

FOSS STILL WANTED

Belle Adams' Trial Again Postponed Owing to Absence of Alleged Material Evidence.

The Witness Relied Upon by the Defence Was Sent to Dawson on the Yukoner.

Court Will Give the Accused Girl Every Possible Chance of Proving Her Innocence.

The long delayed trial of Belle Adams, charged with the murder on June 3rd of her paramour, Charles Kincaid, came up this morning before Mr. Justice Walkem.

It will be remembered, that at the first hearing Mr. George E. Powell, counsel for the defence, asked for an adjournment in order to secure the presence of Fred Foss, who occupied a room in the Empire hotel on the night of the murder, heard the altercation below, and was supposed to be able to give very important evidence.

Mr. Powell then applied for the issue of a subpoena for Foss at Dawson City, which was granted. The court was then adjourned till the next arrival of the Yukoner from the north, about five weeks hence.

Immediately upon the entry of Mr. Justice Walkem and the calling of the case Mr. Powell arose and applied for a further postponement to allow of another attempt being made to secure the presence of Foss.

Deputy Attorney-General Smith objected to further delay. The case had already been postponed for two months and all the information which could be obtained as to the whereabouts of Foss, where he would be, had been ascertained.

His Lordship, after consulting a number of authorities, submitted by counsel, said that the case had been postponed since June 27, that four or five adjournments had already been taken, and although he believed the previous postponements had been rightly granted, the hearing could not be postponed an infinitum.

Mr. Powell then submitted an affidavit setting forth the evidence expected Foss to submit, and which he has been pressed for by the crown at each adjournment. This was of a startling nature, and in the hands of a lawyer of Mr. Powell's skill will certainly be made decisive use of.

When the court convened this afternoon Mr. Powell read affidavits by Frank Beaven and John Carthew, in which they gave the substance of a conversation which they had with Foss the night following the murder.

Mr. Powell read these in order to prove the material nature of Foss' evidence. Frank Beaven deposed that Foss told him in

Carthow's presence that he heard a struggle, and screaming by the girl, in the night of which Kincaid said 'I would do it and I will.' Beaven's affidavit was borne out by Carthow's. An eloquent appeal was made by counsel for the defence for a removal of the postponement in order to secure the attendance of Foss.

Deputy Attorney-General Smith followed, in which he said that the case had already cost \$600 or \$800 and an adjournment to December would mean an additional cost of about \$700.

Mr. Smith repeated the statement of another deck hand on the Danube who had heard Foss say he knew nothing whatever about the case. His evidence nothing whatever to be gained by extending the adjournment, the only probable result being an additional expense to the crown. There was no reasonable probability of Foss being an important witness.

During Mr. Smith's address the accused girl gave the best evidence of emotion displayed during the day. The court said in reply that the case was a peculiar one which could not happen in the United Kingdom.

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THE PROHIBITION PLEBISCITE.

Summary of Regulations to Govern the Polling on September 29th.

A brief resume of the provisions of the Prohibition Plebiscite Act, 1898, under which the polling is to take place throughout the Dominion on September 29th, will be timely in view of the awakening of public interest in the matter.

The questions submitted to the electors are as follows: "Are you in favor of the passing of an act prohibiting the importation, manufacture or sale of spirits, wine, and beer, and other alcoholic liquors for use as beverages?"

Two agents, to be appointed by the returning officer, will attend each polling station and at the counting of the votes, on behalf of both the affirmative and negative sides, i.e., four in all; each agent being entitled to receive remuneration from the public treasury.

In case no such agents are appointed, the electors may act on either side, upon making a declaration of their interest in and desirous of obtaining an affirmative or negative answer, as the case may be, to the question.

The ballot papers are to be marked by voters with the usual X; those desiring prohibition placing the mark in the first, and those opposing it in the second column. The votes will be counted in the manner provided in the Dominion Elections Act, and the returning officer is to declare the number of votes cast on each side, and immediately after the sixth day following the count, forward his declaration to the Clerk of the Crown in Chancery, delivering two certified copies of such return to agents representing the opposing interests.

YOUNG MEN'S INSTITUTE.

Proceedings of the Grand Council Now in Session in Victoria.

After hearing the very encouraging reports of the Grand Council yesterday, the Grand Council, Y.M.I., took an adjournment until evening, when they reassembled in Institute hall for a few hours' entertainment, a reception being tendered the visitors.

Bishop Christie and Grand President Garrecht delivered brief addresses and then followed a very enjoyable program consisting of instrumental music, orchestra, selection, song, Miss Lombard, choral, Messrs. Sehl, Grizelle, Keith and Austin, duet, Miss and Mr. F. V. string quartette, (a) intermezzo from Cavalleria, (b) waltz, (c) waltz, from Mignon, by Messrs. Austin, Powell, Rochon, and Smith; song, Mr. Tooker; recitation, Mr. Bantley; quartet, Messrs. Sehl, Grizelle, Keith and Austin; God Save the Queen.

To-day's Proceedings.

The attendance at this morning's session of the Grand Council was increased by the notable addition of Grand Elector W. H. Kearny of New Westminster, Mr. A. L. Lavery, a delegate from the Royal City, was also present.

THE SPY.

(A story of student life in Russia during the height of the nihilist movement in the student, translated from the Russian by A. C.)

When I entered the University Litvitzky I came from a remote province and knew not a soul in the city.

My classmates in the gymnasium had been told that Litvitzky was the first man to get into the walls of the university.

His outward appearance rather surprised me. He had a high forehead, dark eyes, and a thin nose. He wore a dark coat, a white shirt, and a black tie.

When I first met Litvitzky I had some doubts as to his character. He was of medium stature, lean and pale. He had a serious expression on his face.

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It does not take much observation to form an opinion of the man. He is a spy, and with their notions before you are aware of it.

We did change the subject, but his answers now seemed to me queer and left me in a state of confusion.

On the next day I did not see him at the university. He seemed to have had a relapse, and was lying in bed.

"What do you mean by that?" I asked, not in the least suspecting that I was talking to a spy.

"I mean what I say. He is a suspicious fellow, and that's all there is to it."

"Why, that man whom you may call him Litvitzky?"

"I don't know him well enough to go along with you."

"Why, everybody says so. It's the general opinion of the university and the city."

Litvitzky's spy. The declaration shocked me, but I could not rid myself of the influence which the suspicion lodged in my mind.

"I don't think there has been any difference that Litvitzky had not advanced a single reason for his suspicion."

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Secured "general opinion" that is responsible for what they do. Oh, what tortures I have undergone! Can it be that they are indeed as good as dead?

I grasped his hand once more and we parted. A year had passed. The summer I had spent in the country and now I was a member of the second class, while Litvitzky was in his last year, preparing for his final examinations.

We were on terms of warm friendship, as usual, and I must admit my intimacy with him did me good. He was a young man, and well-balanced mind, unknown to myself, and I took up history with a zeal and devotion for which I am now grateful to him.

As to the students' attitude towards me, they seemed to forgive me my friendship with the suspect. True, they never discussed his secrets in my presence, but my position was never made intolerable.

In the course of that winter a young scientist, who had shortly before defended his thesis, succeeded one of the vacant chairs of the university. He had occupied his dignified post many days when his copy of some foreign publication, which plagiarized, the students assembled in the lecture room, gave him a round of hisses, whistling and all sorts of cries.

Lecture rooms became deserted; the students were busy with their own studies, and the corridors and lecture halls were crowded with indignant students, waiting to speak to the professor on chairs or tables.

It was at one of these meetings that the following episode took place: I was in the crowd and saw Litvitzky enter the room. He looked agitated, and his face was full of care. Suddenly I heard a whisper:

"Let's be more careful, gentlemen." Litvitzky looked around. The speaker was every little while interrupted. I looked out. There was a spy in the room.

My heart was wrung. I hardly believed it. Litvitzky had just said that he was not interested in the affairs of the students, but in this instance he felt offended in common with the rest. History was his favorite subject, and his heart revolted at the idea of a plagiarist occupying his chair.

At the moment he entered the room the improvised platform was occupied by a student with a disheveled mane, whose speech was full of fire. Suddenly I heard a whisper:

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