

discovered his merit until he was dead, a fate, however, which it must be allowed, usually attends poets. He was a schoolteacher, and as such worked for his living until the close of a long life. Perhaps the School Board of Toronto considered that it was acting generously in permitting him to earn his bread long after his vigor had begun to diminish; but if that body and the public generally had arranged to make his declining years a period of comfort and leisure they would have shown a finer spirit of admiration than they possibly can by erecting monuments to him after his death. If Toronto wants to erect a monument to him, let it do so. It would perhaps be well if this rest of the country added its contribution to a monument to be made by the Dominion House for a memorial to be placed at the federal capital.

DOG-POISONER AT WORK.

The owners of valuable dogs will learn with vexation that the individual who has destroyed so many animals during the past twelve months, by giving them poison in food, is again at his old tricks. It seems impossible to lay hands on this desperado, although private parties as well as the police have devoted time to tracking him. That the destruction of well-bred animals is a mischief with him is generally taken for granted, but the loss of many household pets has proved that he does not disdain even the humblest victim. It has therefore become a matter, in which the whole community is concerned, to discover and have him punished. Every man in the city, every household which possesses a dog in which they place any value, is concerned in this desperado's arrest, and the public should combine to ruin him on earth. Nor is it dogs alone that are in danger from his operations. The poison which he administers about promiscuously might be found and eaten by children.

If ever he is arrested, the man guilty of this crime should be treated with the utmost severity by the police magistrate. Not only should he be allowed no option in his punishment, but he should be jailed for the longest period the judge can mete out to him.

DREYFUS' VINDICATION.

In the vindication and rehabilitation of Captain Dreyfus the French nation is proved to the world that however much prejudice and passion may for a time influence the public councils, the intentions of the people are honest and ultimately find fulfilment. Nevertheless it is a matter of supreme satisfaction that it did not rest with a nation to show this act of justice. The victim of one of the basest of crimes which has marked the history of modern France, the triumph of

slow in a very much less criminal manner than this. Hanging for dishonest army contractors should be the minimum penalty.

The Russian military court which tried the Port Arthur officers thirsts for the blood of Stoessel. Is it that Togo's good word in favor of the disgraced commander has decided his fate. It is only by such means that the Russ can get even with the Jap.

A million and a quarter dollars' worth of whisky split in the streets of Dundee? And yet no one was drowned. The citizens must have a splendid capacity.

Now that Sarah Bernhardt has been decorated with the Cross of the Legion of Honor, what is the matter with making Ellen Terry a Knight of the Garter.

TURBANED HINDUS FILL POLICE COURT

NOVELTIES IN OATHS

Diverse Ways of Swearing In
Sons of India--Difficulties
of Interpretation -- Case
Was Finally Adjourned --
Lights and Shadows of To-
day's Session.

The proceedings of the Police Court this morning were of a highly picturesque nature by reason of the large attendance of Hindus who were interested in the charges made by Rooh Mohammed against Dr. Davichand of obtaining money under false pretences.

There was trouble from the very first, an interpreter who had been brought from New Westminster failing to show even ordinary intelligence in the taking of the oath. Finally Dr. Davichand allowed Mohammed Khen, who seemed to have the direction of the prosecution, to act as interpreter.

A discussion as to the manner of taking the oath followed, in which the magistrate wanted the rule laid down by Crankshaw followed, but the interpreter brushed that authority to one side and unfolded the correct method. This consisted in kissing the Koran three times, touching the forehead with the book after each osculation. Later a Sikh took the stand and refused this form, saying he believed in one God. Then Mohammed unfolded another style of oath in the form of a simple declaration.

Demand Payment of \$5.

The allegation of the prosecution was to the effect that Dr. Davichand has been prosecuting a regular system of extracting money from Hindus coming to this country representing himself as a doctor, and threatening them that he would have them sent back if they did not pay. Rooh Mohammed, the in-

ster avenue as a bicycle path, and each paid \$2 and ~~cost~~ the privilege.

Fire Warden Deacon also had three victims of his vigilance. The street had blocked up the lane with rubbish, and paid to the tune of \$1. The others had made conditions which increased the fire hazard in the neighborhoods affected, and were assessed \$5 each.

MISS HOPPER LOSES PRIVY COUNCIL APPEAL

(Continued from page 1.)

taking from what is perhaps is the shortest will in a large estate on record:

"I give, devise and bequeath to my only brother, James Dunsinuir, all my real and personal estate, wherever situate, of which I may die possessed, and appoint the said James Dunsinuir to be my sole executor."

Questions of Law and Fact.

While not leaving the widow a dollar by the will, Alexander imposed in James a trust that he should pay her \$1000 a month. Within three months, on January 31, 1900, Alexander died in New York city admittedly from excessive drinking.

Six months later, in June, 1900, James doubled the monthly allowance to the widow, making it \$25,000 a year. By her will she left all to her daughter, the actress. This included an estate at San Leandro, Cal., for which Alexander paid \$300,000. He had bought it in his wife's name two months before their marriage. There was never any dispute over this property. The contest is over the balance of the estate in San Francisco, where Alexander went in 1877 as the agent of his father's shipping railway and coal mining interests, and over the whole of Alexander's share in the British Columbia estate.

Notable as is the case, long the battle and large the estate, there are only two questions for the court, one of fact and one of law.

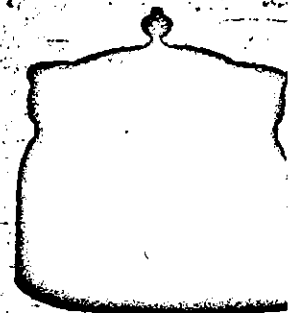
His Mental Capacity.

The question of fact is as to the mental capacity and mental condition of Alexander to make his will at the time he made it. Upon this there was a great conflict of testimony at the trial; nearly a hundred witnesses being called from bellboys of San Francisco and New York hotels up to the actor, De Wolfe Hopper, the former husband of the plaintiff.

The actress called the most of these, and all as one swore that Alexander was, and had been for years, a whisky wreck, varying in his consumption of liquid joy from one to three quart bottles a day. But the witnesses called by James, while admitting excessive drinking habits, declared that Alexander when sober was a wideawake and capable business man, and that that was his condition when he made his will. Both the trial and the British Columbia Appellate court accepted that view.

Appeal Court's View.

Upon the single question of law they also decided in James' favor. This question is one of domicile. The plaintiff said that Alexander had changed his permanent residence from Victoria to San Francisco. But the courts said she had failed to prove it. Although a resident of California from 1877, Alexander had always spoken of his home



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