river and tugboat captain.

WHEAT TWELVE INCHES HIGH.

Regina, June 1.—The most remarkable growth of spring wheat in this district is at the farm of J. D. McInnes, seven miles east of Regina. Grain there is twelve inches in length, by measurement, and the whole of the large field is uniformly high.

FRENCH DUCHESS DEAD.

Paris, June 1.—The Duchess de Brissay, who was Mathilde D'Uzes, a sister of Duke D'Uzes, died yesterday. She had been seriously ill for some months' past. The Duchess de Brissay was born in Paris in 1875.

U. S. BLUEJACKET KILLED.

San Francisco, June 1.—George H. Frohock, a sailor from the battleship Alabama, has been killed by a freight train a short distance west of Crockett, Contra Costa county. Frohock came from San Antoni, Tex.

SUICIDE BY PARIS GREEN.

Buffalo, N. Y., June 1.—George Starkey, said to have a wife and children in Hamilton, Ont., committed suicide to-day. The medical examiner thinks he took paris green. The man was 43 years old, and a member of the boilermakers' union.

FLOOD IN HARNESS SHOP.

Montreal, June 1.—The vibration of an engine which was situated near a badly screwed pipe connected with the sprinkler in the building on Notre Dame street, occupied by the Lamontagne Company, wholesale harness manufacturers, was responsible for much damage being done on the premises on Saturday. The continued vibration worked the screw loose and the water rushed out of the pipe, flooding six floors of the establishment. The damage will run into thousands of dollars.

COMING TO VICTORIA.

Winnipeg, June 1.—The Young church was filled yesterday at both services, the occasion being the farewell sermons of Rev. T. E. Holling, whose three years' term of pastorate expires. He is leaving on Thursday for Victoria.

INTERNATIONAL AERO CONTEST IN BRITAIN

Thirty Balloons Compete in Race From London to Maidenhead.

London, June 1. — Hurlingham, the erstwhile centre of fashionable amusements, has now taken the lead in ballooning, society's latest recreation, and on Saturday was the scene of an interesting international aeronautic contest, in which twelve British, thirteen French, three Germans, two Belgian and one Swiss balloons competed.

The geographical conditions of the United Kingdom being such as to practically forbid a long-distance contest, the committee in charge decided upon a point-to-point race. Maidenhead was chosen, a distance of about thirty miles. The most interesting feature of the contest was the number of ladies who made the ascension. In addition to the Englishwomen, who included Lady Shelley, the Hon. Mrs. Ashton Harbord, Mrs. and Miss Brabazon, and Mrs. Capper, wife of Colonel Capper, several French ladies specially crossed the channel for the purpose of making the trip in the air.

The band of the Royal Horse Guards, as each balloon was set loose, played the national anthem of the country which it represented. The weather was hazy and the wind very light, making the race a competition of skill in the search for helpful currents, in which the British competitiors, with their local knowledge, had a distinct advantage. The balloons varied greatly in size, from the Belgian Le Roitelet, of a capacity of 250 cubic metres, to the French Cognas, of 2,000 cubic metres, but a valve defect prevented the Cognac from ascending at the last moment. The largest English balloon was Pollock's Valkyrie, of 1,698 cubic metres.

There was an exciting incident at the start of the race, the Belgian balloon, Emulation De Nord, striking a tree in the grounds. The pilot, Albert Crombez, instantly threw over all his ballast and succeeded in clearing the obstruction, but his car took with it two large branches of the tree. The aeronaut pluckily continued the race.

The winner proved to be the Valkyrie, which made the descent very easily about three hundred yards from the winning post. Griffith Brewer's Loftus, also a British representative, finished second. The third prize has not as yet been decided.

ROYALTY WITNESSES AEROPLANE TRIAL

Experiment at Rome is Marred by Mishap—"Uncertainties of Profession."

Rome, June 1.—The experiment of Leon de La Grange, the French aeroplanist before Queen Margherita here this morning came to nothing through a mishap to the machinery. M. de La Grange started magnificently and began to fly rapidly and smoothly, but after going about eight hundred yards the aeroplane fell from a height of three hundred feet. M. de La Grange was unhurt. He was considerably disappointed at the incident but smilingly said: "Those are the uncertainities of this profession." The incident was caused with something going wrong with the motor.

The Queen-mother congratulated M. de La Grange on the progress he had made with his aeroplane and expressed regret that the accident had occurred. The aeroplanist will leave Rome this evening for Milan.

A PRINCELY GIVER.

New York, June 1.—The gift of an additional $700,000 to the Rockefeller institute at Sixty-sixth street and the East river by John D. Rockefeller was announced on Saturday night after a meeting of the trustees of the institution. The money is to be used for the erection of a new building near the present institute. The gift makes a total of $4,500,000 given to the institute by Mr. Rockefeller.

BOY BANDITS HOLD UP TRAIN

COMPEL CONDUCTOR TO PASS AROUND HAT

Extraordinary Daring of Four Youths—Desperadoes Under Arrest.

Great Falls, Mont., June 1.—Northbound Great Northern passenger train was held up about a mile and a half from this city by four masked boys at 11:30 o'clock on Saturday night, the train being run onto a siding by the bandits, who fired a fusillade of shots up and down the track.

William Dempsey, an Augusta rancher, was shot in the leg in attempting to escape from the train after it had stopped, and Conductor Hayes was compelled by the robbers to precede them in passing through the cars, he carrying a hat in which the passengers were invited to dump what cash they had about them. Most of them deposited from $1 to $10 and the booty of the desperadoes is not believed to be greater than several hundred dollars.

While the passengers were being robbed a couple of the highwaymen stood guard at the doors of the cars to prevent the passengers from leaving. The robbers finally jumped off the coaches and disappeared in the darkness.

Youngest Was Leader.

Butte, Mont., June 1.—Four boys were arrested at Great Falls and they confessed to participating in a hold-up last night of passengers on a Great Northern train.

The four boys are Albert Halch, aged 16; Wm. Randall, 17; Hy. Rheames, 15, and George Cresswell, 16.

According to the confessions the hold-up was planned and carried out under the generalship of Halch, the youngest of the boys, who is said to have turned the switch, ordered the engineer to back up and to have gone through the passenger coaches with the conductor, forcing the latter at the point of a gun, to collect money from the passengers. According to the other boys it was Halch who shot William Dempsey, a passenger in the leg and narrowly missed shooting the conductor.

VADERLAND SAFE.

Red Star Line Steamer Delayed Through Repairing Defect in Machinery.

Dover, June 1.—The agent of the Red Star line here states that he has received a dispatch from Antwerp that the steamship Vaderland is anchored in the river Scheldt, repairing a defect in her machinery.

Considerable anxiety was felt here on account of rumors that the Vaderland had gone ashore or been in collision on account of the fog that has prevailed in the English channel for the past thirty-six hours. Evidently the steamship met with some mishap after her departure from Antwerp as she sailed on Saturday and was due here on Sunday. The nature of the mishap at present is unknown.

Antwerp, June 1.—The accident to the Red Star line steamer Vaderland was very slight, consisting of a simple disarrangement of her machinery. The steamer returned to Flushing after repairs had been completed and left this port at 1:15 o'clock this morning for Dover and New York.

VICTIMS OF RUNAWAY WRECK.

Owen Sound, Ont., June 1.—Mail Clerk Robt. E. Curran, who was injured in a collision near hear on Friday night, caused by a runaway C. P. R. engine, died in the hospital yesterday. This makes the second victim. Engineer Boskell dying of his injuries on Saturday.

DR. KOCH VISITS LEPER SETTLEMENT

Famous German Bacteriologist Investigates Methods of Treating "Unclean."

Honolulu, June 1.—Prof. Koch, German bacteriologist, who for some time has been visiting Honolulu, returned to-day from a visit to the famous leper settlement on the island of Moloki. While there he went to investigate the method of treating lepers. He took many notes of what he saw, and his interrogations of the lepers, but was reticent as to his experience, except on the general conduct and condition of the camp. As to whether a permanent cure for the disease might be discovered as a result of the experiments now being made by scientists, Dr. Koch declined to be quoted.

WANT INCREASED WAGES.

Owen Sound, Ont., June 1.—The cement handlers of the Northern Navigation Company are on strike for increased wages.