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JURY ON ROBBERS FAILED TO AGREE

Eleven For Conviction and One For Acquittal--Accused Will Be Arraigned Again Immediately.

Kamloops, B. C., May 31.—After debating seven hours on the evidence the jury in the Ducks train robbery case reported at 12.30 last night to the court they were unable to agree on a verdict and were discharged. They stood eleven for conviction and one for acquittal. Twice during the evening they came in for instructions, the points of contention seeming to be the question as to whether the peculiar tracks followed by Constable Fernie and his Indians were made by the boots worn by the prisoners. The accused will again appear before Mr. Justice Irving, when a new jury will be empanelled and a new trial will begin. New Trial in Progress. (Special to the Times.) Kamloops, May 31.—One lone jurymen held out for the acquittal of the alleged train robbers. Early this morning the foreman reported to Mr. Justice Irving that there was no hope of an agreement, so the jury was discharged. Eleven men stood for conviction of all three accused. The dissent is stated to be a Socialist

who has often expressed the opinion outside that no poor man should be convicted of any offence. A new trial was commenced this morning at 11. Mr. McIntyre, for the prisoners, made an application for a change of venue to Clinton, Revelstoke or Vancouver, but this was refused. Practically the same evidence will be submitted again. Great interest was taken in the trial. Many women attended the sessions, and yesterday at noon ate lunch-basket dinners and amused themselves with new patterns of fancy-work. At 2 o'clock Mr. McIntyre announced he would call no evidence. Deputy Attorney-General McLean spoke, then Messrs. McIntyre and Swanson, the last mentioned on behalf of Colquhoun. Mr. Justice Irving pointed out, in his charge to the jury, that they could bring in a verdict of guilty on circumstantial evidence. The jury left the court room at 6 o'clock. About 11 o'clock they came in and asked for instructions regarding certain distances and footprints. Then they struggled with the dissent again for several hours with the result as above stated. If the second trial fails Dunn will be charged with shooting with intent and the second trial will be held at Miner, alias Edwards, will be accused of the Mission hold up.

BUSY MORNING AT LOCAL TRIBUNAL

WILLIAMS HAS BEEN COMMITTED TO TRIAL

On Charge of Criminal Assault--Evidence in McConnell Case Did Not Justify Conviction.

Magistrate Hall was confronted with an exceptionally large flock in police court this morning. There was the Green-McConnell case, in which the former charged that the latter kept dogs that were a nuisance to the neighborhood in which he resided; C. M. Gowen, an automobile chauffeur, had to answer to the accusation of speeding through the streets of Victoria; John Williams, charged with criminal assault, again came up for a hearing behind closed doors, and, in conclusion, the remanded provincial case against the Chinaman, Chang Sing, accused of stealing a propeller at Esquimalt and disposing of it at Aaronson's pawn shop, is being continued. Naturally much interest centred in the first case on the list. All the evidence for the prosecutor, Mr. Green, and the defendant, T. P. McConnell, who was represented by Frank Higgins, had been taken at a previous session and the magistrate was to give his decision. As it was expected to involve the authority of the city council to enforce the section of the pound by-law, upon which the prosecution based its case, the summing up was listened to most carefully. The police magistrate said he wouldn't absolutely decide that the section of the pound by-law in question was ultra vires. It was his opinion, however, that a conviction could not be supported under its provisions. He dismissed the case on other grounds. These were that the particular circumstances in the charge under consideration were not such as were contemplated when the section was passed. The weight of evidence showed that for two minutes at the outside on twenty mornings in the month the dogs complained of barked. The inconvenience suffered was not of a substantial character. A sick woman living near the kennels, than the prosecutor had given evidence to the effect that she had not been disturbed by the noise during a period when she could sleep neither night nor day. To bring the case within the second of the sections of the by-law, the charge would have to be proved more serious. If this wasn't true, the by-law would have to be construed into an absolute prohibition of the keeping of dogs. In the new act, which would come into force on the 14th of next month, the keeping of dogs was dealt with specially. The section under discussion then would have no force, nor would the council have any power to deal with the question. For that reason he did not think it necessary to declare the section ultra vires or otherwise. The next case called was that of C. M. Gowen. The charge was driving an automobile along Government street on Saturday night at a speed greater than ten miles an hour. Asked to plead the accused said he "was doubtful." He, however, finally decided that he was guilty and was fined \$5, which was paid forthwith. The Williams case was ventilated behind closed doors, the evidence occupying the attention of the court until noon. It was sufficiently strong against the accused to warrant a committal, and consequently the magistrate sent the accused for trial. There being no time in the forenoon to deal with the charge of alleged theft by a propeller by a Chinaman named Chang Sing, the case was set for 4

THE MARIECHEN IS IN ESQUIMALT

SHIP WAS MOORED EARLY THIS MORNING

One Thousand Tons of Cargo Still in Steamer's Hold--Will Be Docked For Repairs.

(From Thursday's Daily.) At one o'clock this morning the steamer Mariechen was moored to a buoy in Esquimalt harbor after a long tow from Juanes behind the P. C. Salvage steamer Solvar. The vessel had been anchored in Cadboro bay the previous night and was brought on to port when the wind subsided last evening. As the ship stands it is impossible to state the extent of the damages which she sustained on the rocks at False bay. She is taking in a little water, necessitating the pumps being put in operation for a few hours every day. It is thought that the injuries extend pretty much over all the bottom. There is still 1,000 tons of cargo in the steamer's hull which was never discharged contrary to report first received. It was left in the ship for the purpose of keeping the vessel on an even keel and consists mostly of flour, and is thought to be pretty badly water soaked. The flour will now be discharged without delay. It has been purchased by Seattle company and will, it is believed, be shipped to that point as fast as it is unloaded. It will be about a week before the steamer is ready to enter the harbor where a survey of her injuries will be made. When this has been done tenders for the repairs will probably be called. In the meanwhile the dock will be used by the P. C. Marine Railway Company for the steamer Otter, a big collier which is coming from Union on Friday to undergo a cleaning and overhauling, which will take four or five days to complete. The Mariechen will then be placed on the blocks for possibly a couple of months. The vessel left Juanes for Esquimalt on May 19th and made stoppage a day at Takli, Ketchikan, and Cadboro bay. Considering her condition she stood the tow well and no trouble was experienced by the Salvor in bringing her to port. The ship Dulovich, which has been undergoing repairs for some time, is now in running shape again, work on her having been finished to-day. One of the contracts which the company have on hand, that of building a new quay for repairs at Esquimalt Head, has not been advancing as rapidly as the company could wish. This is owing to a scarcity of labor.

RAVAGES OF FLOODS

Damage in Umatilla County, Oregon, May Reach One Million Dollars.

Portland, Ore., May 31.—A dispatch to the Oregonian from Pendleton, Oregon, says that the damage in Umatilla county from the floods of the past two days may reach one million dollars.

CUSTOMS RECEIPTS

An Increase of More Than Half a Million Dollars Compared With Last May.

Ottawa, May 31.—The customs receipts for the Dominion during the present month amounted to \$4,124,288, an increase of \$98,586 over May, 1905. For the eleven months of the fiscal year the customs receipts were \$42,111,310, a total increase of \$4,488,092 over the same time last year.

BILLS REPORTED

Ottawa, May 31.—The railway committee of the Commons reported a bill to incorporate the Hill Crest Railway and Coal Company. It is an eighty-mile line from Morrisville, B. C. The Northern Commercial Telegraph bill was reported, giving the company an increase in capital to \$70,000.

MISSIONARY WORK.

Annual Gathering of the Junior Branches of Anglican Women. The junior branches of the Woman's Auxiliary to missions in connection with the Anglican church was held in the schoolroom of Christ church Cathedral Wednesday afternoon. Mrs. Perrin, president of the Woman's Auxiliary, presided.

A message of goodwill from the annual meeting of the Toronto branches was read at the meeting. Bishop Perrin in a short address, congratulated the branches on the first years' work.

Reports of the work done were read by the secretaries and treasurers, St. Christ church, St. John's, St. Saviour's and St. James' branches, in which it was set forth that bales had been sent to several missions and a Christmas tree provided for the Indians at Alert Bay.

Mrs. Cooper in an address traced the history of the diocese of Columbia from the consecration of Bishop Phillips in 1859 up to the present.

Rev. J. Grady gave an interesting address on missionary work in China. The bishop distributed the prizes and badges to the successful candidates in an examination recently held, including missionary work in India, and certain parts of the gospel and church catechism. In the first division the prize was awarded to Margaret Driver, who obtained 147 out of 150 marks; badges were presented to Marjorie Davies, Winnifred Andrew, Thelma Davies and Gladys Royds. In the second division Phyllis Burrell won the prize, and Phyllis Wollaston and Emeline Andrew obtained badges, and in the third Margaret Innes was given the prize.

The singing of the doxology brought the meeting to a close, after which tea was provided by the members of the senior branches.

MISSIONARIES IN SOUTHERN INDIA

EFFECT OF FAMINES UPON THE POPULACE

The Sufferings of Impoverished Classes Graphically Related by Rev. E. Lynn.

With the immense population of approximately 300,000,000 Hindustan has only between 2,000 and 3,000 missionaries engaged in enlightening the minds of the ignorant in regard to the truths of the Gospel of Christ and the elevating influences of civilization. Rev. Ebenezer Lynn, who is on his way to England, has spent no less than eighteen years at a station in the Madras Presidency, which covers practically the whole of Southern India. The recent frequent famines and the dearth and, in some instances, vicious customs which permeate all classes of native society, has made the work of those who have devoted their lives to the evangelizing of the heathen particularly hard. But they are not discouraged, and the latter states that things are gradually improving. The field is so large that the effect of the work of such self-sacrificing Christian spirits is scarcely perceptible.

In the famine which swept India in 1876-77 and which will be remembered by all because of the ravages it was reported to have created among the lower classes, Rev. Mr. Lynn affirms, some 7,000,000 lost their lives through starvation and disease. This, however, is now a matter of history. Orphans have been anchored in every general period of distress in different districts. These are so frequent that they are seldom heard of in the outside world. It is in these times of trouble that the missionaries carry on their labors of relief with indefatigable energy and gratifying results.

The lower classes, Rev. Mr. Lynn explains, are now impoverished along the best of conditions that the slightest scarcity means a tightening of the belt and short allowance. As a matter of fact in many parts no more than one meal a day is served. When the famine approaches the breadwinners of a family almost always set out to find work. Possibly he is never heard of again, and his better half follows him with the same object in view. The children are deserted as a preliminary step, it is said, of a most painful death. It is to the work of rescuing the little ones that the missionaries have devoted their energies. Orphan's homes have been established at many points, and many thousands have been gathered in and are being brought up in Christian environments.

Rev. Mr. Lynn says the moral standard throughout India is exceptionally low. The prevailing conditions were such as to cause a deplorable condition of affairs. Many took advantage of the famine conditions by selling their girls, left homeless as a result of the ravages of famine, to tender them aid, only to lead them into paths of sin and degradation. It was this practice that the missionaries were fighting strenuously, and he hoped with some success.

Still another influence which, he thought, tended to lower the moral standard, was the custom that had been practiced among the higher castes from time immemorial. It was that of child marriage.

To illustrate the work that is being done in the endeavor to ameliorate the distressing conditions of the poor, Rev. Mr. Lynn recounts the story of a remarkable and clever Indian widow. Having been converted she recognized the state of affairs and the imperative need for relief. She had secured the United States and other countries she erected a large home at a place near Poona, in the Bombay Presidency. This completed she started out on her own, and she has since that time sheltered beneath that hospitable roof, inspired by her example, a fellow missionary of Rev. Mr. Lynn's had a similar home for boys and girls and is doing work almost as necessary as that first mentioned.

In this connection, by-the-way, it is interesting to note that the former in his report on the famine in the Poona district predicts a hard winter, and that, in consequence, famine in the Poona district will be inevitable as, even if the forthcoming moon-son is normal, the resulting crops cannot be reaped until well on in 1907.

"Have the famines been on the increase or decrease in recent years?" queried the reporter while in conversation with Rev. Mr. Lynn. "They are not increasing," was the reply, but he could give no reason why that should be the case. He thought that perhaps there wasn't enough commercial and industrial activity. Everybody engaged in agricultural pursuits. Better times might be expected when the mineral resources were developed more extensively, although India, he hastened to remark, would always be essentially a farming country. There were 300,000,000 in India, and, consequently, the success or failure of the crops meant life or death. The completion of a railway system, however, had brought some relief. It was possible now to send food stuffs from one point to another quickly, and the government generally helped by establishing relief stations in the center of the district.

Moving in Rev. Mr. Lynn said, would be beneficial. India had many large rivers and a great deal of water, precious fluid representing life to thousands and thousands if it could only be diverted from its course, went to waste. Dams had been built in some instances, and the results had justified the predictions of the most sanguine. He believed that it would be undertaken more generally in the future.

LIKE A NEW DISEASE

New to the man who never had corns is the pain relieved by Putnam's Corn Cure and corns and new ones cured quickly by "Putnam's." Sold everywhere.

ATTRACTED TO PROVINCE.

Lieut.-Col. Swayne Will Take Up His Residence in the Okanagan.

Lieut.-Col. E. J. E. Swayne, the newly appointed governor of Honduras, who was in Victoria for several days, and enjoyed fishing on Vancouver Island, has purchased land in the vicinity of Vernon.

The colonel purchased the 640 acre property belonging to John Phillips on the south side of White valley adjoining the Leavitt ranch. The property also includes part of the old McKinnon range. The consideration was in the neighborhood of \$7,000. The colonel expects to return to the Okanagan in four or five years and take up his residence on his land.

Col. Swayne has been looking into the possibilities of the Okanagan as a suitable place for retiring India officers, and believes that it is just what the country needs. Fruit-growing, fishing, pleasant and profitable employment for little capital.

Another meeting of the local Trades and Labor Council was held Wednesday to further arrange for the reception and entertainment of the members of the Trades and Labor Congress when it convenes in this city in September next.

Various plans were suggested for duly celebrating the event, but it was finally decided to appoint a committee to wait upon the Victoria Development and Tourist Association for the purpose of securing its co-operation in a grand parade, which might exhibit the industrial wealth of the Vancouver Island to good advantage. It was also suggested that a dance should be held on some evening of the delegates are here. This meeting with considerable approval a committee was appointed to investigate and report.

It is impossible at present to indicate the number of delegates likely to come west, but the men who do make the trip will include some of the most representative in the labor interests of the Dominion.

In this connection the following editorial reference in the Winnipeg Voice of recent date will be of general interest: "Although it is not finally settled, it is very probable that the visit of the British labor members of parliament to Canada will take place towards the end of August. Their trip will commence in the East and work toward the West with the expectation of meeting the Trades and Labor Congress when it convenes in Victoria, B. C., about the middle of September. It was at first planned for the representatives to visit Australia and take in Canada on the return, bringing them here in December or January. Later communications from J. Ramsay MacDonald, the secretary of the Labor party, give promise of a change in these plans as mentioned above."

The labor convention in September next will be the first ever held in British Columbia, and incalculable good is bound to result from whatever favorable impression labor leaders carry away with them.

RAILWAYS SEEK YELLOW HEAD PASS

FOUR COMPANIES MAY USE THIS GATEWAY

Various Corporations Are Planning to Enter This Province and are Preparing for Building.

There is a likelihood that the Yellow Head pass through the Rocky mountains will become one of the busiest portions of the west within a few years. It is not improbable that within the near future four great railway systems, most of them transcontinental, will be carrying freight through this gateway into British Columbia.

The Grand Trunk Pacific may very reasonably be expected to avail themselves of that pass, although plans have not yet been filed at Ottawa showing that it will be the route. The company will exhaust every means to discover whether a better pass exists before electing to take the Yellow Head, but those in a position to know believe that the latter will be the way taken by the Grand Trunk Pacific through the mountains.

The Canadian Northern, according to their usual methods, are quietly pushing forward the surveys on the line to the coast and acquiring as a preliminary step, it is said, tracts of timber and mineral lands in the northern interior of the province. That line is also expected to come through the Yellow Head.

The C. P. R. will also take that route in providing a freight line from near Edmonton to the coast. This second line to be built to the Pacific by the Canadian Northern, the Canadian west is now acknowledged to be assured. Rufus Pope, ex-M.P., has returned east after spending several months in the west. He is credited with having said in the States, that the census of the P. R. activity in Saskatchewan and Alberta indicates that they intend to build westward from a point between Calgary and Edmonton and reach the coast through the Yellow Head pass.

Surveyors who know the Yellow Head say that there is abundance of room for all these lines to have separate tracks through the pass.

Incidental with the coming of the steamer is the Grand Trunk Pacific through to the Pacific by way of the Yellow Head pass it may be mentioned that each of them is supposed to end up at Bute Inlet. From there they will be used by the coasters of the Vancouver Island either by ferry or else by a bridge across Seymour Narrows. The C. P. R. will by extending the E. & N. to the north end of the island have a direct means of rail connection with Victoria when this is done.

The Canadian Northern, the friends of which say that it will reach the Pacific even before the Grand Trunk Pacific, is also known to have a desire to come to Esquimalt harbor. Wm. Mackenzie, the president of the line, when in Victoria last year, intimated to a friend that he came to see Esquimalt harbor particularly.

The various lines of railway concerned are all watching one another closely and British Columbia in general and Victoria in particular may be expected to reap a rich harvest from the construction of the roads.

STRIKE AVERTED

Number of German Metal Workers Have Withdrawn Their Demands.

Berlin, May 31.—The threatened lock-out sixty per cent. of the metal workers of Germany, which had been fixed for June 20th, has been averted through the striking foundrymen of Dresden, Breslau, Frankfurt-on-Main and Hanover withdrawing their demand for a minimum wage scale. The general association of metal working establishments yesterday posted notices in the shops throughout the country cancelling the order for a lock-out.

CIVIC FEDERATION

Committee Will Inspect the Tramway System at Glasgow. Dublin, May 31.—The investigation committee of the National Civic Federation Commission on the operation of public utility corporations which arrived at Queenstown on May 29th from New York, reached this city to-night and will leave for Glasgow to-day after inspecting the united tramways system.

BRITISH LABOR MEMBERS MAY VISIT VICTORIA

Will Probably Arrive Here During Trades and Labor Congress--Preparing For Reception of Delegates.

Another meeting of the local Trades and Labor Council was held Wednesday to further arrange for the reception and entertainment of the members of the Trades and Labor Congress when it convenes in this city in September next. Various plans were suggested for duly celebrating the event, but it was finally decided to appoint a committee to wait upon the Victoria Development and Tourist Association for the purpose of securing its co-operation in a grand parade, which might exhibit the industrial wealth of the Vancouver Island to good advantage. It was also suggested that a dance should be held on some evening of the delegates are here. This meeting with considerable approval a committee was appointed to investigate and report. It is impossible at present to indicate the number of delegates likely to come west, but the men who do make the trip will include some of the most representative in the labor interests of the Dominion.

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LATEST ADVICES FROM THE ORIENT

KANAGAWA MARU HAS UNEVENTFUL VOYAGE

Oriental Steamer Arrived This Morning--News Notes of Interest From Exchanges.

(From Thursday's Daily.) The N. Y. K. steamer Kanagawa Maru arrived this morning from the Orient, and left about noon. Twenty-nine Japanese came ashore at Victoria and 184 tons of freight, rice and other provisions were unloaded. The total passenger list numbered 189, of whom 45 were in the cabins.

M. Kaho, vice-president of the company, was on board, en route round the world on a pleasure tour, accompanied by his private secretary, N. Takayanagi. The general superintendent of the line, Shida, was also among the passengers, and will meet T. Yatsui, the manager, at Kobe, in Seattle for the purpose of arranging a schedule with the Great Northern railway.

Two American missionaries returned from their labors in the Orient. Rev. W. Woodman, who has been stationed in Japan, and W. A. Main, engaged in religious work in Shanghai. The latter was accompanied by his wife and child, J. Radolph, an engineer in the Spanish navy, was on his way home, having been returned from duty on a man-of-war now in Shanghai.

J. D. Costa de Moraes, Portuguese consul-general at Canton, is on his way to London, from whence he will go overland to Lisbon and report to his government. At Vancouver 29 Japanese and one American will be landed as well as a small amount of freight. The voyage was an extremely pleasant one, good weather being encountered the whole way across.

Advices received by the Kanagawa Maru show that the crisis in the recent famine are practically obliterated. There is now no distribution, and the new crop of rice is in first class condition. The Empire is considerably agitated over a verthe scheme to nationalize the railways, and already preparations are being made for the taking over of the roads in 1910.

Over half a million yen was realized from the seal, otter, cod, shark and tunny fisheries of Japan last year. Subsidies were paid by the government to two steamers and 35 sailing vessels, about 800 fishermen being employed in the industry. The catch of fur seals was 10,355 valued at \$2,100 yen and 153 seal otters valued at 76,500 yen. Cod, shark tunny, etc., realized 37,385 yen.

The Osaka Shosen Kaisha is negotiating a loan of twenty million yen with an English syndicate through the Japan Industrial bank. All the property of the company will be pledged as security, and the interest will be fixed at between 4 1/2 and 5 per cent.

Professor Kimura, who recently invented a new system of wireless telephony, has been the subject of ferocious attacks by several German authorities who allege the principles of his device have been stolen from the Wireless Telegraphy Company. Berlin. Prof. Kimura's inventions both in telegraphy and telephony have been adopted by the Japanese navy it is probable that official cognizance will be taken in the Canton and other rivers have caused considerable damage to crops, and a large loss of life. The country between Tamshui and Fatshan is almost entirely under water, and the latter place has been in the being, been transformed into a Chinese Venice. A total loss is reported of the rice crop, and the first silk crop will not reach more than 20 per cent. of the average. Famine appears to be in sight, and rice consumers are purchasing all they can at the present rates.

Kobe was en fete on May 19th and the average memorial services were held for the soldiers killed during the war. On the first day the religious ceremon-

LEAVING ARMOUR COMPANY

President Valentine Announces His Resignation--Has Nothing to Say Regarding Future Plans.

Chicago, May 31.—A. Valentine, president of the Armour-Gray Company since its organization in 1880, yesterday announced his resignation, to take effect early in July on the return from Europe of J. O. Armour, head of the Armour interests. Mr. Valentine declined to discuss his plans for the future except in a general way, saying that he has under consideration a number of business propositions.

Mr. Valentine for years has been one of the largest traders on the board of trade. He has engineered several of the most important deals in the history of the exchange, and he has had a tremendous following among operators both here and in other cities.

RAINBOW GROWER'S WILL

Leaves \$750,000 to Establish Viticultural Station at Fresno. San Francisco, May 31.—By the terms of the will of the late Theo. Kearney, the noted raisin grower of Fresno, who died suddenly several days ago on the steamship Coronia, while en route from New York to Queenstown, his entire estate, valued at \$750,000, is bequeathed to the University of California for the establishment of a viticultural station at Fresno. The will was made public yesterday by the Union Trust Company, executor of the estate.

TWO MORE DEATHS

Rawlins, Wyo., May 31.—William Wardlow and Jesse Keating, convicts, died at the state penitentiary here yesterday from the effects of drinking wood alcohol.

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