

MARTIN ACQUITTED ON LATEST CHARGE

He Will Leave Jail Before
Christmas, With Brandy
Awaiting Him.

Acquitted on a charge of having stolen brandy in his possession, and finding himself in possession of four bottles of Hennessy with which to celebrate Christmas, after he gets out of jail on December 15th, is the fortune of Barney Martin.

At present he is serving a term for stealing a quantity of beer, the property of the Victoria Phoenix brewery, and on Friday he appeared before Judge Lampson for trial on a charge of being in possession, knowing them to have been stolen, of three dozen bottles of Hennessy's three-star brandy, the property of R. P. Rithet & Co. For the same offense two of his companions have already been convicted in the police court some months ago.

H. D. Helmcken, K. C., appeared for the crown and J. A. Alkman for the accused.

Kenneth T. Hughes, a clerk in the employ of R. P. Rithet & Co., identified the bottles as labelled for sale in the United States, a consignment of which had come in over the E. & N. on January 12th, and was in the store at that time. Between January 14th and 18th a number of cases were stolen from the bonded warehouse. A similar consignment had come in in December and was at the time in their own bonded warehouse. A case or two had been sold here.

Frederick J. Morrison, customs officer on duty at the E. & N. station, told of finding the lock of the bonded warehouse broken when he went on duty on Monday morning, January 19th. Search revealed that ten cases of a consignment of brandy for R. P. Rithet & Co. had been stolen.

Detective-Sergeant Palmer had gone to Martin's house on February 12th with Constable McDonald, and in the presence of accused found, hidden in a false roof, two bottles of brandy, several beer bottles, an empty beer keg, brandy bottle labels, capsules, and paper wrappers. Under the sidewalk in front of the house were found two full five-gallon kegs of beer.

Mr. Helmcken was proceeding to ask about a boat which was reported stolen, when Mr. Alkman objected that this could not have anything to do with the charge of having in possession. The question was allowed, subject to the objection, as showing that the stuff could have been taken away by water.

Detective Palmer stated that a boat had been reported stolen and had been found subsequently at the foot of Pembroke street.

Constable John C. McDonald corroborated Detective Palmer's story. Martin had been arrested the morning of the search on suspicion of selling liquor to an Indian. The cabin rented by Martin was occupied by himself, Everett, Hayward and Fuller. John Everett was asked by the prosecuting counsel the formal question as to his address.

"I am living in the provincial jail now," he said with a smile. It later transpired that he is in jail for stealing beer from the Phoenix brewery.

Everett swore that he had seen about three dozen bottles of brandy in Martin's. These were brought down from the roof two or three bottles at a time by Martin, Hayward and Fuller, and were consumed by them and others who came to the house. He himself did not drink any brandy. Everett told of hearing talks between the other three of liquor, including brandy, and was in somebody's warehouse, and could be had for going after. He heard them going out in the middle of the night and coming back. From October until he was arrested in February he lived at Martin's, and was on good terms with Martin. There was always lots to drink in the house.

In reply to Mr. Alkman, Everett said he did not steal the beer for which he is doing time. He found Martin a very decent fellow, but he did not think much of him now.

"If you were such a good boy yourself, living in this den of thieves as you make out, why didn't you go out and reconvert with them when you heard them planning something you thought wrong?"

"If I did, I would have been thrown

out and I would have to go and live on the street," replied Everett.

"Were not you the one to steal this yourself?" "Never. The biggest stealing I ever did was in my mother's pantry."

Charles W. Macintosh, E. & N. agent, gave formal evidence of the robbery of brandy from the warehouse, and Robert H. Shanks, of the B. C. Land & Investment Company, said Martin was the tenant of the cabin and always paid the rent regularly until he got into trouble.

His Honor held that while the brandy had most probably been stolen from somewhere, the crown had failed to identify the bottles produced as those stolen from the E. & N. warehouse, and there was the fact that some cases of brandy bearing a similar label had been sold here. He would have to dismiss the charge.

"Who gets the brandy?" asked Mr. Helmcken.

"My client ought to," Mr. Alkman said.

"I think that must follow from the judgment," the judge said.

TELLS OF RESOURCES OF

BRITISH COLUMBIA

Hon. R. G. Tatlow Speaks at

Meeting at Birmingham.

The Birmingham, Eng., Gazette and Express in its account of the 48th annual show of the Birmingham and Midland Counties Chrysanthemum Fruit and Floriculture Society, says:

Fruit, for which the show is famous far and wide, made a grand display, apples in particular being noteworthy for size and coloring. One of the most interesting features of the display was the stand of the British Columbia government, who sent a quantity of apples grown on standard trees in the open, and shown as packed in the original cases in which they have been brought 6,000 miles. In the open classes for collections of British grown fruit, the exhibits were splendid, and the apples suffered not by comparison with the colonial exhibits.

Walter Jones, chairman of the committee, presided at the usual luncheon, at which R. M. Palmer, a representative of the British Columbian government, proposed "Success to the Society," and congratulated the promoters on having such a fine exhibition.

In connection with the exhibition R. G. Tatlow, minister of finance and agriculture for British Columbia, kept up an interesting lecture which he delivered in a side room of the hall on the subject of British Columbia. The province, he explained, has an area of some 400,000 square miles, with a population not exceeding 300,000. They were anxious to obtain a larger population, and they were particularly anxious that it should be of the Anglo-Saxon race. He claimed that the friends of the province were not doing enough to attract other colonies, because the climatic conditions were so very similar to those of the Old Country. He drew attention to the object lesson they had at that exhibition of fruit grown in the country.

With the aid of cinematographic pictures Mr. Tatlow was able to give the audience an insight into the industries of British Columbia in the way of timber, agriculture, dairying, fruit growing, poultry farming, and fishing.

Dealing with the big wheat fields and cattle ranches, Mr. Tatlow observed that, so far as the southern portion of the country was concerned, they were rapidly giving way to the fruit farmer, who obtained from 20 to 40 acres of land, and found that industry very profitable. The prices of eggs and butter gave great opening for both dairy farming and poultry raising, as in addition to the home population the producers supplied the mining fields of the Yukon. Mr. Tatlow imparted other interesting information relative to the country's resources, and especially dwelt upon the rich coal and iron fields.

RECOVERING BODIES

AFTER MINE HORROR

**Eighty-two Brought to Surface
—Number of Others Are
Located.**

Pittsburg, Pa., Nov. 30.—Eighty-two bodies have been recovered from the Marianna mine of the Pittsburg-Buffalo Coal Company, at 8 o'clock this morning and these bodies now rest in the improvised morgue. Thirty more bodies have been located in the wrecked mine and these will be brought to the surface at once. Of the victims 23 Americans have been identified.

—Two permits have been issued by the clerk of the Oak Bay municipality for new houses on the Alexandra Park estate. The houses are to be built for the British Canadian Land Company by DeRoussin and Gibson, with S. MacLure as architect. They will each have one and a half stories, the one on Bowker avenue to cost \$3,400 and one on Beach Drive to cost \$3,500.

GUNBOATS FOR YANK TSE KIANG
Vessels Detached From Pacific Fleet to Protect American Interests.

Washington, Nov. 28.—Directions have been cable to Admiral Harbor, commanding the Pacific fleet at Manila, to send two of his vessels to the Yang Tse Kiang river country, China. This step is taken as a matter of precaution, it being deemed wise to have available United States naval representation in the event of any serious trouble in which American interests might be jeopardized or the safety of the missionaries imperilled. A dispatch received at the navy department yesterday announced the departure of the gunboat Wilmington from Cavite for Hongkong, presumably on her way to Yang Tse Kiang.

FEW VICTORIANS ARE GOING TO EUROPE

Business Activity on Coast Interferes With Holiday Travel.

There has been scarcely any travel to Europe for the Christmas holidays. Last year there were a good many Victorians going to their former homes to spend Christmas, but this seems to have almost stopped. There has been a good deal of speculation as to the reason why people are not going to the Old Land this year, the only satisfactory one given being that the coast is on the verge of a great development movement and that everyone who is in a position to travel prefers to remain at home and look after business. The opening of a new city, the building of a new railway, the development of an immense country, and the general advancement which this western country will get from the advertising it is receiving, all tell of great changes for the better, and those who are in any way interested in business or finance feel it best to be on the ground to look after their own interests.

LARGE AREA OF FARM

LANDS DISPOSED OF

F. M. Rattenbury Has Sold

Holdings in Nechaco Valley.

The farming sections along the line of the G. T. P. in British Columbia are being put through from time to time involving very large sums of money.

One of the early speculators in the field was the late Peter Larsen, the railway contractor of Helena, who died some time ago. Through E. C. Matthews, who represented Mr. Larsen, large areas were secured. Some of these have been sold and among the purchasers of a block was F. M. Rattenbury, of this city.

Now, Mr. Rattenbury has disposed of his interests to Trafford Hutcheon, of Seattle, the deal being put through by G. M. Davis, of this city, who as a surveyor spent many years in the north, and knows the country well. The land sold embraces over 11,000 acres located in the Nechaco valley. The sum realized is reported to be close to \$150,000.

The purchase of vast areas in the north for speculative purposes is condemned for the most part to persons in the United States. The Appleton company, of Seattle, have a large section in the Nechaco, which is being put on the market at the present time.

Other deals, involving 6,200 acres of Bulkley and Nechaco lands are also said to be pending, the prospective purchaser being a resident of the United States.

CONDOLENCES SENT.

Natural History Society Has Forwarded Resolutions to Friends of Former Members.

Mention was made previously that the Natural History Society at its last meeting passed resolutions of condolence to the friends of the late Sir Henri Joly de Lotbiniere and the late Dr. Fletcher.

The resolutions, which were unanimously adopted and have been forwarded to the friends of the deceased, were as follows:

Moved by Frank Sylvester, and seconded by Canon Beaulieu: Whereas death has removed from our midst Sir Henri Joly de Lotbiniere, an active member of this society, and one who always evinced a great interest in the welfare of the society, and science in general, we, the members of this society, hereby desire to express our sincere sorrow and regret that this great and good man, full of years and honor, is no longer with us;

Resolved that we tender our sincere and heartfelt sympathy to his bereaved family in the irreparable loss they have sustained;

Resolved that a copy of this resolution be sent to the family of the deceased and to the local press.

CARL LOWENBERG, President.

FRANK SYLVESTER, Hon. Secretary.

Moved by James A. Anderson, seconded by Dr. Newcombe: Whereas death has removed from this life Prof. James Fletcher, an honorary member of this society, a man who devoted his life to science;

Whereas his death can only be viewed as a national loss, we, the members of the Natural History Society, hereby express our sincere regret that this great and good man is no longer amongst us;

Resolved that we tender our heartfelt sympathy to the bereaved family in the irreparable loss they have sustained;

Resolved that a copy of this resolution be sent to the widow and family of the deceased and to the local press.

CARL LOWENBERG, President.

FRANK SYLVESTER, Hon. Secretary.

ADATO COMING.

Steamer Due to Bunker at Comox December 8th.

A. T. Prichard, Tacoma agent of Waterhouse & Co., Friday received word that the British steamer Adato would be substituted for the Boverio, another Weir freighter, in the Oriental service for the December 11th steaming of the Weir-Waterhouse line.

The Adato left Mollendo for Comox, B. C., November 11th. She is due at the British port December 4th. After replenishing her bunkers she will come to Tacoma December 6th to load for Japan, China, and Manila. What disposition is to be made of the Boverio was not announced.

GIVE THE CHILDREN PLENTY OF FRUIT

IT HELPS TO KEEP THEM WELL.

In a growing, active child the cells of which the body is composed are being worn out—and replaced—very rapidly. This dead tissue must be gotten rid of somehow, and the danger is that the eliminating organs—the bowels, kidneys and skin—may not do their work well enough. Then the blood becomes poisoned and the child does not thrive.

Nothing has such an invigorating effect on these organs as ripe fruit juices. Apple juice increases the action of the kidneys; other fruit juices stimulate the liver to secrete more bile, and bile produces easy and regular movements of the bowels; others stir up the glands of the skin to throw off more waste matter.

The difficulty is that to get these effects a great deal of fruit must be eaten, and the excess of pulp and woody matter may upset the digestion. The better way is to give the children "Fruit-a-tives," which are tablets made of concentrated fruit juices with valuable tonics added.

"Fruit-a-tives" have the combined effect of all the different fruits, eliminating all the waste matter, curing constipation, toning up the system, and keeping the children plump and rosy. 25c for a trial box. 50c. for regular size—4 boxes for \$2.50. Fruit-a-tives Limited, Ottawa.

MAYOR INSTITUTES

LIBEL PROCEEDINGS

He Takes Action Against the

Peoples' Press.

Mayor Hall has decided to take action in regard to the cartoon which appeared in the last issue of the Peoples' Press, and has instructed his solicitor, D. S. Tait, to institute proceedings.

Information has been laid and a summons is in the hands of the police for service this afternoon, charging the Peoples' Press Company and Phil R. Smith with defamatory libel, in having printed and published the cartoon complained of.

The preliminary inquiry in the case will be held in the police court on Tuesday morning next, at 10 o'clock, where the offence of defamatory libel is proved is either fine or imprisonment.

WATCH KEPT ON BOYS.

Explanation Made to Magistrate This Morning Relative to Offenders.

(From Monday's Daily.)

The parents of the two boys, James Watson and Paul Medina, have been given a week longer to carry out the agreement to send them away from the city on which the crown agreed to their release on suspended sentence.

When the police court had been cleared this morning the boys were called but did not appear. Chief Watson and Medina's stepfather, H. Rudge, were in attendance to represent them. Magistrate Jay recalled the understanding that had been given through counsel for the boys, and told the parents that it was not right either to the boys or the public for them to ignore this understanding. For that reason he had thought it right to bring the matter up again in order that some understanding might be arrived at as to what the parents proposed to do. The matter could not be allowed to go on.

Mr. Rudge said that Medina was at home all the time except for having gone to a show once or twice, and once to get a hair cut. His mother did not want to send him before the mast, and it took some time to find a ship which would be suitable. Negotiations were going on with the captain of a vessel now loading at New Westminster. Mr. Rudge repeated that the boy was kept at home and was looked after.

"This delay is having an unwholesome effect on other boys, who know these lads were charged with a series of offences, and see them allowed out, apparently to do as they like about the city," said the magistrate. "When will this vessel sail?"

Mr. Rudge replied that the captain would let them know when he would be ready. The boy himself wanted to be away in the worst way.

Chief Watson said the boys were chafing severely under the restraint of being at home, and were really getting far more punishment than the one who had been sent away.

"I have not to consider the boys, but the public," interrupted the magistrate.

Chief Watson remarked that no humane person would want to ship boys away and have them landed at some foreign port with a few dollars in their pockets. As far as he was concerned he was making strenuous efforts to get his boy away, and most likely this week he would be placed with people by whom he would be properly cared for, and where he would be away from the chance of getting into trouble. The chief added that he knew there was a good deal of feeling in this matter, but his boy had not been away from the confinement of his home except twice.

Once when he had taken him to the woods for fresh air and once half a block away with his mother.

The magistrate remanded the case for a week, and expressed the hope that meanwhile steps would be taken to live up to the agreement given.

EVACUATING CUBA.

U. S. Troops to Be Gradually Withdrawn From Island.

Havana, Nov. 28.—The first step in the direction of a concentration of the American troops in the island, preparatory to evacuation, was taken yesterday when a small detachment of marines in garrison in the Isle of Pines was ordered to proceed to Camp Columbia on December 1st. Orders will probably soon be given for the abandonment of many of the smaller posts throughout the country.

PRINCESS MAY HAS UNEVENTFUL TRIP

Steamer Northland Was Seen
at Anchor in Village Bay.

(From Friday's Daily.)

The Princess May arrived this afternoon from Skagway and way ports with a fair list of passengers. There were very few miners or timber men on board and the trip was very uneventful. Mrs. Wynn Johnson and family came down from Skagway and J. McDonald also came to this city. The trip was a fast one, the weather being very favorable all the way. There were no fogs to delay, no wind and little rain.

The captain of the Princess May saw the steamer Northland at anchor in Village Bay and he also met the Jolliffe about mid-way between Victoria and Active Pass.

The next hive review will take place on Tuesday, the 8th of December.

BRIDGES SWEEP AWAY IN

BELLA COOLA VALLEY

Several Structures Are Also

Damaged by Recent

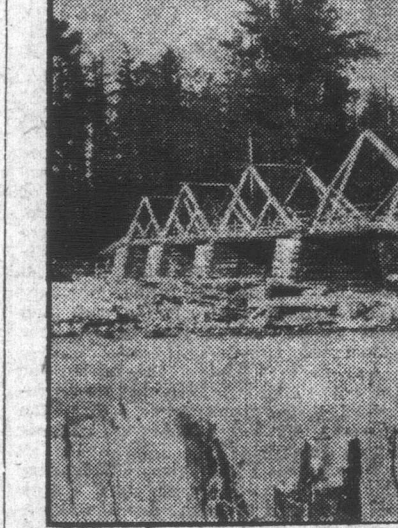
Flood.

(Special Correspondence.)

Bella Coola, Nov. 25.—The recent heavy rains, which followed a fall of snow, caused the Bella Coola river to overflow, washing out one bridge and

damaging several others. The total damage is estimated at \$15,000.

The Saltspring bridge at Hagensborg was swept away. This bridge was about 300 feet long. One span of the Nanasatsum bridge was also washed out while a number of smaller structures



NOOSATSUM BRIDGE, OVER BELLA COOLA RIVER, BEFORE FLOOD.

ing. He was operating a drilling machine and fell from a raise, a distance of 15 feet. He received a gash in the face and his nose was broken, but the injuries were not considered serious. Friday he discussed the probability of being able to be around in a day or

two, but at midnight meningitis set in and he succumbed at noon yesterday. Wray had been operating in the mines here for three years, was well-known and highly respected, and was a member of the Masonic order and of Phoenix Miners' union. He was born at Owen Sound, Ont., and came here from Nelson, where he was married four years ago. Deceased was 28 years of age, and leaves a widow and two children.

EXPLOSION SHAKES BUILDINGS.

A Few Windows Are Broken, But No One Hurt.

Ladysmith, Nov. 27.—The death occurred yesterday of Mrs. Jas. Kerr. Mrs. Kerr had been ill for some days, but appeared to be recovering. On Sunday last she caught a chill which rapidly developed serious complications, and she passed away yesterday.

An explosion which shook buildings created considerable alarm occurred yesterday. Investigation proved that some stumping powder had exploded out at the scene of the land clearing operations being carried out by the C. P. R. Some powder had been left to dry out by the fire, with the result that it exploded. Fortunately there was no one round, and save for a big hole in the ground and a broken window or two no damage was done.

Mr. and Mrs. Robert Gordon, of Third avenue gave an enjoyable whist party last night.

The court of revision which will deal with the municipal voters' list for 1909 will sit at the city hall on Monday, December 21st, at 10 a. m. The required notice has been posted by the city clerk advertising the sitting of the court.

Hon. W. J. Bowser, attorney-general, is in Vancouver, where his father-in-law, Mr. Deberry, is very ill and is understood to be dying.

TO FURNISH A ROOM.

Victoria Hive, No. 1, Ladies of the Maccabees, held an extremely pleasant social evening at the termination of the review at the last meeting. The occasion was marked by a presentation on behalf of the officers and members of a past lady commander's jewel to Mrs. Rathorn, who leaves shortly to spend the winter months with relatives in Los Angeles, Cal. The efficiency of the officers of the Lady Maccabees has been testified to frequently of late, not the least pleasing event in connection thereof having been the presentation of a very beautiful past record keeper's jewel and gold chain to Mrs. Minnie Myers, of the same hive, the lady having been so rewarded by the supreme hive in recognition of ten successive years' of faithful service.

During business routine the ladies of Victoria Hive decided to undertake the furnishing of a room in the new home for the aged and infirm of this city, a committee having been formed to choose a room before the members again meet. The evening terminated with a most enjoyable programme, followed by a delightful supper served by the ladies of the refreshment committee.

The next hive review will take place on Tuesday, the 8th of December.

PHOENIX MINER DIES

FROM MENINGITIS

Sustains Slight Injuries While

at Work and Dies Few

Days Later.

Phoenix, Nov. 25.—John R. Wray died in the general hospital here yesterday as the result of an accident in the Granby mines on Wednesday even-

ing. He was operating a drilling machine and fell from a raise, a distance of 15 feet. He received a gash in the face and his nose was broken, but the injuries were not considered serious. Friday he discussed the probability of being able to be around in a day or

two, but at midnight meningitis set in and he succumbed at noon yesterday. Wray had been operating in the mines here for three years, was well-known and highly respected, and was a member of the Masonic order and of Phoenix Miners' union. He was born at Owen Sound, Ont., and came here from Nelson, where he was married four years ago. Deceased was 28 years of age, and leaves a widow and two children.

EXPLOSION SHAKES BUILDINGS.

A Few Windows Are Broken, But No One Hurt.

Ladysmith, Nov. 27.—The death occurred yesterday of Mrs. Jas. Kerr. Mrs. Kerr had been ill for some days, but appeared to be recovering. On Sunday last she caught a chill which rapidly developed serious complications, and she passed away yesterday.

An explosion which shook buildings created considerable alarm occurred yesterday. Investigation proved that some stumping powder had exploded out at the scene of the land clearing operations being carried out by the C. P. R. Some powder had been left to dry out by the fire, with the result that it exploded. Fortunately there was no one round, and save for a big hole in the ground and a broken window or two no damage was done.

Mr. and Mrs. Robert Gordon, of Third avenue gave an enjoyable whist party last night.

The court of revision which will deal with the municipal voters' list for 1909 will sit at the city hall on Monday, December 21st, at 10 a. m. The required notice has been posted by the city clerk advertising the sitting of the court.

Hon. W. J. Bowser, attorney-general, is in Vancouver, where his father-in-law, Mr. Deberry, is very ill and is understood to be dying.

MYSTERIOUS DISAPPEARANCE.

Alexander Knowles Has Been Missing Since November 2nd.

(From Monday's Daily.)

Alexander Knowles, a former resident of Wapella, Sask., who has been spending his winters here for some years, has not been seen since he left the Hotel Metropole, Vancouver, on Monday, November 2nd, to return to Victoria. The fact that his coat was checked in the parcel office on board the C. P. R. steamer the same day would seem to indicate that he was on the boat, though of course it is possible that he might have got off before the steamer sailed.

Mr. Knowles had been here since early in September and was a guest at the Dominion hotel. When he left on the evening of November 1st he told the proprietor, Steve Jones, that he would be back in a day or two and he kept on his room, in which he had a good deal of baggage. James Knowles, a brother, arrived here on Friday expecting to find him, and when inquiry at Vancouver showed that he had left. As already mentioned the matter was reported to Detective Sergeant Palmer on Saturday night.

It is feared that Alexander Knowles has been the victim of an accident. His brother does not believe that he lost his own life, although he was known to be worrying considerably over ill-health. A strange thing in connection with his disappearance is that, some time before he went away he remarked to an acquaintance, Mr. Blyth, that in case anything happened to him or that he did not return he wished Mr. Blyth to take charge of some account books and other documents in his room. There is also the fact that the overcoat was never claimed.

Mr. Knowles was about 54, five feet eleven tall, sandy hair and moustache, turning grey and was dressed in a grey suit when he left for Vancouver. He was well-to-do but was not in the habit of carrying much money about. While here he has dealt a good deal in real estate and just before he disappeared he had sold a residence property in Victoria West and purchased a ranch near Swan Lake for himself. He never appeared to anyone here other than in a happy frame of mind.

Up to this afternoon the local police had learned nothing more of his disappearance.

Morocco, it is figured, must raise a loan of \$25,000,000 to pay its indemnities, recent war expenses, etc.

THE EXCLUSIVE STYLE STORE

The mightiest and most marvellous underpinning of **MEN'S HIGH-CLASS SUITS AND OVERCOATS**

Ever attempted in this city. Our clothing is known to be only the highest class hand-tailored, and imported cloth. Men who are in the habit of wearing \$35.00 and \$40.00 Suits will appreciate this extraordinary offer.

MONDAY MORNING

WE WILL PLACE ON SALE
\$35.00 Suits for \$25.00
\$30.00 Suits for \$22.50
\$25.00 Suits for \$20.00
\$20.00 Suits for \$17.50
\$15.00 Overcoats, cravenette and tweeds, for \$12.50
\$10.00 Overcoats for \$7.50
\$7.00 Overcoats for