

VOLUME 37.

VICTORIA, B. C., FRIDAY, JULY 2, 1909.

NO. 54.

SCHOOLS CLOSE FOR SUMMER

PROMOTION LISTS ANNOUNCED TO-DAY

Pupils Have Been Dismissed for Two Months' Vacation.

To-day the public schools closed for the summer holidays. In most of the centres exercises were held this forenoon, including the reading of promotion lists and the lists of winners of rolls of honor.

SPRING RIDGE. The closing exercises of the Spring Ridge school were held this forenoon, commencing at 10 o'clock. The pupils assembled in Miss Russell's room...

Promotions. First Prize to Second. Primer (Miss Russell): Mabel Alexander, Knott, Mona Drapson Jewell, Stella Mas...

Promotions. From 1st to 2nd reader—George Alben Foster, Marjorie Harriet Cullum, Mildred Florence Bassett, Ethel Maud Crowther...

Promotions. From 2nd to 3rd reader—George Montague Pusey, Howard Sydney Knott, Victoria Stewart, Paul Alan King...

Promotions. From 3rd to 4th reader—George Montague Pusey, Howard Sydney Knott, Victoria Stewart, Paul Alan King...

Promotions. From 4th to 5th reader—George Montague Pusey, Howard Sydney Knott, Victoria Stewart, Paul Alan King...

Promotions. From 5th to 6th reader—George Montague Pusey, Howard Sydney Knott, Victoria Stewart, Paul Alan King...

Promotions. From 6th to 7th reader—George Montague Pusey, Howard Sydney Knott, Victoria Stewart, Paul Alan King...

CITY DECIDES TO EXPROPRIATE

WILL OFFER \$850,000 FOR ESQUIMALT WORKS

This Decision Was Reached at A Private Meeting Last Night.

The city is going to offer the Esquimalt Waterworks Company the sum of \$850,000 for their entire undertaking—the works at Goldstream, the plant in Victoria West and Thetis Lake.

While it was agreed to proceed to expropriation, on motion of Ald. Stewart, seconded by Ald. Raymond, there were four members of council who thought that the city should carry out the wishes of the ratepayers, as expressed by the vote in 1908, and go to Sooke for a water supply.

TWO LOSE LIVES IN AUTO ACCIDENTS

Boy Run Over at Portland—Several Persons Injured at Aberdeen.

Portland, Ore., June 30.—Walter Raffling, the 11-year-old son of a tailor was run over and so severely injured by automobile driven by Harry L. Keats...

Aberdeen, Wash., June 30.—A big touring car containing a party of seven Aberdeen young people was overturned near Elma at an early hour yesterday morning...

FORD NO. 2 DECLARED WINNER OF RACE

Transcontinental Automobile Contest to Be Annual Affair.

Seattle, Wash., June 30.—At a banquet at the New York state building at the exposition grounds last night, at which Ford No. 2 was declared the winner of the Seattle to New York cup race...

HOLD-UP MEN ROB AUTOMOBILE PARTY

Stop Car in Seattle and Relieve Occupants of Cash and Jewelry.

Seattle, Wash., June 30.—Stopped on the Lake Washington boulevard by a barricade erected across the roadway, an automobile containing a party of prominent people was held up and robbed by two masked men of money and jewelry to the value of \$500.

On account of the absence of the principal, J. M. Campbell, assisting at the entrance examination, North Ward school had to closing exercises. The honor rolls were presented by the teachers in each room and the promotion lists read.

Promoted from Division II to Entrance Class (Miss C. A. Dowling teacher)—Lawrence Batcom, Agnes Beane, Murray Boucher, Ida Burton, Roxina Cath, Fung Chan, Arthur Coats, Charlie Coates, Violet Crook, Robert Dinicola, Catherine Foote, Charles French, Gladys Fulton, Arthur Grace, Walter Hall, Gladys Hesson, William Hick, Margaret Holt, Alma Irvine, Winnie Jamieson, Marion Kinaird.



AN ALDERMANIC ICONOCLAST. The man is breaking a sign that reads 'PARKS BOARD'.

CLOUDBURST CAUSES FLOOD AT HELENA

Street Car Traffic Interrupted—Loss Will Be Heavy.

Helena, Mont., June 30.—Residents of the city to-day are viewing the havoc wrought by a cloudburst which late yesterday afternoon sent a torrent of water through the principal streets and caused the destruction of much property and flooded innumerable cellars and subways.

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RAILWAY CASUALTIES IN UNITED STATES

Six Hundred and Sixty-three Persons Killed in Three Months.

Washington, D. C., June 30.—An increase of 94 in the total of railroad casualties, but a decrease of 45 in the total number of persons killed, as compared with the figures for the corresponding quarter last year, is shown for the months of January, February and March, 1909, by accident bulletin No. 23, issued by the Interstate Commerce Commission.

Kaiser Wins Race

Kiel, Germany, June 30.—Emperor William's yacht Meteor, steered part of the time by his Majesty himself, won the 50 mile race to Eckersfoerde yesterday, covering the distance in five hours and 10 minutes. The Germanina was second and the Iduna, owned by the Emperor's wife, was third.

PREFERS DEATH TO SURRENDER

MURDERER SHOTS HIMSELF THROUGH HEAD

Kills Parents of Divorced Wife and Ends Life When Pursued.

Des Moines, Iowa, June 30.—Run to earth by a posse, which was hot on his trail throughout the night, Carl Littlepage, a farm hand, aged 28 years, shot himself through the temple early to-day rather than face a trial on a charge of double murder.

CLUE TO IDENTITY OF MURDERED MAN

Believed to Be Grain Dealer Who Disappeared From Bellingham.

Spokane, Wash., June 30.—After searching for many days, Pendleton officers believe they have at last found a clue to the identity of the mysteriously murdered man whose naked body was found jammed into a box floating in the Columbia river opposite Pendleton, June 8th.

DROWNED IN ELK RIVER

Ferne, June 30.—W. T. Jones, aged about 40, was drowned in the Elk river here at 12 o'clock Monday night. Jones and three companions were going home. Jones, who is supposed to have been drunk, went to swim the river.

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HEAT CAUSES SIX DEATHS IN CHICAGO

Man Loses His Mind and is Found Unconscious in Street.

Chicago, June 30.—Six deaths as the direct result of heat have been reported here within the past 24 hours, although at no time in that period has the thermometer registered 90 degrees. It is growing warmer to-day and a return of the intense heat is predicted.

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SIX PERSONS ARE KILLED BY EXPLOSION

Bomb Hurling Into House While Large Party is at Dinner.

Paris, June 30.—A special dispatch received here from Lisbon, says that six persons were killed and four others seriously injured by an explosion which occurred at the dinner table of a large party at a restaurant in Lisbon.

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CHINESE AT WAR IN VANCOUVER

DEATHS FOLLOW OUTBREAK OF TROUBLE

Additional Police Officers Placed on Duty in Chinatown.

Vancouver, B. C., June 30.—Wong Gong is at the St. Paul's hospital dying; Mah Bing is dead from poisoning, and two Chinamen, whose names are hidden under many aliases, are dead from suicide; a reporter for a local Chinese daily paper has been threatened with death for being "a talking machine" and all Chinatown is in a ferment over a falling out among the Chinese gambling tongs.

The stabbing of Wong Gong was witnessed by a policeman yesterday in the notorious Canton alley, but before he could arrest the two Chinese who committed the deed they disappeared as if swallowed by the earth.

WILL BORE BIG TUNNEL

Harriman Will Build Road Under Peninsula Between the Columbia and Willamette.

TORNADO DEMOLISHES THIRTY HOUSES

Storm Sweeps Over Town in North Dakota—Seven Persons Injured.

Devils Lake, N. D., June 30.—Seven persons were seriously injured and 30 houses demolished by a tornado which swept the towns of Niles and Leeds, N. D., yesterday, according to telephone messages received here to-day.

FIVE MEN INJURED ON TORPEDO BOAT

Scalded by the Bursting of Boiler Tubes on the Hull.

San Francisco, Cal., June 30.—Five men of the torpedo boat Hull were terribly scalded last night when a boiler tube burst and filled the boiler room with steam. R. K. King, a fireman, will probably die of his injuries. The others injured are: J. M. Rober, water tender; Francis Crawford, fireman; John E. Carter, fireman; Newton Carsh, coal passer.

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ADVOCATES BIG NAVY INCREASE

ADMIRAL BERESFORD OUTLINES SCHEME

His Plan Includes Ten New Dreadnoughts and Many Cruisers.

The admiral's address, which was made before the Chamber of Commerce to-day, aroused the greatest enthusiasm among his hearers.

Ten Dreadnoughts in addition to the four provisional ships already provided for will be built before March 31st, 1914, under the admiral's plan. The scheme also included sixteen second class cruisers, eighteen commerce protecting cruisers and twenty ships of a new type similar to torpedo boat destroyers, but larger. The admiral also advocated the enlistment of 18,000 men for the proposed new ships.

IRON WORKERS TO STRIKE

Nearly Ten Thousand Men Will Quit Work in Pittsburgh District.

Pittsburgh, Pa., June 30.—Midnight to-night will mark the crisis of the strike provoked by the recent "open shop" order issued by the American Sheet and Tin Plate Company.

THE SOYA WINS MOTOR BOAT RACE

Captures Cup Presented for Vancouver to Seattle Contest.

Seattle, Wash., June 30.—The Soya, owned by the Puget Mill Company of Seattle and captained by Edgar Ames, crossed the British line of the great motor boat race of 22 miles from Vancouver to Seattle at 12:53 o'clock this morning. Her time was 24 hours and 55 minutes, having left Vancouver at 10 o'clock yesterday morning.

JAPANESE BUILDING AT FAIR

Dedication Ceremonies Will Be Held on July 21st.

Seattle, Wash., June 30.—The dedication of the Japanese building at the exposition on July 21st will be one of the notable events of the fair. The building has been used since the opening day, and the exhibits are all in place, but the dedicatory ceremonies have not been held.

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### SUNDAY CLOSING BY-LAW STANDS

#### COUNCIL WOULD NOT TAKE IT UP AGAIN

#### Deputation From City Churches Demands No Retreat Be Thought of.

(From Tuesday's Daily.)  
Fruit, confectionery, ice cream and tobacco in any form cannot be purchased in Victoria, on a Sunday after July 11. By seven to four the city council last night decided to stand by the Sunday closing by-law which was finally passed last week.

There was a large gathering of church members present in the council chamber, drawn there by the announcement that the people would be asked to vote on the by-law. Before the council went upstairs they were waited upon by a deputation representing city churches, who came to urge a "stand" attitude. In the deputation were Rev. T. E. Holling, Metropolitan church; Rev. H. A. Carson, Congregational church; Rev. J. E. Letts, Baptist church; W. H. Parsons, representing Centennial church; J. B. McCallum, Mrs. Jennings, Miss Marton.

Mr. Holling said the referendum vote last January showed what the people of Victoria desired and the council, as their elected representatives, could do nothing else but carry out their wishes. When a majority of the people instructed the council to legislate for clean, moral conditions it had to meet their wishes.

Mr. Carson drew a favorable contrast between Victoria's Sunday law and Seattle's. As for tourists wanting fruit or ice cream there were such regular institutions as restaurants and hotels to cater to that trade.

Mr. Letts said he could assure the council of the support of every right-thinking man.

Mr. Parsons said he knew of some asterners who had come here to relax but they would not bring up their children where conditions were such as they were here on Sunday. They were going to sell out their interests and one already done so.

Ald. Humber declared that if a by-law was framed which would prevent the selling of ice cream, fruit, tobacco refreshments by anyone, he would see to it, but he protested strongly against action which would throw the side into a few hands on Sunday, giving them a monopoly.

Mr. Holling remarked that the condition of the people was that all stores closed, and that was being met in a by-law. He has been informed that our citizens, several of them, are doing all-night business in selling liquor, till twelve o'clock they have the sidewalk crowded, from that until two o'clock they have the sidewalks from their four or five they get the badway patronage.

"You would not state it," said Humber.

Mr. Holling suggested that the question of selling liquor by restaurants on Sunday could be taken up in a separate motion. The matter was one of legislation and the council could not stop restaurants serving liquor with meals any more than it could stop a hotel serving it. It might as well go to stop the sale of a plate of soup in a restaurant as a dish of ice cream. The council had to look at these matters in reason.

Mr. Holling considered that it was rank injustice to saloons if a person could go into a restaurant at 3 p. m. and secure liquor. All should observe the same hours for selling and for closing the sale of liquor.

Mr. Carson promised the council that if any member of it introduced legislation to prevent restaurants selling liquor he would have the support of all the churches.

"You will have to get that from the legislature," said the mayor. "We tried and were beaten."  
Later in the evening Ald. Humber moved, seconded by Ald. Turner, that the Sunday part of it be knocked out and Ald. Turner, in any case, wanted to do away with the obligation to make a declaration every time a license is renewed, which happens twice a year.

The motion was defeated on the following vote:  
Ayes—Aldermen Stewart, Ross, Turner and Humber.

Noes—Aldermen Henderson, Fullerton, McKeown, Mable, Bishop and Raymond and the mayor.

Ald. Henderson then said he had pleasure in moving the final adoption of the by-law, and in doing so made a lengthy defence of himself from the imputation of rushing the by-law through its final stage a week ago.

"It is a peculiar thing that six of us did not hear the motion put," remarked Ald. Ross.

Ald. Humber was emphatic in opposition to the by-law. "I want to know where the difference is in going to a restaurant and buying a meal and a drink, or an ice cream, and going over there to some small refreshment stand and buying an ice cream or an orange," he said. "There is the widespread demand for this. We have 1,100 people asking for, to 1,500 against, out of a total of 2,643 voting, while the mayoral vote was 3,658. Where was the interest taken? If the people as a whole vote to close every place I will support a by-law, but I do not believe in giving these restaurants on Government street an entire monopoly. You are driving business up the Gorge. I defy any member of this council, or any of those brothers outside, to find a more orderly crowd than was at the Gorge last Sunday afternoon. I saw a Methodist

### WOMEN KILLED IN AUTO ACCIDENT

#### CAR COLLIDES WITH TRAIN AT SPOKANE

#### Machine Dashes Into Freight Cars Near Seattle—Seven Persons Injured.

Spokane, Wash., June 23.—Running at the rate of thirty miles an hour, an automobile last night crashed into a train on the Great Northern & Navigation railway, which was entering the city, and one person was killed and five seriously injured. The dead woman is Mrs. D. E. Margaret, of Bowman. Her husband, who was driving the machine, was seriously injured. The other injured are: Miss Mary Sterling, L. Corbelle, J. D. Williams, A. M. Ahlman.

Seven Injured, Two May Die.  
Seattle, Wash., June 23.—Three women and four men are in the county hospital at Georgetown, a suburb of this city, this morning suffering from injuries that are expected to cause the death of two members of the party as the result of a collision between the automobile in which they were riding and a string of freight cars on the Northern Pacific tracks near Van Asslet about 1 o'clock this morning.

### WILL CONSULT ITS OWN LAWYER

#### AT ELEVENTH HOUR COUNCIL SO DECIDES

#### Aldermen Want to Know Why City Barrister Was Ignored Before.

(From Tuesday's Daily.)  
A special meeting of the city council will be held to-night to deal with the water question. At last night's meeting the opinion of E. P. Davis, K. C., Vancouver, was referred to W. J. Taylor, K. C., the city barrister, who will give his opinion on the extent of the city's powers to appropriate the undertaking of the Reginald Waterworks Company.

There was some comment at the meeting in regard to the council having gone over the head of its own consulting counsel, who is considered one of the cleverest and soundest lawyers in Canada, to get the advice of an outside lawyer, no matter how eminent. It came out that Mr. Taylor's opinion never has been asked for on the matter before. The suggestion to consult Mr. Davis was made to the council on June 10th by City Solicitor Mann, who said he was "an absolutely free and unbiased man and the most eminent in the whole province."

This leads up to an interesting little story. It appears that at the private session of the council held last Thursday evening, after Mr. Davis' letter had been read and Mr. Taylor had been asked for an opinion, the latter turned to City Solicitor Mann and intimated to him that he was not an unbiased man and that he was not to be trusted. This was a talking-to which was enjoyed by the aldermen. Mr. Taylor, objecting particularly to the imputation of bias on his part, contended that the unbiased opinion of E. P. Davis as "unbiased," is understood that Mr. Mann denied using the words, but the members of council present had all heard him, and they said so. In the end, it is said, Mr. Mann apologized, so far as is known, however, the council gave no indication of explanation of its motive in ignoring its own counsel and asking an outside opinion before requesting his.

Ald. Turner asked last night if the city solicitor and city barrister had consulted with each other in connection with this matter before the getting of Mr. Davis' opinion.  
"You would have had your answer if you had been present on Thursday evening," remarked Ald. Fullerton.

"I suppose the solicitor and barrister consult on all these matters," said Ald. Turner. "I think it is in the public interest to know what the barrister and solicitor were doing in this matter before sending to Vancouver for an opinion. I am entitled to this information, and the public is entitled to it."

City Solicitor Mann modestly excused himself from answering the question that it was not of public interest.

"It is evident on the face of this resolution to refer Mr. Davis' opinion to Mr. Taylor now that our barrister's opinion has not been asked before," said Ald. Henderson.

"I take it, then, that the solicitor has acted off his own bat, in recommending that Mr. Davis' opinion be asked," Ald. Turner said.

Ald. Turner will post a notice of motion asking the question the solicitor would not answer.

### STORM FORCES ZEPPELIN TO LAND

#### Will Resume Voyage When Airship Has Been Repaired.

Biebrach Baden, Germany, June 23.—After battling three hours with a storm, Count Zeppelin, who ascended in his airship at Friederichshafen last night, was compelled to land here for repairs.

The Count's destination is Metz, and he will resume his voyage as soon as his airship is repaired. His voyage of 36 miles last night was made under the most difficult conditions and is considered an achievement.

### WILL VISIT CALIFORNIA.

U. S. Secretary of the Navy to Tour West in the Fall.  
Washington, D. C., June 23.—It was announced today that Secretary of the Navy George L. Von Meyer will visit California on a tour of inspection late this summer. The secretary will spend considerable time at the Mare Island navy yard, where he will watch the workings of the consolidation order that recently went into effect there.

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### HEAT AND POVERTY CAUSE MANY DEATHS

#### Infant Mortality Has Been Heavy in City of Washington.

Washington, D. C., June 23.—Seventy-five children died in Washington within the past six days as the result of heat and poverty, according to an announcement made to-day by the coroner. Charity workers have tried to alleviate the suffering of the poor and their efforts have probably saved many lives.

The death list is so appalling that many more benevolent persons look upon the charity work to-day and distributed ice among the poor mothers whose babies were threatened with death.

The weather bureau to-day predicted a general change to cooler in the weather in the north-east states, lake region and the northwest.

Relief for Chicago.  
Chicago, June 23.—Relief from the oppressive heat which has been responsible for many deaths in the last few days, came to give up with cool breezes from Lake Michigan.

The mercury fell during the night and to-day the weather is not causing nearly so much suffering as heretofore. Relief workers have not given up their efforts in the poor quarters of the city and much good is being done among the people who have not recovered from being stricken by the hot wave.

### DEPOSED SULTAN FEARS EXPOSURE

#### SON OF REFORMER PRESENTS CLAIMS

#### Midhat Pasha Alleges That His Father Was Killed by Abdul's Orders.

Constantinople, June 23.—The latest claim filed against ex-Sultan Abdul Hamid, many of whose former subjects are demanding indemnity from him for injuries alleged to have been suffered at his hands, has been filed before the government by Ali Halder Midhat Pasha, son of the unfortunate Midhat Pasha, who framed the Turkish revolution of 1908, and was subsequently killed, the son charges, at Abdul's order.

The deposed sultan is understood to be especially anxious to prevent the re-issuance of his former subjects' claims, but the plaintiff will prefer a claim for financial compensation, which he is unlikely to get if he refuses Abdul's terms, the ex-sultan having concealed the remnants of his fortune so cleverly that his enemies cannot find them, and that full publicity cannot be avoided.

Midhat, the elder, was exiled after Abdul had suspended the constitution, holding the Northern Pacific Railroad Company guilty of violating the 1907 law, limiting to sixteen hours per day the employment of trainmen.

Olympia, Wash., June 23.—The State Supreme court has unanimously affirmed the decision of the local Superior court holding the Northern Pacific Railroad Company guilty of violating the 1907 law, limiting to sixteen hours per day the employment of trainmen.

The company admitted the men had been employed 18 continuous hours, but contended the state law did not apply, first, because the men were running between Seattle and Huntington, B. C., engaged in interstate commerce, and, second, because congress had passed a sixteen-hour law, which, while not in effect at the time, barred any state law.

### OREGON LAND CASES.

Portland, Ore., June 23.—Francis J. Heney, the prosecutor of graft, is en route to Portland in an automobile in accordance with a promise he made that as soon as the verdict in the Calhoun trial was reported he would come north to act as advisory counsel for the Portland Daily News in libel suits growing out of charges of land grabbing made by the paper against certain prominent Oregon men.

Since the Daily News published the charges involving Wm. Hanley, the wealthy rancher of Harney county, Oregon, who C. S. Wood, its attorney, of Portland, Hanley has been found guilty by a federal court on the accusations brought against him by the newspaper.

An appeal which he took is pending. It is expected that the libel-suits will be brought to trial in September.

### CHERRY DAY AT EXPOSITION.

Seattle, Wash., June 23.—Skagit Valley week at the Alaska-Yukon-Pacific exposition was inaugurated yesterday, but will not reach the climax of its celebration until Thursday and Friday, the first of which is Cherry day, while on the second, the Washington state building will be the scene of a rose festival and reception by the ladies of Skagit county. Mrs. Gus Hensler, of Anacortes, chairman of the committee having the entertainment in charge, is a guest at the Washington hotel. Mrs. Hensler and Mrs. Margaret Tentland, of Mount Vernon, Wash., will be the hostesses of the day, assisted by about sixty prominent women of the various cities of Skagit county.

"Every demand we made," he said, "was granted by the company's officials. Our cause was just, and we triumphed."  
President Callery of the Pittsburg Railway Company, admitted the strike of the company, but refused to make any statement, further than the strikers had lost the points at issue.

### LOSES LIFE IN FIRE.

Wallace, Idaho, June 23.—In a fire that destroyed the Western hotel yesterday, Oskar Anderson, a cripple, who was employed as porter, was burned to death. He had awakened all the guests and they had escaped from the burning building. Anderson returned to the building to secure some of his personal effects and was overcome by smoke. Several guests saved themselves by jumping from the windows.

The building had been partially destroyed by fire on two previous occasions this year.

### CONSTABLE AND BANDIT KILLED

#### FATAL FIGHT WITH SUSPECTED ROBBERS

#### Murderer of Officer Escapes and is Being Pursued by Posses.

Vancouver, B. C., June 23.—Posses are in hot pursuit to-day of the four bandits who held up a C. P. R. railroad train at Ducks, on June 21st, and who in a revolver duel last night, shot and killed Provincial Constable Decker. The partner of the murderer was killed by Decker, as the latter lay dying from his wound.

The pistol fight occurred at Ashcroft while Constable Decker was endeavoring to arrest two of the four men who are supposed to have been implicated in the train robbery. The constable found the men crossing the Thompson river in a rowboat. Upon landing, he commanded them to surrender. Quick as lightning one of the men drew a revolver and fired. Decker fell, mortally wounded, but raising himself on his arm, he shot the officer sent a bullet through the back of the companion of the man who had shot him down. The constable's murderer fled, and is now being closely pursued by posses.

Bloodhounds on the Trail.  
Ashcroft, B. C., June 23.—Several armed posses are now scouring the trails with bloodhounds hot in search for the robber who shot and killed Constable Decker last night. Word has just been received from Detective Draper of Spokane, who has charge of the bloodhounds, that the robber has been traced to some old mining tunnels at Penticton about six miles east of Ashcroft and he has asked for more assistance to enable him to capture the murderer.

The dead robber has been identified as the man who ordered the engineer to stop the train at Ducks. Two girls told the police that up to the time the men passed 42 miles above Ashcroft three men were in the boat, but one got out. Thirty pounds of dynamite was found in the boat, and it is thought the robbers intended holding up a train at Ashcroft to get some cash to take them to the coast.

### CONFIRMS CONVICTION OF RAIL COMPANY

#### Northern Pacific Violated Law Limiting the Hours of Trainmen.

Olympia, Wash., June 23.—The State Supreme court has unanimously affirmed the decision of the local Superior court holding the Northern Pacific Railroad Company guilty of violating the 1907 law, limiting to sixteen hours per day the employment of trainmen.

The company admitted the men had been employed 18 continuous hours, but contended the state law did not apply, first, because the men were running between Seattle and Huntington, B. C., engaged in interstate commerce, and, second, because congress had passed a sixteen-hour law, which, while not in effect at the time, barred any state law.

### KILLED BY CABLE IN LOGGING CAMP

#### Foreman Struck by Wire Line — Companion Also Sustains Injuries.

Aberdeen, Wash., June 23.—Bert Berry, foreman at Aube's logging camp on Johns river, is dead, and Ross Arvey, a companion, is not expected to recover to-day, as the result of an accident yesterday in which the men were struck by a cable operated by a donkey engine and drawing a log. Berry had stopped to assist Arvey in fastening the line to a log. As the line tightened it caught under the log and then suddenly freed itself. Flying toward the air with great force the cable struck Berry, throwing him backward and breaking his neck. Arvey was struck on the head by the line, and the entire upper portion of his scalp was torn off. It is not thought he will recover.

### FIGHT FOR MINE.

Receiver Takes Charge of Rich Property in California.  
Nevada City, Cal., June 23.—Suit filed by M. Vandergrue, of San Francisco, against E. H. Wilson, owner of the famous 16 to 1 mine at Allshagen, has resulted in the property being placed in the hands of H. C. McPike, a San Francisco attorney, as receiver.

Vandergrue alleges that he was one of the original owners of the 16 to 1 and that he lost his hold on the property through misrepresentation.

Receiver McPike has taken charge of 52 acres of ore, valued at \$400,000, which is stored in the Citizens bank. The discovery of the rich pay streak in the 16 to 1 started the Allshagen boom. It is one of the richest properties discovered in years, there being ore worth millions of dollars in sight.

### ANOTHER SURPLUS IN QUEBEC.

Truffles are a species of subterranean fungus, and vary in size from a marble or hazelnut to a large as a cricket ball. They are hunted for by dogs or pigs trained to find them by scent and to catch them up.

### CHILD POISONED.

#### Sixteen-Months-Old Girl Drinks Poison During Absence of Mother.

The Dalles, Ore., June 23.—Martha, the 16-months-old daughter of J. C. Benson, lies dead at the family home here to-day, the victim of fly poison which she drank from a cup yesterday while her mother was in an adjoining room. When Mrs. Benson discovered what had happened she quickly gave the child an antidote and summoned a physician, but the child died before medical assistance arrived.

The mother had left the cup of poison near the place where the child had been sleeping, intending to remove it upon her return from another room. While she was gone, however, the baby awoke, reached for the cup and swallowed the contents.

### SLAKE HIDES IN "RAT."

#### Girl Bitten and is Thought to Be Dying.

Mason Valley, Neb., June 23.—The 17-year-old daughter of Andrewingham is thought to be dying as the result of the bite of a small rattlesnake that hid itself in her "rat." The snake took refuge in the rat's collar as she lay on the floor and struck her on the wrist when she picked it up. The family dog attacked the snake and killed it.

### MORE OUTRAGES ARE THREATENED

#### NO CLUE TO IDENTITY OF CHICAGO DYNAMITER Destroyed by Recent Explosion.

Chicago, June 23.—A postal card, purporting to have been written by the person responsible for Sunday night's dynamite outrage, was printed to-day in a local newspaper. The card threatens that the next explosion will be a "double header."

Some of the local authorities are inclined to believe that the explosion on Sunday night, when property valued at \$125,000 was destroyed, and the entire series of dynamite outrages here recently were the result of an attempt to arouse sentiment against the pool room and handbook gamblers. Others feel sure that it is the outcome of labor troubles.

Other than the post card printed to-day no clue to the identity of the dynamiter has been found. The police are thoroughly aroused by the threat on the card and announced to-day that they would not trail until the author was found, and are determined to see whether or not it was the work of a practical joker, and if so to have him punished.

### MINERS STRIKE FOR RECOGNITION OF UNION

#### Greenwood Local of Federation Alleges Discrimination Against Members.

Grand Forks, B. C., June 23.—The arbitration board which sat at Greenwood lately in regard to the disagreement between the B. C. Copper Company and the Greenwood Miners' Union not having come to a satisfactory agreement, the union has declared a strike, and last night posted the following notice in this city, signed by the strike committee and bearing the seal of the union:

"Strike. Workingmen stay away from Greenwood, Greenwood Miners' Union, No. 22, Western Federation of Miners, has declared a strike against the mines and smelter of the B. C. Copper Co. for the recognition of Greenwood Miners' Union, and for discrimination against its members.

"On June 15, 1907, the Greenwood Miners' Union and the manager of the B. C. Copper Company adopted a wage scale to be paid the employees of the B. C. Copper Company as their mine and smelter. In May, 1908, the manager of the B. C. Copper Company reduced the wages of his employees, and from that time to the present time has refused to submit a copy of scale of wages he is paying his employees to the Greenwood Miners' Union, and he has tried to disrupt the Greenwood Miners' Union by dissuading our agents and members from properties of the B. C. Copper Company before the close down, were members of Greenwood Miners' Union. These stipulations will not be changed by the public through the press when the strike is declared off."

### RE-UNION OF ELKS.

Nearly Thousand Delegates From Washington and Oregon Will Attend Gathering in Los Angeles.  
Portland, Ore., June 23.—Two special trains carrying 800 delegates from Oregon alone and cars with as many more from Washington will comprise the delegation of the Pacific Northwest to the annual grand lodge re-union of the Elks to be held at Los Angeles early next month.

Business men who had never thought of leaving their offices on any other occasion are to-day busy in various cities of Oregon and Washington putting their affairs in such shape that they may participate in the celebration. Portland Elks, according to present plans, will travel to the south in a special train on July 28th. There will be between 300 and 200 in this delegation. Points in Eastern Washington and Oregon will each try to get enough Elks to fill a sleeping car. The cars will then meet and go in a special train to Los Angeles.

### BODY OF MURDERED SETTLER FOUND

#### Provincial Constable is on Way to Scene of the Tragedy.

Hazelton, B. C., June 23.—The finding of the lacerated body of a white settler near Clearwater, presumably murdered by disgruntled Indians, has caused great feeling here and in the valley generally. The body, which has not been identified, was found floating in the Skeena river yesterday. It was destitute of clothing, with two bullet wounds, one in the breast and one in the hip. The face was terribly slashed by some sharp weapon and the arms and hands bore evidence of a grim, unequal fight for life.

The Indians are openly defiant and it is asserted that they are to blame for the tragedy. The man is about 35 years old and bears evidence of having been a settler. The remains will be sent to Port Essington and a provincial constable has already left to pick up the murderer.

According to the Allahabad Pioneer the Mullah Powindan seems bent on forcing a quarrel on the British government. His Mahud followers are becoming more insolent and more aggressive, and they have bought 10,000 breech-loading rifles in the past two years.

### LITTLE HOPE OF CAPTURING LING

#### POLICE BELIEVE HE HAS LEFT THE EAST

#### Authorities at San Francisco Continue to Watch Out-bound Steamers.

New York, June 23.—The police to-day practically admitted that Leon Ling, slayer of Elsie Sigel, the American missionary, had outwitted them. The officers are still following every possible clue, but practically conceded to-day that they had little hope of capturing the young Chinese.

Whether the apparent surrender of the authorities is a ruse to make Ling careless so that he may be more easily captured is a matter of conjecture to-day in certain quarters. The police, however, declare that they are sincere in their belief that the Chinese has at least left the east, and that if he is run to earth it will be on the Pacific coast.

### ACTIVITY IN SAN FRANCISCO.

San Francisco, Cal., June 23.—Patrolmen and detectives along the waterfront to-day are making a thorough search of every possible hiding place in an effort to discover the whereabouts of Leon Ling, the Chinese accused of slaying Elsie Sigel.

News from New York that the police are convinced that the Chinese is not in the east has left the capture of the fugitive practically alone in the hands of the local authorities.

It was thought that Ling would try to leave the country on the Chiyu Maru to-day, but search of the vessel failed to reveal him. It is now supposed that he has been taken to the chance of escape on the liner was too slim to be worth the hazard, and advised the fugitive to remain in hiding.

Although it has been thought that Leon might be working among the Alameda clam diggers, detectives who watched the Orientals at work yesterday failed to discover him.

### GREENWOOD LOCAL OF FEDERATION ALLEGES DISCRIMINATION AGAINST MEMBERS.

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PE OF KING LING

The police reported that Leon Sigel, the American...

FOR UNION

The Greenwood manager of the company...

VICEROY

to succeed Yan Hill Province.

MANY MEMBERS ARE RECEIVED

WOMAN'S CANADIAN CLUB LAUNCHED

A. E. McPhillips Spoke on Responsibilities in Fostering Patriotism.

IS ANXIOUS TO PROTECT BIRDS

Naturalist Says White Settlers Are Robbing All Nests They Can Find.

PREPARING FOR FALL EXHIBITION

Vancouver Association Votes \$10,000 for Prizes and Attractions.

SHIPMENTS FROM MINES NORMAL

Output for Week in Southeastern B. C. Totalled 31,394 Tons.

MEET GOVERNMENT

Committee of Natural History Society to Ask for Better Protection of Sea Fowl.

PLANS ACCEPTED FOR STRUCTURE WHICH WILL COST \$25,000.

Y. M. C. A. AT NELSON

NOT FOR HUSBAND

Francis J. Honey is Now on His Way to Portland.

RACE MEETING AT SEATTLE THIS WEEK

Fast Horses Will Compete in Contests to Be Held at Madison Park.

Seattle, Wash., June 29.—The opening day of the exposition race meeting...

BAND OF CHINESE ATTACK EXPEDITION

One Man is Killed—Viceroy of San Su Resigns Office.

WOMAN ACCUSED OF KILLING HUSBAND

Infatuation for Farm-hand Alleged to Have Been Motive for Crime.

FOURTH ATTEMPT AT SUICIDE SUCCESSFUL

Body of Logger Found Floating in Olympia Harbor.

AN EDUCATION IN A FIVE-FOOT BOOKSHELF

Twenty-five Volumes Which President Eliot Considers Hold Essentials.

Dr. Charles W. Eliot, retiring president of Harvard University...

WOMAN ACCUSED OF KILLING HUSBAND

Mankato, Minn., June 28.—Charged with the murder of her husband...

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POUND KEEPER AND DAIRYMAN

COUNCIL REFUSES ACTION IN MATTER

Electrical Wiring — Plumbing By-law—Condition of Travel Pits.

PLUMBING BY-LAWS

The plumbing inspector reported in regard to a case in Victoria...

PLUMBING BY-LAWS

The plumbing inspector reported in regard to a case in Victoria...

AN AUSTRALIAN LABOR COLONY

Expenditure on Settlement Has Been Gradually Decreased.

Sixteen years ago the authorities of Victoria established at Leongatha...

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Twice-a-Week Times

Published every Tuesday and Friday by THE TIMES PRINTING & PUBLISHING CO. LIMITED.

DOMINION DAY.

To-morrow Canadians from the shores of the turbulent Atlantic to the rock-bound coast of the Pacific will celebrate the forty-second anniversary of the birth of the New Dominion of the North.

or impenetrable forests are now cities of from ten thousand to a hundred thousand people. The Great Lone Land, once the home of the buffalo and the prairie chickens...

A POSSIBLE SUCCESSOR TO GLADSTONE.

David Lloyd-George, who has succeeded Mr. Asquith as Chancellor of the Exchequer in the British government, according to popular acceptance, may in time prove that he is worthy to wear the shoes of that great popular tribune...

LET BRITONS BEWARE.

The United States Senate has been engaged for seventy days in discussing the schedule of the tariff. Now it is going to take up an amendment to the federal constitution which will clear the way for the imposition of an income tax.

Our people are no longer going to the United States. The Americans are coming to Canada. Three transcontinental railroads will soon be spanning the Dominion, fed by numerous branches reaching out in all directions north and south.

SCHOOLS CLOSE FOR SUMMER

Grace Tedingham, Eva McDougall, Rhoda McGary, Charles McKenzie, Edna Mitchell, May Mitchell, Arnold Newbigging, Althea Olive, Frank Palmer, Reginald Palmer, Charles Pratt, Percy Rivers, Lucy Roach, Ethel Smethurst, Reginald Speck, Isabel Todd, Jean Toime, Edmund Turnbull and Edgar Turner.

Strong, Violet Cornwell, Stewart Taylor, Carolyn Toime, John White. Proficiency, Willie Cochran; regularity and punctuality, Elsie Walker; department, Elsie Taylor.

ing the presentations. A large number of interested friends of the pupils were present, and the assembly room was decorated with flags and broom. A splendid musical programme was rendered, under the direction of Mr. Pollard, musical instructor of the city schools.

Williamson, Bertie Yarwood, Louis Young. Proficiency, Robert Todd; department, Willie Huxtable; regularity and punctuality, Harold O'Neil, Ernest Hetherington, Clarence Vey, Chas. Wrigglesworth.

Proficiency, Orrick Robert Wintery; department, Charles Richard Gooding; regularity and punctuality, Vincent Townsend, Rodrick Stanley Alexander, William Pearson Smith.

WEDDING Mrs. R. E. Smart Mrs. R. B. fortyeth anniversary by giving day afternoon Kingston st. The stairs were banked and the room was decorated with flowers and garlands.

ISLAND PRESERVES FOR NESTING BIRDS

Delegation From Natural History Society Meets Government.

A delegation from the Victoria Natural History Society, consisting of the president, F. Napier Denison; Frank Kermond, curator of the Provincial Museum; Bonnycastle Dale, the naturalist-journer; H. F. Pullen, met Hon. Dr. Young yesterday afternoon and discussed with him the matter of further protection for the waterfowl during the breeding season.

NOW OPEN "BON AMI"

The Ladies' and Children's Outfitting and Drygoods Store 784 Yates Street (Late Rochdale Co-Op.) Special Shows of the Latest Designs in Ladies' Blouses COME AND SEE.

PERCY WOLLASTON, SR., DIED THIS MORNING

Citizen of Victoria Passes Away at Advanced Age. (From Wednesday's Daily.) The death occurred this morning at the home of his son on Oak Bay avenue of Percy Wollaston, senior, at the advanced age of 84 years.

MOTOR BOAT CONTEST.

Vancouver, B. C., June 25.—The 235 mile power boat race from English bay, Vancouver, to Seattle with calls at Port Angeles and Tacoma, promoted by the Pacific Coast International Power Boat Association, started at 9:47 this morning.

W. C. TODD, CHARGED WITH RAISING TO SOUND HIS AUTOMOBILE HORN AT THE CORNER OF BROAD AND VIEW STREETS

Thursday night last, raised to appear when the case was called on Tuesday, and believing some mistake had been made, the magistrate adjourned the matter till Friday.

THE WOMAN'S AUXILIARY OF THE Y. M. C. A. HELD THE LAST MEETING FOR THE SEASON

The Woman's Auxiliary of the Y. M. C. A. held the last meeting for the season Monday afternoon in the Y. M. C. A. parlour, with the president, Mrs. Gleason, in the chair.

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Farwood, Louis... Mrs. R. B. McMicking Gave Smart Tea Monday Afternoon... Mrs. R. B. McMicking celebrated the fortieth anniversary of her wedding day by giving a very smart tea Monday afternoon at her pretty home on Kingston street.

WEDDING ANNIVERSARY WAS CELEBRATED... Mrs. R. B. McMicking Gave Smart Tea Monday Afternoon... The sturdiest of the reception hall was banked with quantities of ferns, spruce and marguerites, to which red roses lent an effective touch of color.

DISCRIMINATION ALLEGED BY PAINTERS... School Board Awarded Contracts at Meeting Held Last Evening... The school board held a special meeting Monday night to consider the tenders for painting the schools. All the members were present except A. B. McNeill.

WORK OF TERM AT QUEEN'S ACADEMY... Promotion Lists and Rolls of Honor at Girls' School... At the closing of Queen's academy for the term a programme was rendered in a most acceptable manner.

EXPRESSES SYMPATHY... CARETAKER SAYS STONES WERE THROWN Man at Smith's Hill Reservoir Wants to Be Fenced in for Safety... Smith's Hill is a point which has long been a favorite one for a stroll, affording as it does a splendid view of the country for many miles in all directions.

PRESENTATION MADE TO MRS. R. B. McMICKING... Beautiful Necklace Received by Her at Reception Monday... A very pleasant surprise was given Mrs. R. B. McMicking Monday afternoon when a number of old friends

You Spend Money for Clothing... FIT-REFORM... WHY NOT GET THE MOST FOR IT? WHAT MAKES GOOD CLOTHES? WORKMANSHIP FIRST—That is what makes a garment keep its shape, look well and wear well.

STEAMER QUADRA IS TO CARRY EARL GREY... Governor-General Will Go North on Her Instead of Lillooet... Earl Grey will be here at the end of July or early in August and will go north on the steamer Quadra instead of the Lillooet.

Finch & Finch... THE EXCLUSIVE HABERDASHERS... Are showing the largest range of... Cluett, Peabody & Co.'s Shirts... That has ever been displayed in Victoria.

ACTIVITY ON WEST COAST OF ISLAND... Whaling Stations Making Steady Progress—Tees Arrives With Products... Steamer Tees arrived from the west coast Monday afternoon bringing 350 barrels of whale oil.

ANNUAL MEETING OF SILICA COMPANY... New Board Named—Promising Outlook for the Future... The annual meeting of the shareholders of the Silica Brick & Lime Co., Ltd., was held last evening in the Pioneer hall.

SCHOOL EXHIBIT BEING PREPARED... Supt. Dunnell of Manual Training Department Has Mounting Well Under Way... The work of preparing the exhibit of school work for the time when the members of the Dominion Educational Association visit the city is going steadily on under the superintendence of H. Dunnell.

Take Care of Your Hair... Bowes' Hair Tonic... And your hair will take care of you... Bowes' Hair Tonic is unrivaled in promoting great growth of hair.

SCHEME TO COLONIZE BANKS ISLAND... William Lorimer Leaving on Steamer Amur to Explore It... When the steamer Amur leaves for Northern B. C. tomorrow morning she will have on board William Lorimer, sr.

Take Care of Your Hair... Bowes' Hair Tonic... And your hair will take care of you... Bowes' Hair Tonic is unrivaled in promoting great growth of hair.

FINCH & FINCH... JUST RECEIVED... A large shipment of Atkinson's Royal Irish Poplin Ties... For which we are sole agents Prices range from \$1.25 DOWN TO 75¢

Take Care of Your Hair... Bowes' Hair Tonic... And your hair will take care of you... Bowes' Hair Tonic is unrivaled in promoting great growth of hair.

**YEAR'S WORK IN THE HOSPITAL**

**ANNUAL MEETING OF SUBSCRIBERS**

**New Directors Elected at the Meeting Held Yesterday Afternoon.**

At the annual meeting of the subscribers and donors to the Royal Jubilee hospital held yesterday, F. B. Pemberton presided. Four directors were elected: A. C. Flumerfelt, Alex. Wilson, H. E. Newton and Mrs. Rhodes. The annual reports were presented.

**DIRECTORS' REPORT.**

The directors' report was as follows: "The directors of the Provincial Royal Jubilee hospital have much pleasure in presenting their report upon the working of the institution during the 15th year of its existence.

"The nurses' home, the contract for which was reported a year ago, has been completed and was formally opened on January 14th last. The home, with stone foundation and slate roof, is substantially built and has cost, furnished, \$18,760.58. Shingles have been removed from the roofs of all the hospital premises and replaced with P. & B. at a cost of \$1,875.93. A thoroughly modern X-ray apparatus has been purchased at a cost of \$653.50, but it is not yet in use for need of a suitable room. It was not deemed wise to utilize a private room from which revenue is derived and no funds are available for the construction of another.

Requirements. "For the same reason the painting of the exterior of the buildings has been postponed, and many other improvements have likewise been deferred. Nor does it appear probable that these necessary improvements can be carried out under present conditions, for in consequence of the opening of the children's ward and basement of that wing, providing about 20 additional beds from which very little revenue is received, with only one additional private room from which revenue is procurable to meet the largely increasing operating expenses, it is at present very difficult to make ends meet, and the hon. treasurer's financial statement for the past twelve months shows that the expenses have exceeded revenue by about \$1,900. This matter has been receiving the attention of a special committee of the directors.

Chapel. "Through the thoughtful kindness and generosity of Mrs. J. D. Pemberton, of 'Gonzales', the purchase of the use of all Christian denominations has been added to the hospital. It is well and solidly built and space has been found in the basement for a much needed work meeting room for the Women's Auxiliary. The chapel will be completely furnished, including a fine organ. The warm thanks of the board are gratefully tendered to Mrs. Pemberton for this useful gift.

New Wing. "The building committee have under consideration the construction of a new wing to contain about 50 private rooms complete with all necessary appointments. This undertaking will be submitted to the ratemakers of Victoria for their approval and assistance.

Maternity Home. "The need of a maternity home in connection with this hospital was long since recognized, and the sum of about \$12,000 is now available towards its construction and equipment. It is considered that a further sum of at least \$3,000 should be obtained before the work is commenced.

Resident Medical Staff. "On the 15th of May, Dr. E. A. Wallace completed his engagement at this hospital as assistant medical officer and was succeeded by Dr. Norman J. Paul. Dr. Wallace performed the various duties assigned to him with great satisfaction to all concerned, and left the hospital with the directors' best wishes.

Auxiliaries. "A record of the work of the Women's Auxiliary will be found in the pamphlet containing this report. Their valuable co-operation has at all times been of the greatest assistance to the directors, and is again acknowledged with thanks. The directors are also indebted and thank the Daughters of Pity and the King's Daughters for their good offices on behalf of this hospital.

Donors. "The directors thank the donors named by the honorary treasurer and record their appreciation of the interest shown in their efforts on behalf of the sick poor. They also desire to acknowledge, with best thanks, the generosity of the Hon. James Dunsmuir in supplying the hospital with coal at the very low price made some years ago. The directors are also indebted to and thank the Victoria, British Columbia, Board of Trade for the use of their rooms for holding meetings.

You cannot possibly have a better Cocoa than **EPHRA'S** A delicious drink and a sustaining food. Fragrant, nutritious and economical. This excellent Cocoa maintains the system in robust health, and enables it to resist winter's extreme cold.

**COCOA**  
Sold by Grocers and Storekeepers in 1-lb. and 4-1b. Tins.

**ST. ANN'S ACADEMY EXERCISES HELD**

**ST. ANN'S ACADEMY CLOSES TERM'S WORK**

**Prizes Awarded and Excellent Programme Given at Institute Hall.**

The annual commencement exercises of St. Ann's Academy were held yesterday afternoon in Institute hall, View street, commencing at four o'clock. The hall was prettily decorated for the occasion with quantities of roses and other reasonable flowers, amidst which heartsease, the class flower, was very much in evidence.

The pupils were all in white dresses and made a very pretty picture. The graduating classes occupied seats on the platform, and facing the audience, the younger pupils were arranged in tiers to the right and left.

The exercises opened with a well-rendered piano duet by Miss E. Whiting and L. Barnett. This was followed by a chorus, "Summer's Return." Miss M. McDonald read a very clever essay, "Sowing and Reaping," which was a literary effort of no mean merit, well thought out and equally well worded.

Miss A. G. Jones, a clever young woman, contributed two vocal numbers in a clear, sweet voice, which showed evidence of careful training.

The honor list was read by Sister Mary Good Shepherd, and the honors bestowed on the graduates were: Miss Alexander McDonald, Bishop of Victoria, awarded to Elizabeth Rossetto; Same in intermediate division, conferred by Rev. A. J. Brabant, awarded to Maria Theresia Garescere, Same in junior division, conferred by Rev. Mother Mary Anastasia, superior general of the Sisters of St. Ann, Gertrude Hickey.

Prizes were awarded for excellence in recitation, Latin, French, English, and other subjects. The program was excellent, featuring various musical and literary performances.

At the Sunday services held thanks were given to those assisting, including Miss Fox, the organist, and Mr. Lonefield for his Christmas concert. The visiting medical men were also thanked for their services.

The Women's Auxiliary had fitted up an excellent room for meetings. The nurses' home had been opened for use during the year, and was proving a great comfort. Prizes were given to the Women's Auxiliary, the Daughters of Pity and King's Daughters for their continued good work.

The Matron's Report. Miss M. C. Macdonald, the matron, reported that the staff at present was: Miss E. Allan, head nurse; Miss Macrae, who has charge of Strathcona ward; 22 pupil nurses, 2 probationers, and 2 male nurses.

During the year 23 applications had been received for admission. Eleven applicants were taken on probation, 10 of whom were accepted as pupil nurses. The graduating class for the year: Miss Ada Cookson, Miss Beva Allen, Miss Aggie Alexander, Miss Clare Davis, Miss Millie Milligan, Miss Mattie Marsden, Miss Hattie Thompson.

Thanks were extended to Dr. Leeder, Dr. Dobey, Dr. Wallace, Dr. Bapty, Dr. McKelving, Dr. Haxell, Dr. Haxell, for lectures during the year. The Women's Auxiliary had supplied the linen, blankets, china, cutlery, etc., and have, as usual, attended to the sewing and mending. The Daughters of Pity had kindly undertaken to see that the children's ward was supplied with everything necessary for the comfort of the children.

The King's Daughters were thanked for flowers, fruit, books, magazines, etc., and have, as usual, attended to the sewing and mending. The Daughters of Pity had kindly undertaken to see that the children's ward was supplied with everything necessary for the comfort of the children.

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**COMMENCEMENT EXERCISES HELD**

**ST. ANN'S ACADEMY CLOSES TERM'S WORK**

**Prizes Awarded and Excellent Programme Given at Institute Hall.**

The annual commencement exercises of St. Ann's Academy were held yesterday afternoon in Institute hall, View street, commencing at four o'clock. The hall was prettily decorated for the occasion with quantities of roses and other reasonable flowers, amidst which heartsease, the class flower, was very much in evidence.

The pupils were all in white dresses and made a very pretty picture. The graduating classes occupied seats on the platform, and facing the audience, the younger pupils were arranged in tiers to the right and left.

At the Sunday services held thanks were given to those assisting, including Miss Fox, the organist, and Mr. Lonefield for his Christmas concert. The visiting medical men were also thanked for their services.

The Women's Auxiliary had fitted up an excellent room for meetings. The nurses' home had been opened for use during the year, and was proving a great comfort. Prizes were given to the Women's Auxiliary, the Daughters of Pity and King's Daughters for their continued good work.

The Matron's Report. Miss M. C. Macdonald, the matron, reported that the staff at present was: Miss E. Allan, head nurse; Miss Macrae, who has charge of Strathcona ward; 22 pupil nurses, 2 probationers, and 2 male nurses.

During the year 23 applications had been received for admission. Eleven applicants were taken on probation, 10 of whom were accepted as pupil nurses. The graduating class for the year: Miss Ada Cookson, Miss Beva Allen, Miss Aggie Alexander, Miss Clare Davis, Miss Millie Milligan, Miss Mattie Marsden, Miss Hattie Thompson.

Thanks were extended to Dr. Leeder, Dr. Dobey, Dr. Wallace, Dr. Bapty, Dr. McKelving, Dr. Haxell, Dr. Haxell, for lectures during the year. The Women's Auxiliary had supplied the linen, blankets, china, cutlery, etc., and have, as usual, attended to the sewing and mending. The Daughters of Pity had kindly undertaken to see that the children's ward was supplied with everything necessary for the comfort of the children.

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PURE GOLD JELLY POWDER 3 FRY'S COCOA FOR 25c SAVOY PORK AND BEANS PINEAPPLES Sliced or Cubed CANNED SPRING SALMON

The Family Cash Grocery  
COR. YATES AND DOUGLAS STS. PHONE 313

**NERVOUS DEBILITY**

OUR NEW METHOD TREATMENT will cure you and make a man of you. Under its influence the brain becomes active, the blood purified so that all impurities and toxins are drawn out, the nerves become strong as steel, so the nervousness, bashfulness and despondency disappear; the eyes become bright, the face full and clear, energy returns to the body, and the moral, physical and mental systems are invigorated; all drains cease—no more vital waste from the system. The various organs become natural and manly. You feel yourself a man and know marriage cannot be a failure. We guarantee to consult us confidentially, and at a free of charge. Don't let quacks and fakirs rob you of your hard-earned dollars. **NO NAMES USED WITHOUT WRITTEN CONSENT.**

**THREATENED WITH PARALYSIS.**

THAT was his experience: I was troubled with Nervous Debility for many years. I lay in bed, unable to get up, and so despondent and listless that I could not do any work. I had no energy, and my memory was so poor that I could not remember anything that I had read. I was a great invalid, and my health was such that I feared paralysis. I tried many medicines and consulted many doctors, but to no avail. I was almost a helpless man, and my family was suffering from my condition.

It was a friend who told me of the treatment of Dr. Kennedy & Kennedy. I decided to try it, and to my great surprise and joy, I found that I was able to get up, and to do my work. My health improved rapidly, and I was able to resume my usual life. I am now a strong, healthy man, and I am able to do my work with ease and confidence. I feel that I owe my recovery to the treatment of Dr. Kennedy & Kennedy.

**CURES GUARANTEED OR NO PAY.**

We treat and cure VARICOCELE, STRICTURE, NERVOUS DEBILITY, BLOOD AND URINARY COMPLAINTS, KIDNEY AND BLADDER DISEASES, and all Diseases peculiar to Man.

**CONSULTATION FREE. BOOKS FREE.** If unable to call write for a Question Blank for Home Treatment.

**DRS. KENNEDY & KENNEDY**  
Cor. Michigan Ave., and Griswold St., Detroit, Mich.

**DIXIE H. ROSS & CO.**

INDEPENDENT GROCERS. 1317 GOVERNMENT ST. Tels. 52, 1052 and 1590.

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**VICTORIA'S IMPLEMENT STORE**

Farm Implements for Progressive Farmers. The season is now on for Mowers and Rakes. We Handle the McCormick Line AND THEY ARE THE BEST. Full line of everything required for farmers always on hand. **B. C. HARDWARE CO., LTD.** PHONE 1611 510 JOHNSON ST.

**WHARF STREET PAVING FURTHER POSTPONED**

New Tenders for the Work Have to be Called for. Yet another delay in the paving of Wharf street! This time it is due to the fact that some of the tenders had omissions in their tenders and had to put in supplementary figures, and in view of this the council thought it better to call for new tenders. Of the former tenders only two would have been accepted in any case. Mayor Hall explained at the committee, consisting of Aldermen Turner and Henderson, the city engineer, the purchasing agent and himself, had given the tenders. These were so mixed up the committee had to get the parties before them. One left out the cement and one the labor for laying the brick. Each had submitted what was practically a new tender throughout. The question was whether these should be considered or new tenders be called for.

**PAULINE & CO. WHOLESALE DRYGOODS VICTORIA, B. C.**

It was pointed out to him that the former was impossible. Mr. Ald. Macmillan said new tenders should be called for. This it was decided to do, on motion of Ald. Stewart, supported by Ald. Fulford, tenders to be in by 4 p.m. on Monday, July 12th.

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**CONTRACTS**

Profess. Advertisement. Government. Various notices.

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LEGAL VIEWS OF RIGHT OR WAY

IRISH CASE OF MUCH INTEREST IS CITED FOR BOTH SIDES STRONG PRECEDENTS ARE INVOKED BY COUNSEL.

Legal arguments were heard yesterday afternoon by Mr. Justice Martin for and against the proposition that there was no case to go to the jury in Cross vs. E. & N. railway, the point at issue being the general public being whether or not the track is a public right of way between the city and Esquamet.

Matthew Fagan, the engineer who was in charge of the engine which ran over Mr. Cross, was the first witness for the defence. He said he was engaged in making up the passenger train and was pulling a coach of the turntable. After getting the signal he started looking back towards the turntable until the coach cleared it. This he always did and the reason was that there is only a common track to hold the table in place. He then rode on the right side of the engine for some time, when he stopped into the centre of the cab, the usual place for operating. Almost instantly he saw a man take what appeared to be a false step toward the siding, on which the train was running, and at the same moment the man was struck. The bell was rung just before the train started, this being the rule.

Cross-examined by W. C. Moreby, the witness said he was fourteen years in the employ of the company. The farm engine he was driving was No. 8. It came from Wellington, where he believed, it was used on the colliery tracks.

Would you say it was in first class condition? Yes, for the work it has to perform. How long after this accident was the engine worked? Five or six months. Why is it not used now? As far as I can make out the work was too great for its capacity.

How old it is? It is thirty years old, according to the name-plate. Witness was not able to recollect whether on examination for discovery a couple of days ago he had said the engine was only worked for a month after the accident. It was all a matter of approximation, and he did not know what was known as a one-man engine, and could be operated from the centre of the cab, so that a view of both sides of the road could be obtained from the engine with another man in it; out on the road there would always be two men on it. This engine weighed sixteen tons, while the one now in use weighs twenty-two tons.

Did you ring the bell or blow the whistle before the accident happened? I gave the bell-cord one pull as the train started, and the bell rang more than once. I looked out ahead and saw the whole siding was clear. If you had had a man with you in the cab he would have been on the look-out on the left side? Probably he would.

Number eight, Fagan considered, was an engine which could be stopped easily. He saw many people using the tracks every day. When the train used to run to Lamson street a notice was put up on the roundhouse warning people not to use the tracks. He has never known people ordered off the tracks, but within the last few months there had been people ordered off the trestle by the bridge-tender, Carroll.

That would be when engines were switching? Yes.

In reply to J. E. McMullen, Fagan said a man could walk along the track in safety with a little care, except on the trestle or where the tracks had crossed.

E. P. Davis, K.C., in making a motion to dismiss the case on the ground that no cause of action had been proved, went into the legal points involved. Before he did so the jury were given their option to leave for the rest of the afternoon, but they decided they would remain. Mr. Davis argued that there could be no cause of action, as plaintiff was a trespasser or, at best, a bare licensee. It could not be held that the defendants were liable because they had permitted the state of things to continue which existed here, without prosecuting the people under section 408 of the Railway Act. In an almost similar case in England the lords of appeal held that there was no liability cast upon the defendant company because it had permitted people to cross the track. In the case of Eccleston vs. C. & E. where a band of horses had been killed.

The law laid down being that while he was unlawfully on the track he must not neglect in such a way as to endanger life or limb.

Mr. Davis argued that a right and a permission were very different things, and that the obligations under each were different.

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SUNLIGHT SOAP

The finest fabric is not too delicate to be safely washed with Sunlight Soap. When other soaps have injured your linens and faded the coloured things, remember the Sunlight.



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"6. Recommended that an incinerator plant, as per plan submitted by the city engineer, be erected on the garbage wharf, at an estimated cost of \$2,511."

"7. Recommended that sub-divisional plan of sections 29, 30, 31, 40, 41, 42 and 43, Spring Ridge, Victoria City, be approved by the council, and that the same be referred to a public committee being most anxious to provide drainage for the low lying district in Victoria West."

"8. That the city engineer be authorized to complete all drainage works being carried out by the government, acting under a protest received from the residents and property owners outside the city limits, whose property borders on the route which the drain will have to run, have refused to contribute towards the cost of said drain."

"As your committee believe that the government has been prompted in this action, under a misapprehension of the effect that sewer matter was to be discharged into the drain, your committee recommend that the matter be again taken up with the executive, and an assurance given by the corporation that the drain will be used for surface water drainage."

The cost of the following local improvement works was reported on: Grading, draining and rock-surfacing Amphion street, Oak Bay avenue to Highland street, with sidewalks, \$4,572.50, of which \$374.50 is payable by the city; grading and rock-surfacing Hulston street, from Oak Bay avenue to Cowan street, with sidewalks, \$5,920.00, of which the city pays \$184.99; grading and rock-surfacing Cowan avenue, from Hulston street to Davis street, with sidewalks, \$3,887.75, of which the city pays \$377.75; grading, rock-surfacing and drainage McKenzie street, from Cook street easterly to its end, with sidewalks and boulevards, \$4,139.95, of which the owners pay the whole; permanent sidewalk on the north side of Kingston street, Oswego street to Lawrence street, \$2,271, of which the city pays \$514.70; grading, draining and rock-surfacing North Park street, from Elnachard avenue to Cook street, with sidewalks, \$1,816.73, of which the city's share is \$6,043.31; tar-surfacing Cook street, between Pandora avenue and Pakington street, \$10,868.85, the amount chargeable to the city being \$3,555.

In the present case, likewise, it would be for the jury to consider the history of the ground; to remember that for twenty-two years or more the public have been using the track, and that it would not be practicable to permit it to be closed, or to prevent its use for a period of years. It was a nuisance during that particular time.

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"5. Recommended that the city engineer be authorized to purchase a gasoline engine of sufficient power to operate one of the corporation's cement mixers."

"6. Recommended that an incinerator plant, as per plan submitted by the city engineer, be erected on the garbage wharf, at an estimated cost of \$2,511."

"7. Recommended that sub-divisional plan of sections 29, 30, 31, 40, 41, 42 and 43, Spring Ridge, Victoria City, be approved by the council, and that the same be referred to a public committee being most anxious to provide drainage for the low lying district in Victoria West."

"8. That the city engineer be authorized to complete all drainage works being carried out by the government, acting under a protest received from the residents and property owners outside the city limits, whose property borders on the route which the drain will have to run, have refused to contribute towards the cost of said drain."

"As your committee believe that the government has been prompted in this action, under a misapprehension of the effect that sewer matter was to be discharged into the drain, your committee recommend that the matter be again taken up with the executive, and an assurance given by the corporation that the drain will be used for surface water drainage."

The cost of the following local improvement works was reported on: Grading, draining and rock-surfacing Amphion street, Oak Bay avenue to Highland street, with sidewalks, \$4,572.50, of which \$374.50 is payable by the city; grading and rock-surfacing Hulston street, from Oak Bay avenue to Cowan street, with sidewalks, \$5,920.00, of which the city pays \$184.99; grading and rock-surfacing Cowan avenue, from Hulston street to Davis street, with sidewalks, \$3,887.75, of which the city pays \$377.75; grading, rock-surfacing and drainage McKenzie street, from Cook street easterly to its end, with sidewalks and boulevards, \$4,139.95, of which the owners pay the whole; permanent sidewalk on the north side of Kingston street, Oswego street to Lawrence street, \$2,271, of which the city pays \$514.70; grading, draining and rock-surfacing North Park street, from Elnachard avenue to Cook street, with sidewalks, \$1,816.73, of which the city's share is \$6,043.31; tar-surfacing Cook street, between Pandora avenue and Pakington street, \$10,868.85, the amount chargeable to the city being \$3,555.

In the present case, likewise, it would be for the jury to consider the history of the ground; to remember that for twenty-two years or more the public have been using the track, and that it would not be practicable to permit it to be closed, or to prevent its use for a period of years. It was a nuisance during that particular time.

In the Irish case Lord MacNaughton said that in spite of a notice board "idly forbidding" trespassing, this had been a place of habitual resort for children for years. It was the same here. There was a notice board at the bridge end of the trestle, "idly forbidding" trespassing, but the use of the track for foot traffic had been habitual for over twenty years.

Further argument was heard by Mr. Justice Martin this forenoon in the case of Cross vs. E. & N. Railway, on the point of whether the facts showed that the plaintiff's property was liable to be encroached upon by the defendant's company, and if so, whether the plaintiff was entitled to recover damages therefor.

Resuming his argument on the Privy Council finding in Cooke vs. Midland Great Western Railway of Ireland, Fred. Peters, C., continued to read from Lord MacNaughton's judgment. His Lordship commented on the fact that the children who used to play around the turn-table as a warning to trespassers and as a proof that they were trespassing had been allowed to go on. It is a well known fact that the plaintiff's property was liable to be encroached upon by the defendant's company, and if so, whether the plaintiff was entitled to recover damages therefor.

To do up the case of Harrison vs. Northeastern Railway, cited by E. P. Davis, K. C. In which the company was held liable for the loss of a horse which was killed by a train which had been over-ruled. He cited an instance in which a man who was doing what the public had constantly been doing, crossing the tracks to purchase a ticket was killed. One of the defenses was that he was a trespasser, but the courts held, up to the present time, that he was not liable by the company. Several other cases were cited to show that even where a man was a bare licensee there was a liability to exercise care towards him. One of these was an American case, where the Delaware, Lackawanna & Western Railway Co. was held liable for the loss of a limb by a man who was put off a train.

legislature is busily hatching some scheme whereby the impeachment proceedings can be headed off. The administration forces claim to have the better of the situation, and assert that the opposition is now ready to give in, and is only looking for a graceful method of doing so.

Hutchinson, of Spokane, who deserted the administration at the critical moment, is now said to be willing to come back into camp, provided a new investigation is appointed, and which will probe every state office.

Still others are said to be working on a plan whereby the senate will receive a large charge and the adjournment until next October, in order to give Schively an opportunity to prepare his defence.

The session of the senate this afternoon promises to be the scene of a lively fray, over the introduction of a number of new bills.

WORK OF INCENDIARY. (Special to the Times.)

Queens Forks, B. C., June 25.—Fire broke out in the store room at Bullton at one o'clock on Sunday, completely destroying the stock of goods. The loss, which is covered by \$20,000 and \$30,000, is fully covered by insurance. The fire is supposed to have been of incendiary origin.

Oak Bay will begin to take water from the city in bulk at 18¢ a thousand gallons on July 1st, the new 12-inch main which replaces the old one having been laid and the connection made.

LAND ACT. FORM OF NOTICE. Victoria Land District, Coast District, Range One. Take notice that Alexander Clarke Potts, of the County of Victoria, in the Province of British Columbia, is applying for permission to use the following described land, situated in the City of Victoria, and containing about three miles distant and in a W. direction from the north end of the Victoria Peninsula, the N. shore of said creek, thence E. 100 chains to point of commencement, containing 640 acres or less.

MURRAY CLARKE POTTS. Victoria Land District, Coast District, Range One. Take notice that Murray Clarke Potts, of the County of Victoria, in the Province of British Columbia, is applying for permission to use the following described land, situated in the City of Victoria, and containing about three miles distant and in a W. direction from the north end of the Victoria Peninsula, the N. shore of said creek, thence E. 100 chains to point of commencement, containing 640 acres or less.

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SURFACE DRAINAGE OF VICTORIA WEST

City Will Try to Overcome Objections of Local Government.

At Monday's council meeting the report of the streets, bridges and sewers committee was adopted as follows: "I. Re communication from the public works engineer, with reference to the removal of electric wires and poles and the construction of the sewer on Bellevue street. Recommended that inasmuch as the city is doing the work and not the E. C. Telephone Company, the sewer should be asked to pay the amount of their contribution to the work, \$600, to the city and not to the telephone company."

"2. Recommended that the terms set forth in the drainage agreement, attached hereto, between the corporation of the city of Victoria and the municipality of Oak Bay, respecting the proposed sewer connection on Oak Bay avenue be accepted and that duplicate of the same be prepared and executed by the corporation of the city of Victoria on behalf of the corporation."

"3. Recommended that the sewer and water main under avenue be extended from Richardson street to Dallas street, and that a new water main be laid along the same route, preparatory to the carrying out of certain improvements contemplated there, as petitioned for by owners of property residing in this district."

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