MOORS ROUTED BY SPANIARDS

TRIBESMEN ATTACK TROOPS ON MARCH

Hundreds Reported to Have Been Killed Near Melilla.

Melilla, Sept. 7.—Encouraged by their recent victories over the Spanish troops 1,500 Moors yesterday attacked the army of General Agueleras, as it was marching to Sokelarb and met with heavy losses, according to dispatches reaching here.

Instead of surprizing the Spaniards as they expected to do, the Moors were met by a heavy fire and hundreds of their number met death. They were forced to retreat in confusion, while the victorious Spaniards marched on to their destination.

COOK DELIGHTED WITH PEARY'S SUCCESS

Brooklyn Doctor Says Reports Will Corroborate His Observations.

(By Charles P. Stewart, copyright 1909 by the United Press Association.)

Copenhagen, Sept. 7.—"Bully for Peary." This was the first exclamation of Dr. Frederick A. Cook when I handed him the dispatch from Commander Robert E. Peary to the United Press announcing his successful quest for the North Pole.

"There can be no doubt in my mind or anyone who knows Peary but that the message came from him," said Dr. Cook. "The wording makes me feel sure that he has reached the pole. It sounds so like Peary.

"I am mighty glad that Peary has been successful for he is one of the bravest and most persevering men who ever went north. He deserves all the honor that will come to him and in addition. I am certain that his observations and reports will corroborate the data I have collected.

"Of course it would be hypocritical of me to attempt to conceal the fact that I am delighted at having been able to plant the American flag at the pole a year before Peary reached the spot."

Despite this generous tribute it is obvious that Peary's messages have nettled Dr. Cook. He stated to-day that owing to his desire to rejoin his wife and children he may alter his plans and sail for New York from Antwerp within a week. It is generally believed that Dr. Cook deems it advisable to retain the strategic advantage already gained and get back to New York ahead of Peary.

Dr. Cook declared that he was merely a "friendly rival" of Commander Peary, but scientists here expect an early opening of the Cook-Peary controversy, and predict that it will break into an open feud with nasty features.

Peary's adherants declare that Dr. Cook stole a march on Peary, who had educated him in Polar exploration.

Dr. Cook's friends claim that Cook originated the plan of making a "winter dash for the pole" and that Peary copied it.

The bitter feeling, it is reported, will extend to the wives of the explorers, who already have given out veiled statements indicating their attitudes.

BUMPED ROCK AT RIVERS INLET

Queen City Now on Ways—Will Sail Day Late.

(From Tuesday's Daily.)

Steamer Queen City met with a slight accident at Rivers Inlet recently. There was a heavy fog and the boat was trying to get to Wadhams cannery. The Captain felt his way in but unfortunately just missed the wharf by about 100 yards and bruised the stem of the steamer against the rocks. The damage is not great, and the vessel was able to continue her trip without interruption.

The Queen City is now on the B. C. Marine Railway company's ways at Esquimalt for repairs, and advantage of the occasion is being taken to have her annual inspection made. She will leave for Rivers Inlet and way ports one day late pulling out from Victoria Harbor about 4 p.m., on Wednesday.

WASHOUT CAUSES WRECK.

St. Louis, Sept. 7.—Owing to a washout, a crowded Burlington passenger train was wrecked at Halls Station, seven miles south of St. Joseph early to-day. Although the early reports stated that 11 persons met death in the wreck, officials deny that any one was seriously injured.

NELSON Y. M. C. A.

Contract Awarded for Building Which Will Cost $22,900.

Nelson, Sept. 6.—At a meeting of the directors of the Nelson Y.M.C.A. the contract for the erection of the building at the corner of Stanley and Victoria streets was awarded to Thomas H. Waters and W. Pascoe. The cost will be $22,900, instead of $25,000 as originally intended, and the work is to be completed by April 1st next.

BIG MINING DEAL IN KAMLOOPS CAMP

Thirty Claims Bonded by B. C. Copper Company—Work to Start Soon.

The Kamloops Sentinel states that the B. C. Copper Company has secured options on seven of the best known groups of claims in the Kamloops camp, comprising some thirty claims. The deal is subject to confirmation by the management in New York, but as it stands, the properties involved have been definitely bonded to the company through their representatives in Greenwood.

The groups bonded are the Bonanza group, consisting of the Comstock, Commoner, Ashton Fraction, Comet and Sisco, all of which are held by Mr. H. Beckman on option from the original locators. The Giantess group, two claims, Giant Copper and Giant Fraction, of which W. H. Fowler and Mr. Beckman are owners. Rising Sun group, consisting of Rising Sun 1, 2, 3, 4, 5 and Rising Sun and Daylight Fractions, owned by E. B. Drummond and W. H. Fowler. Kimberley group of eight claims, which includes the Stemwinder, Morning Star, Windsor Fraction, Keystone Fraction, Charlotte, Occidental, Oriental and Last Chance, all of which are owned by Mr. Beckman, who has recently spent a large sum in developing the property, and has succeeded in showing an enormous mass of low grade ore. Laura group of four claims, owned by Drummond and Fowler, and which may also include the Grass Roots, of which Dr. Wade is the owner, and for which negotiations have been pending in association with the other members of the Laura group. The deal also embraces the Maxim and Esperanza groups.

By the terms of the bond work will be commenced at an early date and shipment of ore will follow as speedily as possible if the B. C. Company is satisfied with the result of their operations here, a smelter will assuredly follow, under the management of that corporation.

This news, which is absolutely authentic, will be hailed with satisfaction by all interested in mining ventures in this camp, and is the forerunner of a season of marked activity.

OUTPUT OF MINES.

Conditions in Southeastern British Columbia Continue to Improve.

Nelson, B. C., Sept. 6.—The mining situation in Kootenay continues to improve. The total ore output for the past week was well above the average. A group of Sheep creek claims owned by Devlin and Wilson have been bonded for $150,000, a substantial payment to be made in thirty days. New York mining men are the purchasers.

Following are the shipments by districts:

Boundary—21,485 tons for week and 926,949 tons for year to date.

Rossland district—4,576 tons for week and 158,563 tons for the year.

Slocan-Kootenay district—128,680 tons for year to date.

Total shipments for the week were 41,615 tons and for the year to date 1,214,190 tons.

Smelter receipts were 32,270 tons for the week and 1,116,348 tons for the year.

THREE ARE KILLED IN AUTO WRECK

Machine and Train Collide—Three Persons Injured Near Los Angeles.

Detroit, Sept. 7.—A. A. Robinson, owner of the Commercial Company of this city, his wife and Mrs. H. E. Tremaine, of Bay City, were instantly killed in Bay City Sunday by the collision of their automobile with a Michigan Central train.

Three Injured.

Los Angeles, Sept. 5.—Three persons were injured, two seriously, when a Pacific Electric car dashed into an automobile near the Santa Anita race track demolishing the machine and flinging its occupants into the ditch.

PASTOR RESIGNS.

Rev. H. G. Estabrook to Take Up Work in Connection With Baptist College.

Summerland, Sept. 6.—At a business meeting of the Baptist church, Rev. H. G. Estabrook, who has filled the office of pastor of the church for the past three years, tendered his resignation, to take effect as soon as convenient. The reason given was that a call had been extended by the board of governors of Okanagan College to take up a certain line of work in connection with that institution. He had therefore decided to give his time to the interests of that institution. The matter was laid on the table for two weeks and the clerk was instructed to call for a full meeting of the members of the church on September 15th, when action will be taken.

FOUND DEAD.

Seattle, Wash., Sept. 7.—Wally D. Hossfeld, 30 years of age, committed suicide at his home, 7053 Jones avenue, Sunday, it is believed, by taking a solution of strychnine. His body was found by a neighbor, and a physician who was called pronounced him dead.

Hossfeld was a laundryman, and is survived by a widow and three children. His wife and he had been having trouble and were parted, although he lived at the house. Sunday afternoon his eldest boy went into his father's room and saw him on a bed, apparently sleeping. In the evening at 8 o'clock a neighbor went into the house and found him in the same condition. He had been dead less than twenty-four hours, as his twenty-four-hour clock was still running.

SURFEITED.

THE WORLD—Dear Me: I'll Just Have to Enter It With the Others."

ALLAN LINER GOES ON ROCKS

LAURENTIAN WRECKED ON NEWFOUNDLAND COAST

Passengers and Crew Are Landed After Exciting Experiences.

St. John's N. F. Sept. 7.—Thrilling scenes attended the loss of the Allan line steamer Laurentian, bound from Boston for Glasgow, which piled up on the rocks near Cape Ray during a dense fog early yesterday. The vessel is a total wreck, but the fifty passengers and forty members of the crew escaped to land after a trying experience.

The Laurentian was making about 13 knots an hour when she struck. The passengers stampeded for the deck without stopping to dress, and for half an hour much excitement prevailed. Capt. Imrie and his officers, however, succeeded in quieting all hands.

At 7 o'clock orders were given to put the boats overboard. Twenty-five passengers, mostly women and children were placed in the first boat, but the tackle collapsed and several persons were thrown into the sea. All were rescued. Finally six more lifeboats were put over and the passengers were transferred to them. The sea constantly drenched the shipwrecked people, and it was only by constant bailing that the lifeboats were kept afloat.

About 10 o'clock, after the boats had been adrift two hours, a boat from a nearby fishing village was sighted. The fishing vessel piloted the life craft to a harbor, where the passengers and crew were cared for by the fisherfolk.

PILE DRIVER CAPSIZES.

Nine Men Have Narrow Escape in Straits Near Port Townsend.

Bellingham, Wash., Sept. 7.—Bringing the news of a terrible experience in the Straits when their pile driver was cut loose from the tug Hoycon and turned turtle, the crew of the driver reached Anacortes to-day in safety. John Lanterman was in charge and with him were Engineer Chas Lanterman, Freman J. C. Durrs, Victor Herman, a man named Pierson, a cook called "Scotty" and three others. The accident occurred at night when the man in charge was awakened and succeeded in arousing the crew. Rough weather made it necessary for the tug to cut loose and the men all escaped before the driver turned turtle except "Scotty," who got caught in the rigging. He was afterwards released. The accident occurred about ten miles from Port Townsend. The driver was the property of the Apex Canning company of Anacortes.

LAUNCH SWAMPED.

Tacoma, Wash., Sept. 7.—Caught in a treacherous cross-current just off Point Defiance on Sunday, the pleasure launch Wanderlust capsized, precipitating four of a party of eight into the water. Mrs. Grace Kiern Prewett, the two months bride of Walter L. Prewett, a merchant of this city, in falling from the upper deck of the launch, was struck by a rowboat that slid from the upper deck. She was rendered unconscious and as her body sank and was being carried out into the bay by a strong current, a fisherman seized the unconscious woman by the hair and clung fast to her until the men in the launch reached her. She was taken to the pavilion at the park, but died in a short time.

RIFLE COMPETITION AT SOOKE RANGES

Garrison Teams Defeat the Association—Visitors Entertained.

Sooke, Sept. 6.—A rifle competition was held on Thursday, Sept. 2nd at the Sooke range, between a team from the Sooke Rifle Association and ten non-commissioned officers and men from the Garrison Rifle Club, under Captain Elliston, from Work Point barracks. The Garrison party came down on the steamer Beryl. The home team pressed the Garrison team hard at short range, but the latter proved their superiority at 500 yards, owing to more practice. At 200 yards the score of the Garrison team was 271 to their opponents' 258, while at 500 yards the Garrison scored 265 and Sooke 215.

A ball was given by the Sooke Rifle Association in the evening, having as their guests the members of the Garrison team. The affair was one of the most successful ever held in Sooke, Charter's hall being filled to its capacity. Many were in attendance from Colwood, Metchosin and other outside points. A splendid supper was served at midnight, after which dancing was resumed until late in the morning.

THREE DROWN IN THE WILLAMETTE

Bathers Lose Their Lives in the River at Portland.

Portland, Ore., Sept. 7.—The Willamette river, which annually exacts heavy tribute of human life, Sunday added three more to the total of twenty-five victims since the beginning of May. All three were bathers.

Mike Ragonelli, aged 26, with two companions, none of whom could swim, stepped into a deep hole and drowned almost within reach of his helpless friends.

Samuel McAlister, aged 24, is missing. His clothes were found on the banks of Columbia slough, and it is presumed he was drowned while swimming.

Jesse C. Bates, 19 years old, a deck hand on the river towboat Frank B. Jones, in company with several of his fellow employees, attempted to swim from the steamer to a log raft which she was towing. He was seized with cramps and sank.

RECORDS BROKEN AT A.-Y.-P. EXPOSITION

Seattle, Wash., Sept. 7.—Breaking all previous records, the exposition turnstiles yesterday registered 117,013 admissions. It was Seattle day and the people responded to the call by closing practically every place of business and deserting the city to take part in the exercises.

No accident marred the day, but the emergency hospital experienced the most strenuous day of the exposition period.

The heaviest previous attendance at the exposition was 83,306 people, on the opening day.

NEGRO LYNCHED.

Clarksdale, Miss., Sept. 7.—Unable to get their hands upon Nathan McDaniels, a negro who is alleged to have shot and killed Policeman Walter Marshall, a mob of hundreds of citizens caught McDaniels' brother, Hiram McDaniels and lynched him from a telegraph pole.

PROVINCE HAS NO APPEAL COURT

PECULIAR SITUATION HAS BEEN CREATED

Pending Appointment of Judges No Authority to Refer to.

The provincial government has by order-in-council brought into force the act creating a Court of Appeal for this province. It is generally recognized that some little time may elapse before the Federal authorities will be able to make the necessary appointments to that court.

The provincial government can only become cognizant in an official way of the creation of this court upon the proclamation of the order-in-council. Following that the situation as to appointments to the bench must be considered and it is generally believed that some time must necessarily elapse before the bench is filled.

In the meantime a peculiar situation has been created. The province is without a court of appeal until the new court has been constituted by the appointment of the judges. This is the effect of the act as it was introduced by the provincial government and now becomes law.

It is specifically provided in the act that from the coming into force of the court of appeal act the Supreme court shall cease to exercise any appellate jurisdiction with the following exception which are specifically stated viz: To deliver judgment in any appeal or motions awaiting judgment or continuing any partly heard appeals or motions and making all or any necessary orders so as to fully and completely finish the business before them.

It will thus be seen that until the new judges of the court of appeal are appointed and take their oath of office there is no appellate court to which an appeal can be taken. An inquiry into the situation as it now exists shows there are four appeals upon which judgment is given to-day; two appeals partially heard and their are thirty-two appeals pending.

Judging from the record of the court the public business of the court of appeal will occupy only about 72 days, a year divided into four sittings, of 18 days each.

It is contended in many circles, therefore that British Columbia has no need of a court such as has been called into existence and which it is pointed out will be more expensive than the demand creates. An additional judge on the Supreme court it is contended by these would have filled the needs of the time.

POULTRY SHOW AT FAIR.

Seattle, Wash., Sept. 7.—Almost every state in the Union and every province in Canada will be represented in the poultry show at the Alaska-Yukon-Pacific exposition, which will be held in conjunction with the exposition live-stock show from September 27th to October 9th. This is the statement of J. L. Anderson, superintendent of the poultry, pigeon and pet stock department of the Alaska-Yukon-Pacific exposition.

The firm which will have the honor of coming the greatest distance to the show is that of Kaufman & Windheim, of Nutley, N. J., who have entered a consignment of Rhode Island Reds. Mrs. Bertha M. Story, of Oregon City, has entered the largest number of birds from any one individual with 128. The total number of birds exhibited will reach into the tens of thousands.

Seven of the most capable judges in the country have been secured to pass on the merits of the different exhibits.

BI[illegible]OOK FOR [illegible]P CREEK CAMP

M[illegible]odies of Ore Are [illegible]adily Opened Up.

[illegible]eek gold camp on the [illegible] looking even better [illegible]ny most sanguine mo[illegible]pected," said W. B. [illegible]entative of the Nelson [illegible]he development of the [illegible]ies in the camp has [illegible]arkably fast and with [illegible]able results. I am de[illegible] the showings which have been made, and particularly am I gratified to know that the camp has been proved at a depth beyond all reasonable doubt.

"At the Mother Lode, for instance, they have recently opened up a really magnificent body of ore, and the latest showings on the Queen are marvellous. Not only have the old leads on this latter property been developed, but new ore bodies, which are even better than those previously worked, are being steadily opened up.

"I have always had faith in the camp and I can now speak with certainty; the value of Sheep creek is now beyond all speculation. I am free to express opinions about the camp to which I was afriad to give publicity six months ago. There is little guesswork about Sheep creek now. It is one of the greatest, of not the greatest, free milling gold camp in British Columbia—and I think that is saying a good deal.

"While on the inspection trip from which I have just returned, I visited the Bayonne country, which is just over the divide from Sheep creek, and which is properly a part of that gold area, and was astonished and delighted at the magnificent fissure veins carrying high values which are as much a feature of that part of the country as of Sheep creek.

"While there I learnt on very good authority that operations on the Bayonne mine would be resumed early next spring. The Echo group, near the Bayonne, is also looking remarkably well, and is being worked by a large force of men. Another property I inspected was the Ochicho, belonging to John J. Campbell, and I was very pleased with the showings which are being made there by Mr. Campbell and his men. The vein has been exposed on the surface for between 1,500 and 1,600 feet.

"I may say in conclusion," said Mr. Pool, "that everywhere I went, both in the Sheep creek and the Bayonne camps, I was surprised at the way in which the country is proving itself under development."

Questioned regarding the Nugget, Mr. Pool said that as he was heavily interested in this, one of Sheep creek's banner properties, he did not care to go fully into the latest strikes which had been made and the progress of the development work, but that he would say that that mine, in common with the rest of the creek, had never been in a more satisfactory condition. With depth the Nugget veins were continuing to show the same high values as nearer the surface and the mine was producing gold bricks as regularly as heretofore.

AGREEMENT BETWEEN CHINA AND JAPAN

Number of Long Standing Difficulties Have Been Settled.

Tokio, Sept. 7.—The text of the agreement between China and Japan upon the so-called general Manchurian question, which was signed at Pekin last week, were published to-day.

The agreement settles the Chien Tao boundary dispute, the matter of extending and modernizing the Antung-Mukden railroad by Japan and other questions long in dispute, which were productive of lengthy negotiations and for a time caused considerable friction between the two countries.

JAP'S NARROW ESCAPE.

Struck by Falling Tree While at Work at Cordova Bay—May Recover in Hospital.

Pinned beneath a heavy tree which he had been engaged in felling, a Japanese laborer in the employ of J. Knight, at Cordova Bay, had a narrow escape from death Monday morning, and he now lies at St. Joseph's hospital in a very precarious condition.

The tree which the man was at work at was a heavy one of the alder species and it fell in a different direction from what he anticipated, and he was struck down with such force that several ribs were broken.

The bystanders who rushed to the man's assistance found it impossible to extricate the unfortunate Jap without long and tedious effort. Dr. Nelson and the ambulance had been summoned from town and on their arrival the injured man was removed to St. Joseph's hospital.

DESTRUCTIVE CLOUDBURST.

Mines Compelled to Close Owing to Damage to Power Plants.

Telluride, Col., Sept. 7.—Thousands of dollars damage was done and nearly every mine in the San Miguel district is shut down because of lack of power as a result of a cloudburst that sent a flood down the south fork of the San Miguel river, burst the dam and damaged the storage reservoir of the Telluride Power Company.

Railroad and wagon bridges for 20 miles down the river were washed out, and it will be several days before railroad communication can be resumed. The Illium power plant was entirely washed out. Practically all the track of the Rio Grande Southern, between Trout Lake and Brand Junction, is gone.

WILL NOT RAISE STEAMER OHIO

COST OF UNDERTAKING WOULD BE HIGH

Amount of Insurance Not Considered Enough to Pay.

(From Tuesday's Daily.)

Steamer Ohio will in all probability not be raised. Steamer Salvor returned from the scene of the wreck on Saturday evening, and the B. C. Marine Railway Company made an offer for the work of raising her. This work would be very expensive and as the insurance on the vessel is not very high and the cargo not very valuable, it is understood that the offer will not be accepted.

The aft part of the Ohio is lying in 70 feet of water. Some of the gear has already been removed but the cargo has not been touched and there is grave doubt if it will be.

The body of Purser Stephen was found pinned under a mass of wreckage abreast of Number 4 hatchway in seventy feet of water. The body of Quartermaster Andreson was taken out of the lower deck by divers where he lost his life probably in trying to rescue Stephen. The body of Hays has not yet been found.

The Ohio is three years old and the insurance carried would not pay the cost of raising her.

THE BROTHERHOOD OF ST. ANDREWS

Three Days' Convention Will Be Opened at Vancouver on Thursday.

Vancouver, Sept. 6.—The convention of the Brotherhood of St. Andrews will open in this city on Thursday and will continue for three days. Delegates from Victoria, Nanaimo, Seattle, Portland, San Francisco, as well as from smaller towns will come for the three days' sessions. Christ Church will be the scene of the business meetings. As far as the public is directly concerned, the mass meeting in the opera house on the afternoon of Sunday, September 12th, will probably be the most important part of the programme. A. H. Newell, of Portland, the lay speaker on the occasion, and the Right Rev. Bishop Paddock, of Eastern Oregon, will be a speaker on this occasion.

On Friday evening at a public meeting in the basement of Christ Church, Bishop Keator, of Olympia, Wash. will speak on the "Call to Service." G. Frank Shelby, the other speaker at the Friday evening meeting, previous to his appointment as the travelling secretary to the Brotherhood of St. Andrew, was a successful commercial traveller. In January, 1905, he became the field secretary for the American Brotherhood for the vast district west of the Mississippi river. In January, 1907, Mr. Shelby was placed in charge of the reorganizing and development work of the New York district. About May 1st he left for the Pacific coast, stopping en route to assist in work at St. Louis, Omaha, Denver, and Salt Lake City; for the last two months he has been travelling through Montana, Washington, Oregon, and California arousing interest in the Vancouver convention.

VANCOUVER WINS LACROSSE MATCH

Defeats New Westminster Team by Ten Goals to Eight.

Vancouver, Sept. 7.—With a rally that unfortunately was about a week behind time, Vancouver's green shirted lacrosse warriors came back in fine form and won yesterday's game against New Westminster by a margin of two goals. The score was ten to eight. Of course, there will be people who say that the game was given away, but they certainly cannot have been there, for it was one of the most satisfactory contests of the season. That is not to say, however, that the visitors played as if their lives or the Minto cup depended on the result, for neither were in any such peril. It was clean, fast lacrosse, where both teams put up a rattling fine exhibition, with the locals having just enough the better of it to be able to win without giving the crowd any spasms of heart trouble.

SHRUBB BREAKS DOWN IN RACE WITH MARSH

Retires From the Track After Running Seven Miles and Three-quarters.

Vancouver, Sept. 7.—After running seven miles and three-quarters, Alfred Shrubb, the English speed marvel, broke down in his match race with Marsh, of Winnipeg, at Recreation park last night, and the Winnipeg man had no trouble in completing the distance. When Shrubb quit, Paul Acotte, the Grenfell Indian, went on the track and took up Shrubb's position, and managed to maintain the lead which the latter had over Marsh when he was compelled to retire from the track.

Four thousand people were present, and to say that they were disappointed with the affair would be expressing it mildly.