PERMIT WILL NOW BE ISSUED

CITY COUNCIL STANDS BY FORMER DECISION

Sash and Door Factory Will Be Allowed to Build.

(From Friday's Daily.)

A dozen good men and true turned out last night to protest against the action of the city council in allowing the building of a sash and door factory in what they claim was a residential district between Douglas street and the Victoria & Sidney Railway, north of Market street. The protest was of no avail, however, and a motion by Alderman Turner affirming the former position of the council, was carried after some discussion.

The delegation of residents was led by W. T. Hardaker, who read a petition which was signed by a large number of residents, setting forth the reasons for their opposition to the project. Speaking on the subject, himself, Mr. Hardaker said he thought the council could never have considered or thought over the matter. They must have done it hastily or they would never have allowed it. Much had been done to improve the distict from a residential point of view. A number of fine houses had been built in the neighborhood. It would be as reasonable to build the mill on Linden Avenue as it would out there. There were many places on the Gorge road that were more like cow pastures than the site in question.

Noah Shakespeare referred to the fact that the Development League had spent a good deal of money advertising the city as a beautiful place of residence. They were now overthrowing all their arguments by establishing a mill in a residential part of the city. He thought there should be some regulation in the municipal law regulating this sort of thing. It was no argument to say that there were no fine buildings there. The uncalled-for proposal meant depreciation of property and higher insurance rates. He did not see why the ratepayers should be put to the inconvenience of coming there to protest. No one wanted to drive industries away from the city. He thought none of the aldermen would have voted for the mill if it had been going near their own homes.

Andrew Sheret seconded the remarks that had been made by the others. He affirmed that as long as he was here he would protest and if the mill was put up there he would have to move. The mill was meant to cater to the business of those building new homes, but the homes would never be built if the mill was put there. He paid a tribute to the wisdom of the building inspector in refusing to grant the permit and said the council should take his advice in the matter, and not the advice of the reporters.

W. Deaville said he objected strongly to the building of the mill and felt there must have been some misunderstanding or it would not have passed the council.

Sam Johns suggested that there was plenty of room in the neighborhood of the brickyards for a business of this kind. The establishing of the mill meant a depreciation in the value of property to the value of fifty per cent. To residents out there that would mean a total depreciation of fifty thousand dollars.

Mr. Kermode said the north ward was already overrun with objectionable things. He had to pay extra insurance already on account of Thorpe's factory being there. There were saloons and other annoyances in the district and he did not see why they should be forced to submit to the introduction of more nuisances. Many of them were so placed that they were unable to stand increased losses. The deputation then withdrew.

Later in the evening, when the matter was taken up by the council, Ald. Turner moved that the petitioners be informed the order had been given to the building inspector to grant the permit, and that the members of the council saw no cause to change their minds. It was all nonsense for these people to come and say the district was purely a residential one. He thought all industries of this kind should be encouraged. The mill on Yates street was nearer to his house than the proposed mill would be to many of the petitioners and he did not find it a nuisance and heard no complaints from the residents in that district. Personally he would like to see a mill come and locate on a vacant lot next door to him because he would then realize that the city was going ahead. The proposed site was surrounded by saloons and brickyards, and there was the Thorpe factory near by. It could not become a great residential site right alongside the railway.

Ald. Raymond, in seconding the motion, said he favored having the mill on the street line at Douglas street, as by doing so it would be less of a nuisance. He did not think they should do anything to prevent the mill coming to the city. The Development League was formed to foster this sort of thing.

Mr. Billings explained that it was not a mill they were proposing to establish but a sash and door factory. They were willing to place it back from the street if the council so wished. All the loading and unloading would be done back of the factory.

Ald. Humber said that if the factory was placed back from the street he would not oppose it. The motion was then carried without dissent.

ADMITS DIVORCE RUMOR.

New York, July 30.—Evelyn Thaw today confirmed the report that she would sue for divorce, saying that the papers would be served upon Thaw at the conclusion of the present examination into his sanity. She denied that she would go to Reno, Nevada, to start the suit, saying she would file it in this state. The ground upon which she bases the suit is the testimony brought out regarding Thaw's beating young girls.

TRACK LAYING IN HEDLEY DISTRICT

Line Being Rushed on to Keremeos as Fast as Possible.

Hedley, B. C., July 30. — There has been no let-up on the part of the track-laying, pile-driving and bridge-building between here and Keremeos. The bridge as Ashnola held up the track-layer for about a week until the piles could all be driven, but this has been completed.

Meanwhile the second steam pile-driver was at work on the second crossing and is now through with that.

On Twenty-mile the horse-driver piled the face of the high dump on the east end, and finished up there, when it was moved to the west end and it is expected that this will be completed soon.

The piles for the trestle across the bed of the creek will be driven by one of the steam drivers, and the horse-driver will move on to the dumps of the third crossing at Dr. Whillan's ranch.

ISLAND EXHIBIT HANDSOME ONE

HAS BEEN PLACED IN POSITION AT FAIR

Grouping in Mass of the Big Things of Vancouver Island.

Seattle, July 30.—An interesting and handsome exhibit by the Vancouver Island Development League and the Esquimalt & Nanaimo railway has just been added to the Canadian Pacific railway space in the agricultural building at the exposition, through the efforts of President H. G. Wilson, of the Victoria branch of the Island League, and L. H. Solly, of the E. & N. railway.

Some splendid specimens of Vancouver Island timber constitute one feature in fir, spruce and cedar and cedar shingles.

Animals, birds and fishes are represented by an elk's head, a 74-pound spring salmon and a wild swan from Ucluelet, exhibited by H. G. Hillier.

Coal from the Comox and Wellington collieries is shown, and copper and gold ores from various districts.

A distinguishing feature of the Vancouver Island exhibit is that it is in the mass. There is no petty detail, it is a grouping of the big things. Timber, coal, ores, marble, animals, birds, fishes, pictures—everything carries out the design of mass and magnitude.

HIS IDEA OF LIBERTY.

Russian One Week Out Was Running Amok in 'Frisco.

San Francisco, July 30.—Ludwik Kuzinsky, a Russian student touring the world, has been drinking in all the information possible about flying machines, Wright brothers, Bleriot and also other things. Therefore he grew enthusiastic last night on Pacific street.

With his eyes glued to the heavens he ran down the street flourishing a revolver, when two patrolmen gave pursuit. But Kuzinsky was not on murder bent. He saw airships, winged birds of passage. His hunting instinct was aroused, and just before the bluecoats fell upon him from the rear he fired two shots at the imaginary aeroplane.

At the jail this morning Kuzinsky said mournfully: "America is not much different from Russia. I have been here just one week and now I have no liberty."

WASHINGTON JUDGES.

Bar Association is Considering Charges Made Against Them.

Aberdeen, Wash., July 30.—State Senator J. W. Bryan, of Bremerton, last night filed charges with the State Bar Association against Superior Court Judge J. B. Yakey, of Kitsap county. The charges against Judge Yakey are that he has continually accepted and traveled upon a steamer pass between Bremerton and Seattle in violation of the statutes of the state of Washington, and that gross irregularities appear in the bills of service filed by Judge Yakey in King county.

The grievance committee of the Bar Association, which has under consideration charges filed against all members of the Supreme court of Washington, preferred by H. N. De Wolfe, a Tacoma attorney, is expected to report today.

SOME PART OF OLD EARTH GOT SHAKEN

Severe and Prolonged Shock Was Registered Early This Morning.

Cleveland, July 30.—Earthquake tremors lasting nearly an hour and a half were registered this morning by the instruments at St. Ignatius College. It is believed the shocks occurred within a radius of 2,000 to 5,000 miles from Cleveland.

The tremors began at 4:58 o'clock this morning and ended 6:25 a. m. The disturbance was most severe between 5:05 o'clock and 5:35 o'clock and was at its worst between 5:12 o'clock and 5:20 o'clock.

A TIMELY WARNING.

Taft—"Why should'nt I, Fritz? You used a similar club on him, did you not?"
Fritz—"Ach so! But ven I use, it com back undt hit me on ze eye!"
(A German delegate is on his way to Canada to try and arrange for better trade terms for the Fatherland.—News Item)

AIDS CANADIAN LUMBERMEN

COAST WILL PROFIT BY THE NEW TARIFF

That Is Opinion of Head of Lumber Association Across Line.

Seattle, July 30.—Edward Hines, of Chicago, newly-elected president of the National Lumber Manufacturers' Association and head of the largest retail lumber business in the world, who has just returned from a trip to Alaska, in discussing the action of congress in placing a duty of $1.25 on rough lumber, said:

"The lumber industry of this country has been treated unfairly by the leaders in congress in rejecting the senate lumber schedule of $1.50 on rough lumber. The action was most unjust. If all the industries had been forced to stand proportionate cuts at the hands of congress, the party pledges would have been kept. But as it stands, the lumber industry was sacrificed. A few members of both houses of congress, among them Representative Tawney, of Minnesota, pursuing purely selfish motives for their own political advancement, have from the start tried to block what the lumbermen are justly entitled to. The lumber industry was singled out and has been the centre of the attack from the start."

The principal effect of the reduction of the tariff, according to Mr. Hines, will be to greatly increase the shipments of Canadian lumber into the United States, affecting the coast particularly.

BAD MEN ARRESTED.

Murder Charge May Follow That of Burglary.

Seattle, July 30.—Peter Miller and Roy Williams are under arrest to-day charged with dozens of burglaries, and the police profess to be in possession of damaging evidence against Miller connecting him with the murder of Hugh McMahon, who was robbed and shot down in front of his home in this city on November 26th, 1908. A big diamond ring, stripped from the murdered man's finger and a watch, left with McMahon for safe keeping, were pawned in Spokane, February 1st, 1909, and recovered by the police soon afterward. Miller admits, according to the police, that he pawned the jewelry, but denies that he committed the murder. Charles Smith and George Rose, he says, handed him the loot. This pair was arrested here last February as highwaymen, but were released and ordered to leave town as no evidence could be secured against them.

HILL'S BUST ARRIVED.

Seattle, July 30.—The bust of James J. Hill, which will be unveiled in Klondike circle on the exposition grounds next Tuesday, arrived in Seattle today. The base for the statue is already in place, and the programme for the unveiling, which Governor John A. Johnson of Minnesota will conduct, has been completed. Mr. Hill is expected to be present in person. There will be a programme at the auditorium, preceding the unveiling, at which Judge Thomas Burke will preside and several noted speakers will be heard.

P. E. I. BYE-ELECTION.

Charlottetown, P. E. I., July 30.—The bye-election in the fourth district of Prince county will be held August 18th, Hon. Joseph Read having resigned his seat to contest the district again.

—The Nurses' Club will meet on Tuesday afternoon in the club rooms. A large attendance of members is asked for

OIL BURNING LOCOMOTIVES

AIM AT PREVENTION OF FOREST FIRES

Milwaukee Road Will Use Them in Washington and Idaho.

Seattle, July 30.—For the purpose of affording protection against fires in the forests of Idaho and Washington, the Chicago, Milwaukee & Puget Sound railroad is equipping about forty of its locomotives as oil burners.

H. B. Earling, general superintendent of the company, who is in Seattle today, declared that if the railway could avoid fires by precaution there would never be a burned stump along the line of that road.

The oil burners will be used on two divisions in the Bitter Root mountains and between Seattle and Cleelum, in the Cascades.

SHOT BY CONDUCTOR FOR NOT PAYING FARE

'Frisco Clerk Admits, However, That He Was Primarily to Blame.

San Francisco, July 30.—Charles C. Todd, freight clerk for the Southern Pacific railroad, was shot and probably fatally wounded this morning by Lloyd Brubaker, conductor of a north beach car. The shooting was the result of an altercation over the payment of a fare.

Brubaker was arrested shortly afterward and asserted that Todd pulled a gun on him when asked to pay his fare.

From his cot at the emergency hospital Todd avers that he had no weapon, or there would have been a double shooting. He told the authorities that he was at fault.

Brubaker shot the clerk through the neck, the bullet ranging downward and lodging in his shoulder. Brubaker claims he committed the deed in self-defence. He says that Todd first pointed a small gun at him, but no weapon was found on Todd.

MARK TWAIN PILOT FOR THE PRESIDENT

Will Renew Old Associations on the Mississippi Guiding Boat.

St. Louis, July 30.—When President Taft takes his trip down the Mississippi river from St. Louis to New Orleans, Mark Twain, the humorist, will act as pilot on the boat carrying the country's chief executive. The president's river itinerary has been completed, and includes stops at Cape Girardeau and Caruthersville, in Missouri; at Cairo, Ill.; at Memphis, Tenn., and Vicksburg, Miss. When a president of the United States takes a river trip Mr. Clemens has always been invited by the committee in charge to pilot the boat. The usual invitation was extended to Mr. Clemens on this occasion, and his friends, who say he has a high personal regard for Mr. Taft, declare he will agree to pilot Mr. Taft safely down the river. The humorist was asked to guide one of the vessels during Roosevelt's trip from Keokuk to Memphis, but was unable to accept.

TARIFF PROVIDES MAXIMUM DUTIES

MEASURE AS IT IS FINALLY AGREED ON

Imports to U. S. on Which Duties Are Lowered Are in Majority.

Washington, July 30.—Representative Sereno Payne presented the tariff bill to the House to-day. Under the rules neither House can amend the measure. It must be accepted, rejected or referred to a conference committee. The bill as presented is a decided victory for President Taft in his fight for downward revision.

Mr. Payne, in presenting the bill, explained that the duties had been lowered where they were too high, and raised where the tariff had not been sufficient for protection and where the importations were very great.

The bill includes: Free hides; free crude petroleum; duty of 45 cents a ton on bituminous coal; duty of 15 cents a ton on slack coal; duty of 15 cents a ton on iron ore; duty of $1.25 per thousand feet on rough lumber; Dingley rates on gloves; slight increase in the rates on hosiery; boots and shoes 10 per cent.; sole leather, 5 per cent.; dressed upper leather, 7½ per cent.; saddlery and harness, 20 per cent; duty of $3.75 a ton on print paper; free wood pulp, provided reciprocity is granted, otherwise ½ of one cent a pound; senate rates on finer goods of cotton; slight reduction on low grade clothes; slight reduction on low cotton cloth.

It also includes the corporation tax in lieu of the inheritance tax, senate maximum and minimum provisions, tariff board to advise the president but not Congress, customs court provisions, maintenance of the present drawback system, with certain privileges for millers importing wheat for the manufacture of flour.

Mr. Payne's statement shows that the annual consumption of lumber on which the duty is decreased amounts to $566,870,950, while that of the class of lumber on which the tariff is increased is but $31,280,372. Duties on all wines and liquors are increased, the value of the total consumption being $462,001,856.

The total consumption value of all articles on which the duty is raised is $852,512,525, while the total consumption value of all articles on which the tariff is decreased amounts to $4,498,122,122, according to Payne's list.

FOREST FIRES.

Serious Damage Threatened to Kootenay Timber.

Spokane, Wash., July 30.—The Northern Pacific railroad is sending as large a force of fire fighters as can be spared to Bonner's Ferry to-day to fight a forest fire which is said to be threatening the Kootenay forests.

The reports received at the forestry headquarters at Missoula, Montana, say that the flames have assumed alarming proportions and that great damage will result if they are not checked quickly. Fires also are reported along Clark's Fork and Gold Creek, across the Idaho mountain line. The Idaho forestry department has asked for aid from the Montana side and men are being sent.

MEXICAN CLOUD BURST.

El Paso, Texas, July 30.—A cloud burst at Lagos, Mexico, did great damage, washing away 25 houses and drowning three children, according to advices just received here. The cloud burst occurred yesterday during a terrific hail storm that killed hundreds of sheep and destroyed crops. Four inches of hail fell.

MILLOWNERS WANT FIRE PROTECTION

New Westminster Asked to Extend Its Water Mains to Lulu Island.

New Westminster, B. C., July 30.—As a result of the recent fire at the Barnet-McDonald mill on Lulu island, representatives of the Coast Central Mill Company, who purchased some property from the city on Lulu island for the purpose of erecting a shingle mill, and have cleared the land preparatory to the commencement of operations, are requesting more adequate fire protection on the island before they will commence actual operations, stating they can get no insurance rate under existing conditions. G. W. Beach, the representative of the proprietors in the city, wants some understanding before going ahead with the work.

A four-inch main at present serves the island, and when the waterworks extensions are completed, a six-inch pipe will be carried across the North Arm, quite independent of the Richmond main, which will not be tapped till it reaches the city boundary. Owing to the distance from the bridge industries located as far away as the Barnet-McDonald mill suffer severely when conditions arise such as those of Saturday.

NO CHALLENGE SAY WRIGHTS

NOT LIKELY TO GO TO SEATTLE FAIR

French Aviator, Bleriot, Says He Is Willing if the Brothers Are.

Washington, July 30.—Wilbur and Orville Wright, when shown the cablegram announcing Bleriot's willingness to accept a challenge from the Wrights to contest at the Seattle exposition, were puzzled for a reply.

"We have issued no challenge to Bleriot," said Wilbur. "We would be glad to have him come to America and show the Americans what he can do. He has the nerve and deserves the well merited honors now being accorded him."

"Will you issue a challenge for a contest with M. Bleriot for the Seattle prize?" Wilbur was asked.

"Well, that's putting it rather straight," he replied. "We have never issued a challenge and I hardly think we will. Our policy is not along these lines. We have many such propositions under consideration, but have not yet decided what we will do."

Bleriot May Come.

Paris, July 30.—Louis Bleriot, the French aviator who successfully flew across the English channel in his monoplane, appeared greatyl pleased when informed that the officials of the Alaska-Yukon-Pacific Exposition had offered a purse of $25,000 for an aeroplane race between him and the Wright brothers. He said: "If either of the Wrights challenge under the Seattle conditions, I shall immediately accept."

JOHNSON AS SPEEDER.

Fined in Detroit for Exceeding the Limit —A Little Play for Press Agent.

Detroit, Mich., July 30.—Jack Johnson, the colored gentleman of pugilistic fame, sprang a poser on the local police department yesterday when he was arrested for speeding his automobile.

Johnson's bond was fixed at $25. With an expansive grin, the negro indicated his willingness to ante. Hauling out his wallet, Johnson chuckled as he carelessly flung a roll of greenbacks on the sergeant's desk.

The officer picked up the money and nearly choked with astonishment when he discovered that the "wad" consisted of six new bills, each of which was of $1,000 denomination. The effort to secure change for one of the bills nearly bankrupted the neighborhood.

Johnson made his arrest the occasion for a little play for the press agent. He reiterated his promise to cover Jeffrey's $5,000 forfeit for the fight, and uttered dire threats of what he would do when he got into the ring with the Los Angeles boilermaker.

DRUNKEN BRUTE'S CRIME.

Homesteader Is in Jail With a Serious Charge Against Him.

Craik, Sask., July 30.—Alvin Neff, a homesteader in the Long Lake district, while under the influence of liquor, went to a neighbor's house where the woman was alone with her two children. He forced his way in, knocked her insensible, assaulted her and also abused the children. He came back the second time and drove her naked on to the prairie. He returned a third time and threatened to kill her and the children if she told. The woman and one of the children are in a serious condition. The prisoner, who is a married man, is faking insanity.

STOLE PORTRAITS OF VICTORIA CITIZENS

Winnipeg Artist Had Them Packed for Shipment When They Disappeared.

Winnipeg, July 30.—Victor Long, artist, had four thousand dollars worth of oil portraits for Vancouver and Victoria citizens stolen from the rear of his house, where they were awaiting shipment in boxes.

HILLSIDE AVE. AGAIN TORN UP

WATER DEPARTMENT BEING CRITICIZED

After New Main Was Filled In It Is Uncovered at Great Expense.

(From Friday's Daily.)

Citizens who have seen what is going on on Hillside avenue are to-day criticising in the severest terms the management of the waterworks department on the engineering side, which, as everyone knows, is as much under the control of the water commissioner as the oversight of the pumping stations and the collection of rates, and with which the city engineer has no more to do than any outsider.

There was recently laid a large steel main, leading from the Smith's Hill reservoir and dividing at the corner of Hillside avenue and Cook street, a main continuing down each thoroughfare.

It is only a week or so ago since the filling in of the big trench was completed. The earth was filled in, tamped, sluiced, sufficient left on the rounded-off top to allow for any slight subsidence, and the surplus neatly scraped off to the sides. The job was neatly done, and was in marked contrast to the manner in which the waterworks department left Douglas and other downtown streets. To hasten it Sunday work was put in on it.

What was the consternation of the residents to find that with the beginning of this week workmen reappeared with pick and shovel, carefully and laboriously digging holes in the refilled ground and exposing the big two-foot main. To-day, from the corner of Douglas street clear up to the Orphanage the street is marked with piles of earth. Every 25 or 30 feet, on an average, is a yawning hole in the ground. In one place there are three such excavations within a distance of 20 feet.

These holes go down to the level of the lower side of the main on both sides of it, a matter of five or six or seven feet, and they are all the way from four feet square up to eight or ten. A contractor's estimate is that in each of these holes in the ground is being buried about seven and a half dollars of the ratepayers' money.

What are they for? Well, that is a matter that makes the average citizen all the sorer. These holes are being scooped out so that the main can be tapped for the house connections. Citizens are asking why that was not done before the trench was filled in, instead of placing this additional and, as they claim, absolutely unwarrantable expense upon the city. If the connection could not have been drilled in before the main went down it could at least have been done before the pipe was covered in. A waterworks explanation that the filling had to be done to weight the main so it would not jump when the water was turned in to test it can be dismissed with the remark that in testing the high pressure mains, which had to withstand a much higher pressure, the joints were left not covered in. Why, citizens ask, was not the same thing done in this case, and the point where house connections had to be made left uncovered until the connectons were made?

THOUGHT BRIDGE WOULD BE STOLEN

Excited Citizen Called Police Force to an Alameda Structure.

San Francisco, July 30.—Desperadoes attempted to steal a whole bridge belonging to Uncle Sam and connecting Alameda with the outside world. The reason the bold, bad characters were foiled in their desperate undertaking is because a voice over the telephone said to Sergeant Harley, of the Alameda force:

"Say, is the Park Street bridge government property?"

"Sure," replied Harley, after a moment's hesitation.

"Then you had better telegraph President Taft and tell him that a couple of fellows are stealing his bridge."

"Great scott, that's treason, treachery and malfeasance against Old Glory and the constitution," shouted Harley excitedly, as he banged the receiver on the hook and rushed to apprehend the culprits.

Harley searched closely but the criminals had departed. Fearing, however, that they might return, the sergeant stood on guard all last night. The bridge therefore is intact except for two planks and some iron work that the strangers took away with them, probably as souvenirs.

SIXTY CENTS IN SIXTY DAYS.

Wife Charges That That Is All Husband Gave Her.

Aberdeen, Wash., July 30.—Edward Lowe, Jr., son of Edward Lowe, a multi-millionaire of Grand Rapids, Mich., is under arrest here to-day on the charge of wife desertion. Lowe and his wife came to Aberdeen about a year ago and have since made their home here.

Lowe met the woman, who was formerly an artist's model, in New York, and the marriage which followed was opposed by his parents. Mrs. Lowe made the statement to-day that she had been offered large sums of money by the father of her husband, provided she would apply for a divorce and resume her maiden name. The affair has created a sensation here, where the couple moved in the best society.

Lowe was arrested last night and lodged in the county jail. The wife says that Lowe has given her but 60 cents in sixty days, and that she is destitute.