SUIT EXCITES MUCH INTEREST

Action of Moreton Frewen Against Grand Trunk Pacific Development Company Up in Court at Vancouver

MANY PRINCE RUPERT LOTS ARE INVOLVED

Plaintiff Seeks to Force Completion of Alleged Agreement to Sell to Him and Others One Thousand Lots

VANCOUVER, June 21.—The trial of a legal action which is exciting more interest than any other launched in years commenced today in the supreme court before Chief Justice Hunter, when Moreton Frewen vs. the Grand Trunk Pacific Town and Development company was called.

The plaintiff, a representative of such large capitalists as John Hays Hammond, Sir Edgar Vincent and others, is suing President Charles M. Hays, of the G. T. P. Railway, who is also president of the defendant company, to enforce the completion of an alleged agreement between the two for the transfer of 1,000 lots in the Prince Rupert townsite, which Mr. Frewen claims he had the privilege of choosing under Mr. Hay's guidance before the public had a look in on the property at the public auction sale of the G. T. P. terminal property in Vancouver in May last. The alleged original bargain, a verbal agreement, was, the plaintiff says, made between Mr. Frewen and Mr. Hays on a hunting trip in Algonquin park in 1906, and ever since that date the plaintiff has been bending his energies to secure the performance of the contract of its acknowledgment in black and white.

The whole of today's hearing was occupied with the examination in chief of the plaintiff on the stand, together with the putting in as exhibits of upwards of 125 copies of letters and telegrams, most of which were correspondence over the deal between the two principal figures in the trial. Several of these documents were interesting in the extreme, especially one written by Mr. Frewen to Mr. Hays shortly before the writ in the action was issued, and in which he outlines his many abortive attempts to pin the Grand Trunk Pacific Development company to some sort of a definite understanding, closing with an expression of surprise at Hay's action in throwing over such connections as Hammond and Vincent.

The trial will probably occupy another two days.

President Versus Senate.

WASHINGTON, June 21.—Abandoning a trip to New Haven to see his son graduate from Yale, and announcing that he would stay in Washington all summer if need be, President Taft today begun his first open fight with the United States senate.

Fatal Auto Collision

OMAHA, Neb., June 21.—Wm. Krug, vice-president and general manager of the Krug Brewing Co., of this city, was killed. Fred F. McCormick, of Denver, and Al Schuits, an auto driver, were seriously hurt and Frank Omaha slightly injured when their autos collided here today.

STEAMER STRIKES ON ROCKY SHORE

Prince Oscar Meets With Mishap on Way From Montreal to Rotterdam—Passengers Are Safely Transferred

MONTREAL, June 21—The steamer Prince Oscar, Capt. Bramberg, of the Canadian line, which left here on Saturday morning for Rotterdam with twenty passengers and a general cargo, is reported to be ashore at Flour Ridge, near Point Amour. Telegraphic communication is interrupted, but it is known that her passengers were transferred to the Allan liner Sicilian, which stood by all night, but has now proceeded to England. The Prince Oscar's forward hold is stated to be full of water, and her cargo is being jettisoned, but the ship would be in a precarious position in the event of the wind rising, as the spot where she is aground is very rocky. Fog has been dense in the neighborhood, and it is believed that this is the cause. The Prince Oscar struck the ground at 7:45 on Monday night.

Law Student Drowned

QUEBEC, June 21.—Alphonse Poulion, a law student, was drowned at Indian Lorette by the upsetting of his canoe. He could not swim.

Excursion from Bellingham

The steamer Chippewa, of the International Steamship Company, reached the company's wharf yesterday soon after noon with 694 excursionists from Bellingham on board and six heavily laden tally-hos left the wharf soon afterwards carrying many of them.

Will Adjust Loss.

SAN FRANCISCO, June 21.—The American Hawaiian line freighter Alaskan, whose cargo in No. 3 hold was damaged by fire Friday night at San Diego is expected to arrive here Wednesday. Johnson, Higgins & Co., adjusters, say there will be a general average on the cargo. The extent of the damage is not yet fully adjusted.

A. G. McCandless, of Vancouver, is in the city.

General Hamilton's Command.

LONDON, June 21.—Sir Ian Hamilton has been appointed commander in chief of the Mediterranean forces.

Crop Report Favorable

WINNIPEG, June 21—The C. N. R. crop report for the week ending June 18th is of a glowing character. The progress which has been marked within the past month has been sustained, the general comment being that expectations have been exceeded.

Liberal Re-Elected.

London, June 21.—In the Hartlepool bye-election yesterday, Sir Christopher Furniss, Liberal, polled 6,159 votes and the Unionist candidate 5,993. The election was caused by the unseating of Sir Christopher Furniss for bribery by agents.

Found Guilty of Murder.

POUGHKEEPSIE, N. Y., June 21.—Frank Schermerhorn was found guilty of murder in the first degree by a jury in the supreme court shortly after midnight this morning. The jury had been out five hours. Schermerhorn on the early morning of January 13 last assaulted and murdered Sarah Brimer, a governess, at the summer home of Mr. and Mrs. Barnes Compton, at Millbrook.

Big Building for Montreal.

MONTREAL, June 21.—The contract was signed today for the erection of what will be the largest office building in Canada. It will stand on the southeast corner of St. James and Francis Xavier streets, extending through to Notre Dame street. It will be ten stories in height, each floor having an area of 1,400 square feet. The building is being erected by a syndicate.

Toronto Stock Exchange.

TORONTO, June 21.—At the annual meeting of the Toronto stock exchange President Buchanan, who has held office for two years, retired and W. H. Brouse, vice president, was slated for election. Gordon Osler will be vice president and E. Freeland, of John Stark and Co., will be secretary. E. L. Ogden celebrated his thirtieth annual meeting as assistant secretary today. The membership is 43. Two more seats are for sale, which will reach the present limit of membership of 45. The last seat brought $20,000.

STATES SUFFER FROM HEAT WAVE

Deaths and Prostrations Reported From Several Eastern Cities—June Heat Record Broken in Many Places

PHILADELPHIA, June 21.—Ten deaths and many prostrations were reported as a result of the excessive heat here today. The maximum temperature was 98 at 3 p.m. The lowest for the day was at 4.30 a.m., when the mercury dropped to 73.

NEW YORK, June 21—Three persons are dead and thirty others prostrated as the result of the hottest day New York has had this year. The thermometer registered as high as 98.

BOSTON, Mass., June 21—Three deaths and eight prostrations were the result of high temperature and humidity here today. The thermometers registered 96 as the high mark of the day.

WASHINGTON, June 21 — Everywhere east of the mountains the country is in the grasp of a heat wave which is smashing June records and promises to continue with no relief in sight. The weather bureau's official thermometer, shaded by buildings on the street level on Pennsylvania avenue, registered 100 degrees at 3 p.m. From the northwest the weather bureau is getting reports that thermometers registered as high as 105, and crops are in danger.

Former Official Dead

OTTAWA, June 21.—Edward Brousseau, former registrar of the state department, died today.

Head of Dockyards Branch

OTTAWA, June 21.—Lieut. P. C. Howe, who has been loaned to the Dominion by the Admiralty, has been appointed head of the dockyards branch of the new Canadian navy and will rank next to Admiral Kingsmill. He will arrive in Canada on the Niobe in August.

Dry Goods Merger

NEW YORK, June 21—The controlling interest in Lord & Taylor, one of theoldest dry goods houses in the United States has been purchased it was reported today by the United Dry Goods Company, which controls a long string of department and dry goods stores in several large cities. The sale, it was learned today, had been pending for several months, ever since the death of Edward P. Hatch, the president of the firm.

NO GINGER TEA FOR THE INDIAN

Never Again Must Soothing Cordial Cheer and Inebriate Say the Provincial Authorities.

Jamaica Ginger, that time-honored specific for good, old fashioned stomach ache, has by the laws and law administrators of British Columbia been placed on the black list of recognized intoxicants, along with the common whisky of waterfront commerce, square-faced gin, and pain-producing Peruna. As Jamaica Ginger is found by official assay to contain 90 per cent. of alcohol, it has been ruthlessly struck from the wine card of all natives of British Columbia, and the druggist who sells to a Siwash even an eight-ounce bottle of ginger, will be liable to the same penalties as the adventuring Chinaman who smuggles out to his Indian friend a flask of sudden death rye and approximates 400 per cent profit on the transaction. It was police magistrate Bull of Vancouver who put the "kibosh" on the Siwash in respect to partaking of this species of patent medicine, a few days ago, and Judge McInnes refused to grant an appeal against this decision in the case of three Alert Bay Indians. Mr. W. H. MacKay, for the prosecution, successfully argued that anything which contained sufficient alcohol to make a man drunk must be regarded as an intoxicant. Mr. Gordon M. Grant appeared for the Indians.

DOMINIONS FREE IN NEGOTIATION

Statement of Colonial Secretary in Regard to Canada's Commercial Treaties With Various Foreign Countries

OTHER DOMINIONS IN SAME POSITION

London Morning Post Offers Plea for Commercial Unity of Empire—Canada and the United States

LONDON, June 21.—In the commons the colonial secretary stated in respect to Canada's commercial treaties that they were made with the full knowledge and consent of the colonial office, and he said the same course would be adopted with respect to the other self-governing dominions.

Commenting on the recent agreements of commercial reciprocity between Canada and foreign countries, including the United States, the Morning Post pleads for the commercial unity of the British Empire.

"The Canadian negotiations, in form," it says, "represented the furthest development of colonial independence reached, the Canadian government having in the case of the United States carried on the negotiations almost as if it were the central government and the empire were nonexistent."

"There is no link," it proceeds, "between the fiscal system of Canada and that of this country, such as might render the one in any way dependent on the other. If this country had been in a position to back Canada against the United States when the American raised the big stick of their penal tariff, the Canadian government would have had some reason to enlist the practical co-operation of the British Ambassador at Washington, but no common interest, in fact, existed, apart from that of mere sentiment, and there was no practical reason why the Canadian government should give any thought to Downing street at all.

"It is true that if the government of the United States were afterward to refuse to carry out the contract the Dominion government would have to look to the United Kingdom, which controls practically all the fighting power of the empire, for the ultimate means of enforcing Canadian rights, but that contingency is so remote that in practice it is never thought of."

HEAT IN WINNIPEG

People of Prairie Capital Find Temperature Uncomfortable—Rain Much Wanted.

WINNIPEG, June 21.—No relief was furnished this sweltering city last night by thunderstorms, which seemed imminent. The thermometer did not fall below 76, and with sunrise started steadily climbing again, with prospects this afternoon of passing the hundred mark.

Temperatures of over a hundred were recorded yesterday in many Manitoba points, 105 being the top notch. No rain has fallen in this province, while the strong parching south winds prevalent must inevitably have damaged the crops on the lighter land. In some of the larger offices in the city conditions are so insupportable that they closed down this afternoon.

U. S. HOMESEEKERS STILL FLOCK IN

Heavy Sales of Canadian Pacific Lands Show That Opposition of Interested Parties Is Quite in Vain

CALGARY, June 21.—A strip of land a quarter mile in width and stretching along the international boundary from Lake Superior to the Pacific Coast, the area of Alberta lands acquired by Americans from the Canadian Pacific since the beginning of the year. This is the answer given by United States homeseekers to the Americans who instituted the "Why go to Canada" campaign. Interests instrumental in starting this campaign to keep American men and money out of Canada, becoming discouraged by the continued northern emigration, are inspiring, in American journals, articles so grossly libelling western Canada that if there were a law governing libels directed against a nation, Canadian interests would have an immediate cause for taking action in the courts.

Sawmill Burned.

JOILET, Ill., June 21.—Coping's saw sawmill here was destroyed today. Loss $15,000.

CORONATION NEXT MAY

LONDON, June 21.—It has practically been arranged that the coronation of King George will take place about the middle of May, 1911. Immediately after the ceremony, the Duke of Connaught will proceed to Canada to assume the office of Governor-General.

Bodies in Quebec Bridge Ruins.

QUEBEC, June 21.—Two more bodies were found this morning in the ruins of the Quebec bridge.

Mr. McClure Operated Upon.

PARIS, June 21.—S. S. McClure, of New York, was successfully operated upon at the Madison Belpsau today. Later it was said that the patient was doing well.

Death of Richard White.

MONTREAL, June 21.—Richard White, president and managing director of the Montreal Gazette, died this morning, aged 78. He had been in ill health for some time.

Hudson Bay Company Report

LONDON, June 21.—The report of the Hudson Bay gives dividends as the have already been announced. The sum of £111,841 is carried forward. Farm lands averaged $12.48 an acre, as against $11.36 in the previous year.

Canada's Trade Increase.

OTTAWA, June 21.—Canada's trade returns for the month of May show an increase for the eight months of the fiscal year of $25,000,000, while the increase over the month of May last year was $14,276,236.

WIND DOES DAMAGE

Wreckage Left in Wake of Sudden Storm at Gladstone, Man.—Buildings Blown Down.

GLADSTONE, Man., June 21.—A terrible wind struck Gladstone last night leaving a trail of wreckage and debris. There was no loss of life, but the damage done will amount to thousands of dollars.

Gladstone's commodious skating rink lies a complete wreck. The large smokestack of the Echo Milling Company was blown down and crushed an adjoining building.

The grand stand of the exhibition grounds is in ruins, and 500 feet of the high board fence enclosing the grounds was blown flat.

At 9.30 last night a hot wind struck the town. The heat was so intense that it drove the people to shelter. At 9.30 the temperature reached 102, when the storm broke.

NO PUBLICATION OF NAVY PLANS

Tenders for Construction of Vessels to Be Invited on Confidential Basis—Follow Admiralty Policy

OTTAWA, June 21.—It is announced at the department of naval affairs that when tenders are called for the ships of the Canadian navy the invitation will not be published. The British and Canadian firms who may desire to put in tenders will be asked to so advise the department, and they will be notified when plans and specifications are available.

Following the policy of the British Admiralty, the designs of the cruisers are to be kept secret, and will not be open to the public.

It is understood that negotiations are now being carried on with a view of having the Admiralty consent to copies of the plans being sent out here so that Canadian firms may examine them with facility. The applications are in the hands of Lord Strathcona.

BADLY HUGGED

Little Girl of Phoenix Suffers From Strenuous Play of Pet Bear.

Little Miss Effie Lanson of the British Columbia mining town of Phoenix, on the afternoon of the 13th inst., narrowly escaped the horrible fate of being hugged to death. Little Miss Effie is but eight years old, and therefore too young to have an athletic sweetheart. The hugger was a bear that has for months past been the especial pet of the little folks of Phoenix on the occasions of their visit to the public park. Serious wounds were inflicted on the child's neck and shoulders, and but for the timely arrival of assistance the little girl would undoubtedly have been squeezed to death. And at that the bear was only in a playful frame of mind.

The bear was captured a year ago when a cub, and is kept in a public square in the city as a pet. The little girl was feeding it when the animal playfully grabbed her with both paws and began hugging her. The screams of the child attracted Mrs. Arthur Webster, who was at some distance, but hurried to the scene and beat the bear over the head with a club until it released its hold of the child. The wounds were immediately dressed by a physician, and although still terrified by the experience, the little girl is now out of danger except for a grave possibility of blood poisoning.

Bank Clearings

Victoria bank clearings for the week ending June 21 amounted to $2,889,967.

New Westminster Trade.

Nothing has yet been decided definitely about the placing of a steamer regularly on the route between Victoria and New Westminster. The matter has been engaging the attention of the boards of trade both here and in New Westminster. A letter received by the latter board and presented at a recent meeting contained an offer to place the steamer Trader on a twice a week service. A strong committee of the local board has the matter under consideration and has been deliberating on a number of proposals.

Warrant for Collins.

Matthey Collins, charged with committing an assault upon Alexander Cunningham, bartender at the Coach and Horses roadhouse, Esquimalt road, failed to put in an appearance at the police court yesterday morning in answer to the summons which had been issued and now the provincial authorities are endeavoring to ascertain his whereabouts and apprehend him under the warrant issued by Magistrate Jay. Collins, it is alleged, when refused a drink by Cottingham, heaved a beer glass at the drink mixer and his aim was more or less true.

Handsome Cloth Suits up to $50.00, reduced to..... $32.50

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NET WAIST SALE TO-DAY

Values up to $5.00

Today, $2.90

Wash Suit Special

Owing to our special order of Wash Suits arriving ten days later than expected, we offer them to you at a special price of—

$7.50

They come in Black and White Stripes, Greys, Pinks, Blues, Helios, Tan, Green and White. Pique Collars and cuffs.

TAKE LONG DRIVE TO GET MARRIED

Youthful Pair From Sumas Evade Parents and Journey to New Westminster—Prohibition Too Late

NEW WESTMINSTER, June 21.—Clive Johnson, of Sumas, who gives his age as 21, proved himself a young Lochinvar, when, with his sweetheart, Minnie Johnson, also of Sumas, whose father says she is only 14 years old, drove all night in pelting rain a distance of sixty miles to New Westminster, and took marriage vows ere the telegram from the father to the chief of police was received.

The message arrived just ten minutes too late. Mr. and Mrs. Johnson were leaving the residence of Rev. E. S. Henderson when the chief of police arrived on the scene. Johnson was then arrested on a charge of kidnapping.

H. B. Johnson, father of the youth, says that the young felow is only 17 years old, and that the girl is but 14. Both look considerably older, and have marriageable ages when applying for a license.

After detaining them for a while, the chief allowed them to go. Tired, wet and literally covered with mud from head to foot, they turned their team toward Sumas and started for home.

LIST OF MISSING IS NOW MADE UP

Three Bodies Recovered Yesterday From Ruins of Montreal Herald Building—One May Yet Remain

MONTREAL, June 21.—Three more bodies were recovered from the ruins of the Herald building this afternoon making the total called for by the list of the missing. The bodies taken out today were identified as those of Reuben Morrison, John Wade and Gustave Lippe.

Morrison, who had entered the office looking for employment in the sterotyping department on the fourth floor, was found sitting in a chair with his embrella still clasped in his hand.

But one body remains unidentified it should be that of John Cunningham, but his relatives say that it is not, and the only explanation is that some other body has been wrongly identified, or there is still a body in the ruins. This the foreman of the contractors considers probable from the strench arising from the portion of the ruins yet unexplored. If this is the case it will increase the number of dead from thirty-two the number of names on the official list of dead, to thirty-three.

OTTAWA CONTRACTS

New Department Wing—Tenders Invited for Superstructure of Quebec Bridge.

OTTAWA, June 21.—The contract for the construction of the new wing of the eastern department block was awarded today to Doran and Devlin, for $225,000.

Tenders have been called for the construction of a superstructure of the Quebec bridge to be received until September 1. It is expected that practically every great bridge building company in the world will submit a tender. The Dominion company of Montreal, will make an effort to secure the contract, and Krupps, of Germany, who have the largest iron and steel construction plant in the world, will also tender. Each tenderer must submit a guarantee bond of $1,000,000 to insure the government against loss.

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FOR JULY

Just Received

We invite you to hear them.

Will fit any kind of talking machine, and make your machine sound better than ever before.

Double Disc Records 85c. Cylinders, indestructible, 40c.

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1231 Government St., Sole Agents in Victoria

Sore Feet.

CHAFED PLACES, BLISTERS, &c.

Are your feet hot, sore and blistered? If so, try Zam-Buk. As soon as Zam-Buk is applied it cools and soothes injured smarting skin and tissue. Its rich, refined herbal essences penetrate the skin; its antiseptic properties prevent all danger of festering or inflammation from cuts or sores; and its healing essences build up new healthy tissue. For stings, sunburn, cuts, burns, bruises, etc.—just as effective. Mothers find it invaluable for baby's sores!

All Druggists and Stores.—50c. box.

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Select High-Class BOARDING College for BOYS of 8 to 16 years. Refinements of well-appointed Gentleman's home in lovely BEACON HILL PARK. Number limited. Outdoor sports. Prepared for Business Life or Professional or University Examinations. Fees inclusive and strictly moderate. L. D. Phone, Victoria 743. Autumn term, Sept. 1st.

Principal, J. W. CRUICK, M. A.

Publication of Racing Odds

TORONTO, June 21.—Ten cases brought against three morning newspapers of violation of the Miller act in publishing odds in reporting races were dismissed in police court this morning, the magistrate holding that the law did not apply. The charge against the sheet called "Daily Racing Information" was laid over for a week.

Q.O.R. Private Killed

TORONTO, June 21.—John Reginald Thorn, son of Sergeant Major Thorn, Davenport road, is dead as the result of being thrown and rolled on by his own horse at the Queen's Own pageant last night. He was a private in the Queen's Own, and as such was taking part in the pageant. He was riding his horse and playing the part of Joseph Shepard, one of William Lyon Mackenzie's rebels, when thrown.

NOTICE

I, A. E. Belfry, hereby give notice that, one month from date hereof, I will apply to Superintendent of Provincial Police at Victoria, B. C., for a renewal of my license for selling intoxicating liquors at the premises known as the Stikine Hotel, situated at Telegraph Creek, B. C., in the district of Atlin, to commence first day of July, 1910.

(Signed) A. E. BELFRY.

May 20, 1910.

LAND REGISTRY ACT

In the matter of an application for Duplicates of Certificates of Title to Lots 16 and 17 and 5, Block 5 (Map 283), Victoria City.

Notice is hereby given that it is my intention at the expiraton of one month from the date of the first publication hereof to issue Duplicates of Certificates of Title to said lands issued to James Watson Meldram, on the 15th day of October, 1890, and 26th day of May, 1893, and numbered respectively 10648 (a) and 16431 (a).

J. P. McLEOD.

Deputy Registrar General.

Land Registry Office, Victoria, B. C., the 27th day of May, 1910.

LIQUOR LICENSE ACT, 1900

I, J. W. Williams, hereby give notice that, one month from date hereof, I will apply to the Superintendent of Provincial Police at Victoria, B. C., for a renewal, to commence on the 1st day of May, 1910, of my license to sell intoxicating liquors at the premises known as the San Juan Hotel, situated at Port Renfrew, in the district of Esquimalt.

J. W. WILLIAMS.

Dated this 18th day of May, 1910.

STUMP PULLING.

THE DUCRET PATENT STUMP PULLER, made in four sizes. Our smallest machine will develop 16 tons pressure with one horse. For sale or hire. This is the only machine that does not capsize. Our machine is a B. C. industry made for B. C. stumps and trees. Our pleasure is to show you it at work. We also manufacture all kinds of up to date tools for land clearing, logging, etc. Particulars and terms apply 498 Burnside road, Victoria, B. C.

POULTRY AND LIVE STOCK

FOR SALE—Registered Jersey bull, 2½ years old; quiet, good, and cheap. Geo. De Maine, Ganges Harbor, Salt Spring Island.

WANTED—A HORSE SUITABLE FOR riding and driving. Apply 848 Colonist.