

BESETTING IS FORBIDDEN

The Injunction as Issued by Mr. Justice Irving,

Workers Must be Free from Bother by the Strikers.

Yesterday at Greenwood the following judgment was delivered by Mr. Justice Irving:

In the supreme court of British Columbia, between Le Roi Mining Company, Limited, plaintiffs, and Rossland Miners' Union No. 38, Western Federation of Miners, the Western Federation of Miners, the Rossland branch, the Carpenters' and Joiners' Union No. 1, the Blacksmiths' and Helpers' Union of Rossland, F. E. Woodside, Rupert Blymer, W. L. McDonald, P. R. Macdonald, Walter Preston, Angus McDonald, E. C. Rose, James Twaddle, Roderick Fraser, Albert Houston, William O'Brien, William Strange, B. F. Bradshaw, John McLaren, W. H. Craitz, Arthur Ferris, T. M. Beamish, Robert Inches, R. S. Lyon, J. H. Macdonald, E. King, J. M. Johnson, all of the city of Rossland, and James Wilks of the city of Nelson, all in the county of Kootenay, in the province of British Columbia, defendants.

The Honorable Mr. Justice Irving. Thursday, the 24th day of October, 1901.

Upon hearing the Honorable T. Mayne Daly, K.C., counsel for the defendants, and upon reading the affidavits of Bernard MacDonald, John S. Irgrum, William Thompson, Charles E. Severance, Douglas Arnold Doyle, John Black, John B. Daniell, William B. Pearson, and George Whiting, sworn herein, and the plaintiffs by their counsel undertaking to abide by any order of the court or a judge may make as to damages in case the court or a judge shall hereafter be of opinion that the defendants shall have sustained any by reason of this order, which the plaintiffs ought to pay—

It is ordered that the defendants, their members, servants, agents and others acting by their authority, be restrained until the trial of this action or until further order, from watching or besetting the Canadian Pacific Railway company's station at Rossland, and the stations, tracks and crossings of the said railway in the province of British Columbia, and the Red Mountain Railway company's station at Rossland, and all the stations, tracks and crossings of the said railway, or the works of the plaintiffs or any of them, or the places thereto, or the places of residence or any place where they may happen to be of any workmen employed by or proposing to work for the plaintiffs, for the purpose of persuading or otherwise preventing persons from working for the plaintiffs, and from procuring any persons who have or may enter into contracts with the plaintiffs to commit a breach of such contracts.

SMALLPOX VISITATION.

The Disease Spread by a Barber at Bonner's Ferry. The reports of smallpox at Bonner's Ferry do not appear to have been exaggerated in the slightest. Dr. Sinclair, Dominion health officer for South Kootenay, looked into the matter of being informed of the facts, and learned from a thoroughly reliable source at Bonner's Ferry that not less than 25 cases as per the original report, existed. It is stated that the disease was disseminated through a barber who kept at work and shaved scores of patrons with the disease all over his body. The man believed he was suffering from a mild fever, and did not consult a physician. The statement is made that G. O. Buchanan, of Kaslo, happened to be in the town on business in connection with his lumber mill and that he went into the barber shop to be shaved. On looking at the barber he recognized the disease at a glance and immediately informed the man of his condition. The sick man refused to believe that he had smallpox, until he consulted a doctor. By this time many persons had passed under his hands and the disease was thoroughly established.

The health authorities have a man stationed at Rykert's, the nearest port of entry, and everything will be done to keep the smallpox out of Canadian territory. Similar conditions have existed in the past, and the quarantine authorities have succeeded in keeping infection out of the country, so that it is probable their efforts will be successful in this instance. The situation has been reported to the Department of Agriculture, which controls the entire boundary line, and it has been suggested that a medical practitioner be appointed to assist the regular officer while the disease is epidemic. The department has hardly had time to act in this matter as yet, but a decision is expected at an early date.

The first labor problem growing out of the new tariff has arisen. A hat and umbrella factory, employing 600 hands, has found it necessary to close. The lawyers are making a protest to the commission, urging protection, as the same goods from Germany can be sold at half the price it takes to manufacture them here.

CATARRH SUFFERERS READ!

C. G. Archer, of Brewer, Maine, says: "I have had catarrh for several years. Water would run from my eyes and nose for days at a time. About four months ago I was induced to try Dr. Agnew's Catarrhal Powder, and since using the wonderful remedy I have not had an attack." It relieves in 10 minutes. 19. Sold by Goodvee Bros.

THE LARDEAU ROAD

QUESTION WHETHER TROUT LAKE WILL BE REACHED THIS FALL. THE METHOD OF USING THE ROUTE NOT YET DECIDED UPON.

Good progress has been made on the construction of the Lardeau branch of the Canadian Pacific, but no one need be surprised if it becomes necessary for the completion of the road to be left over till spring. The contractors, Messrs. Carlson & Porter, have found it difficult to secure a sufficient crew to put the road through as quickly as was expected, and the officials of the road will not press the contractors to work during the winter, when it would be necessary to shovel snow steadily to permit the gangs to work. If three weeks or a month of good weather follows, this road will be completed to Selkirk, at the lower end of Trout lake, otherwise the work will be quietly suspended until spring.

The distance from Lardo to Selkirk is approximately 32 miles. The grading has been finished to within four miles of Selkirk, and the period mentioned above, a month at the longest, will suffice to complete the grade. The track is laid complete to the point where the road first crosses the Lardo river, about 12 miles from Selkirk, and the Canadian Pacific will complete the tracklaying, if weather permits, which is unlikely. The bridge works also finished, with the exception of the second crossing on the Lardo, where a bridge approximately 300 feet requires to be erected.

The new road will be a fine piece of track. For the entire distance the line runs through what is termed the "hot-toms" following the river. The Lardo has scarcely a rapid between Trout Lake and the Kootenay lake end, and the railroad will have a grade of only seven-tenths of one percent. The entire proposition was earthwork, a roadman stating that from end to end there was hardly as much rock as the corporation of this city encountered in cutting out the Columbia avenue bluffs. At present a force of 400 men is employed by the contractors, while the company and other contractors have another hundred, making a total payroll on the work of 500 men.

The Canadian Pacific has not decided as yet, so far as can be learned, on the point of getting around Trout Lake. The lake is about 25 miles long, thoroughly landlocked and navigable for craft of considerable draft. It would be an easy matter to put a couple of tugs and barges on the lake and to handle all the freight with satisfactory expedition and at low cost by using the lake as a connecting link. It is believed however that the Canadian Pacific is figuring on building the line from Thompson's Landing or Arrowhead through to Trout Lake via Camborne, and that in this event they would prefer an all-rail route, on the ground that through traffic from the East Kootenay country to the coast and vice-versa could be handled across the line thereby shortening the trip by several hours and cutting off 120 miles of haul with several transfers sandwiched in.

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The perfect coloring of all cotton and mixed cotton and wool rags for the making up of mats, rugs and carpets, is easily accomplished when the Diamond Dye special Cotton Colors are used. These scientifically prepared cotton dyes now before the ladies of Canada. They are fast to sunlight and washing. They produce the most lovely and brilliant shades, and so simple to use that a child may dye successfully with them.

If you are a lover of homemade mats and rugs, collect your cotton rags, send to the Wells & Richardson Co., Limited, Montreal, for pattern sheet of "Diamond Dye Mat and Rug Patterns," which will enable you to choose your own designs of any required size. When you have selected your designs use the Diamond Dyes to color your rags as per shades on mat or rug pattern. Pattern sheets mailed free to any address.

PHILIPPINE FIGHTING.

Two Contests Between Constabulary and Insurgents Reported.

MANILA, Oct. 28.—The constabulary reports a fight with insurgents near Paser, island of Panay, in which 25 insurgents were killed and a quantity of arms and ammunition captured. News from General Hughes regarding conditions in Cebu is encouraging. Lorega has surrendered with his entire force and one cannon and seven rifles, while General Hughes is negotiating for the surrender of Maxilot, who styles himself "governor politico militar." His surrender will mean the pacification of the province.

Lack of food and the harassing effects of the aggressive tactics now pursued by the American forces are having their influence upon the natives. In many places where rice is doled out by the government only enough is given for one meal, so that it is hardly possible for any large quantity to find its way to the insurgents.

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MANILA, Oct. 28.—Lieutenant Louis Van Shaick reports that in an attack by insurgents on the municipal police and two of the police were killed and two of the police were captured. The insurgents secured two Krag-Jorgensen rifles, two shotguns and 200 rounds of ammunition. Lieutenant Van Shaick has been ordered to occupy the Barrio or suburb of Sabang.

THE EMPIRE'S POLICY

Suggestions Offered in a National Review Article.

Britain Should Come to an Agreement With Russia.

LONDON, Oct. 29.—(Correspondence of the Associated Press.)—The November number of the National Review will contain a striking article advocating the establishment of an alliance between England and Russia, mainly for the purpose of counteracting the alleged serious hostility of Germany toward Great Britain. The article is written anonymously, but the Associated Press is in a position to state that it is the joint contribution of writers who not only thoroughly understand the subject, but are on intimate terms with the members of the cabinet, though the National Review distinctly disowns any government inspiration for it.

Under the title of "British Foreign Policy," the article first of all asserts that the "naval policy and avowed hostility of Germany, to which even the British official world can no longer remain blind, will force us to keep on a fair footing in the North Sea a fleet as powerful and efficient as the Mediterranean or Chinese squadrons."

Dealing with Germany's part in the intrigues against England consequent upon the South African war, it is stated that neither the United States, Japan, Austria or Italy have at any time been even remotely implicated in these intrigues. The real origin of the South African war was "the want of a clear and definite policy in that part of the world," and this statement is followed by a review of colonial unity in which Goldwin Smith's work "The Empire," published in 1883, when the author was regarded as a leading authority on the subject, is referred to as follows: "A book which was received at the time with no little approval, not only advocating the disruption of the British Empire, but actually advising the surrender of important military positions. It is yet profitable to read the obsolete language of the learned professor, if only to note how cruelly events hastened to realize his prophecies and to derive entertainment from the self-opinionated insistence with which he announced the decline of conquering tendencies among nations."

The interesting statement is made that in 1873 Mr. Gladstone told one of the writers of the article that "he considered it would be a grand thing for England if she could get rid of the colonies, and he quoted Sir George Cornwall Lewis, who passed for a sagacious man as being of the same opinion."

Reverting from colonial to foreign policy, the article forcibly traces the growing hostility to England, with a careful appreciation of Germany's growing naval and commercial strength. "She is already stronger at sea than either France or Russia."

Buelow's avowed contempt for England is shown by quotations from Englishmen. "It is well to recall to the memory of these writers," says the article, "that Germany was rewarded for failing to raise Europe against us by an Anglo-German agreement securing to Germany the reversion to spacious territories to which she had no sort of claim."

The ill feeling existing between Russia and England has, it is declared, been perpetually fostered at the world yet, "of all the countries that have most reason to regret the substitution of Germany to the British as mistress of the sea would be Russia. If once the sea power of England were overthrown, Germany would be free to execute her hostile policy toward Russia, who is not less in her way than we are. There is an idea growing steadily among Germans that Germany should expand into the Persian Gulf. Thus would territories be secured enjoying an excellent German population, which now flows to the United States and to the British Empire, might be diverted without being lost to the German flag. This is by no means a new idea; it is the revival of an old idea, and it means the supremacy of Germany in the East and the Teuton. Such is the object of these ambitious dreamers known as the Pan-German league, a body most tenderly regarded by the German government, and it embodies a policy as antagonistic to Russia as the German naval programme is hostile to England."

No insurmountable difficulties, it is held, prevents Russia and England arriving at a basis of mutual understanding. "The late Emperor Alexander expressed his desire for such a settlement, and the present Emperor is credited with the same disposition. Individual cases of trouble and even treachery between England and Russian diplomats have, it is admitted, occurred, but we doubt whether in the whole range of diplomatic intercourse it would be possible to point to the behavior of one great power to another more audaciously cynical in its disloyalty than the conduct of Germany to England over what Count Von Buelow has pleased to christen the 'Yang Tse Agreement,' except, perhaps, the treason of Russia or her allies on the occasion of the peace of Basle."

The recent incident of Kowit is taken as being a striking instance of Germany's dislike of England, for it is alleged "that Germany was undoubtedly egging on the Sultan of Turkey" in his endeavor to establish a protectorate at Kowit.

The keystone of British policy in the Far East is a friendly understanding and co-operation with Japan, but that being recognized, there is nothing to prevent this country from supporting a settlement of the Manchurian and Korean questions on lines which would be regarded as fairly satisfactory both in St. Petersburg and in Tokio. "If the Korean question were regularized, Japan would have considerably less reason at present to apprehend Russian schemes, and Russia, on her part, might devote herself to developing her far eastern dominions without risk of interruption from Japan."

"Russian statesmen have to make up their minds whether, in the present condition of Russian industries, Russian agriculture and Russian finance, a friendly understanding with England which would relieve her anxieties in the Far East, and which might result in her being able to continue her trans-Caucasian and Siberian railways to the shores of the Persian Gulf, and which, last but not least, might enable her to carry out her historic mission in the Balkans is not worth a high price."

On these bases the following suggestions for an Anglo-Russian understanding are submitted: First—The near east. With regard to the near east the basis would be that whilst Russia abstained from any attempt to interfere with the status quo in Egypt, we should frankly recognize that the fulfilment of what Russia regards as her historic mission in the Balkan peninsula conflicts with no vital British interests, and that in Asiatic Turkey we should abstain from favoring the development of German schemes of expansion.

Second—Persia and Central Asia. With regard to Persia and Central Asia, we might offer Russia our co-operation in the development of railway communication between the Caspian and Persian Gulf, and in securing for her a commercial outlet on the gulf in return for an understanding on the part of Russia to respect the political status quo along the shores of the gulf and to recognize our protectorate over Afghanistan.

Third—The Far East. With regard to the Far East the question is necessarily more complicated, as Japan would have to be taken into the councils of the two empires, and a basis of agreement arrived at which would satisfy her as well as Russia and Great Britain. "As far as Japan is concerned, such a basis might be found in the recognition by Russia and England of the Japanese claim to an exclusive sphere of influence in Korea."

"Japan would presumably, in return for this concession, have no objection to a formal agreement under which Great Britain would recognize Russia's claim to regulate her political and commercial position in Manchuria and Mongolia by direct negotiations with China, and Russia would in like manner recognize Great Britain's claim to regulate in the same way her political and commercial position in the Yang Tse valley, each power binding itself to give no support in those regions to the enterprise of any other power. With regard to all other questions in China, Great Britain, Russia and Japan would agree to take no steps without mutual consultation."

"The fact of Russia being a party to such an agreement would give France a guarantee that her interests would be taken into due consideration, while our participation would afford a natural safeguard to the commercial interests of the United States."

"The effect of such an agreement, accompanied by the customary demonstrations by the sovereigns and their official representatives, and an exchange of views by their respective fleets, would at once remove the danger of sudden explosion which must continue to hang over the whole world so long as the Far East remains the powder magazine of international and conflicting interests, and which it is at present. The natural consequence of this understanding would be that in the event of war between Germany and Russia Great Britain would remain neutral, and in the event of war between Great Britain and Germany Russia would remain neutral. Russia would no longer give cause for suspicion that she was investigating France to make war against us, as Count Muraviev did during the Fashoda crisis, and Great Britain would cease to be suspected in St. Petersburg of encouraging Japanese hostility to Russia. Japan on her side would be relieved of the menace of the possible revival against her of the triple alliance of 1882."

Close friendship with Italy and the maintenance of the understanding in Portugal are urged as being vital to England's interests.

A note of defiance is sounded at the conclusion of this important article. "The navy bill in Germany was carried through," it is stated, "with an avowed object of creating a navy which would be able to keep the North Sea clear. We have no intention of any other sea. We seek no quarrel with any power, but if Germany thinks it her interest to force one upon us, we shall not shrink from the ordeal, even should she appear in the lists with France and Russia as her allies. Germany would, however, do well to realize that if England is driven to it, England will strike home. Close to the foundations of the German empire, which has hardly emerged from its artificial stage, there exists a powder magazine such as is to be found in no other country, viz., the social democracy. In the case of a conflict with Great Britain, misery would be caused to large classes of the German population, produced by the total collapse of subsidized industries; financial collapse and a defective food supply might easily make that magazine explode."

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RICHARD PLEWMAN, Secretary, Rossland, B. C.

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THE SCHLEY INQUIRY

CROSS-EXAMINATION OF THE ADMIRAL AT YESTERDAY'S SESSION.

THE TAKING OF EVIDENCE WILL YET CONSUME SOME TIME.

WASHINGTON, Oct. 28.—The cross-examination of Admiral Schley began today before the court of inquiry, and hardly a third of the ground was covered when the court adjourned at 4 p. m. After Admiral Schley concludes two other witnesses will be called in his behalf, Admiral Barker and Admiral Thomas Borden. The latter was an officer of the marine corps aboard the Brooklyn.

The judge advocate will then call his witnesses in rebuttal, of whom there are understood to be more than 15, and it is probable that Admiral Schley's counsel will call witnesses in re-burial. The crowd present today, while hardly so large as on Friday last, when Admiral Schley told the story of the battle of Santiago, showed unshaken interest in the proceedings. Nothing sensational developed, and the only outburst in the court occurred when Mr. Raynor, Admiral Schley's counsel, objected to a line of inquiry of the judge advocate designed to criticize Admiral Schley's alleged failure to formulate a plan of battle, with the declaration that as Admiral Sampson was in command his junior had no right to plan an order of battle.

Admiral Schley concluded his direct examination by a statement of the fire of the respective fleets at Santiago, showing that 96 per cent of the hits suffered by the enemy were scored by the Brooklyn's five-inch guns, while his ship received seventy per cent of the hits from the Spanish ships.

Captain Lemley's cross-examination was very searching. Admiral Schley, however, appeared to be unflinching throughout the examination, frankly admitting on several occasions that he could not remember little details after the lapse of three years. One line of inquiry which the judge advocate tried to press to show that Admiral Schley did not proceed "with despatch" from Key West to Cienfuegos by attempting to contrast the speed made between Charleston and Key West with the time between Key West and Cienfuegos, was curtailed by a decision of the court, which confined the question to the time subsequent to May 19th, the day on which the flying squadron left Key West. The judge advocate in his cross-examination dwelt upon the interview between Admiral Sampson and Commander Schley at Key West before the departure of the flying squadron as to which the latter testified that Admiral Sampson instructed him not to expose his ships to shore batteries until the Spanish fleet had been destroyed, on the fact that Admiral Schley issued no written order of battle, on the ques-

tion of coaling off Cienfuegos and steps Schley took to ascertain the presence of the Spanish fleet. He was cross-examined the witness upon matters connected with the cruise of the squadron from Cienfuegos to Santiago when the court adjourned. The retrograde movement, the firing upon the Colon, and the battle of Santiago, which constitute the main features of the precept, were not touched upon today.

A BANDIT'S ESCAPE.

Great Northern Train Robbery Suspect in Nashville.

NASHVILLE, Tenn., Oct. 28.—A desperate man fought his way clear of two city detectives here yesterday and after a thrilling chase made good his escape. In his race for liberty he utilized a two-horse wagon team, a horse and buggy and a riding horse, all forcibly taken, while two dead bloodhounds mark the first portion of his trail.

Officers believe the man is one of the gang that held up the Great Northern express near Wagner, Mont., last June, his attempt to get change for a \$20 bill of the series secured in that robbery attracting the attention of the police to him. At 10:30 a raw-boned man, about 5 feet 10 inches in height, with fair complexion, offered the bill in payment of a small purchase made at a store on the public square. Difficulty in making change caused the salesman to closely notice the bill, which proved to be on the Montana bank to which the stolen bills were consigned.

The police were quickly notified, the clerk meanwhile delaying the matter of change. Detectives Dwyer and Dickins were soon on hand, and approaching the man demanded his name. "Ferguson," was the reply, and after another question Detective Dwyer informed the man that he was under arrest. Quick as a flash Ferguson held a revolver in each hand and started for the door. A hand to hand fight ensued, both of the officers grappling with the stranger, who proved more than a match for them. Using his pistols as clubs, he fought his way to the door and fled down the street.

A passing ice wagon caught his attention and the three negro occupants were soon out of the way. Then, at a terrific clip, he drove the wagon across the Cumberland river bridge in East Nashville, a fusillade of shots following. Out Woodland street went the flying team, but a sudden turn brought it to grief. One of the horses fell and broke his leg, but the fugitive was not to be delayed.

Running across the street, he held up an old negro who was driving by in a buggy, and the flight was continued. Out into the commons he sped. Once the buggy overturned, but was quickly righted. Finally the tired horse was abandoned, and after a drive into Shelby park on foot, the supposed bandit secured another horse hitched at a point near the park. Then after a sensational ride, the horse was left and the flight continued on foot.

Further out the pursuers found two bloodhounds used in the chase shot to death, a short distance apart, and after that the trace of the man was lost. The sheriff with another posse is out tonight scouring the country for the missing man. When the buggy was abandoned the man threw away a wallet containing \$1040 in \$10 and \$20 bills of the Montana bank. Chief of Police Curran now has the money.