

MEN SEEK DAMAGES

Two Miners' Suits Filed in Supreme Court Next Week.

One Recalls Disaster at Le Roi Mine in July Last.

(From Friday's Daily.)

Two suits for heavy damages by miners working in Rossland mines will be tried at the forthcoming sittings of the supreme court commencing here on Tuesday morning before Mr. Justice Irving. The damages claimed in the two suits aggregate \$20,000. The first action is that of Donald Gunn vs. the Le Roi Mining Company. Gunn was one of the men working with the late Louis A. Dunkle when the latter met death in the Le Roi on July 27 last. He was employed as a timberman and, with the late Mr. Dunkle and William L. McDonald, was timbering to catch up the ground that suddenly slid, killing Dunkle instantly and entombing Gunn and McDonald. The latter two men were imprisoned six or eight hours, but were finally rescued by firemen working on the part of John H. Mackenzie, general manager of the mine, Joseph Thorne, shift boss, Fred Whitman, mine foreman, and others, who risked their lives to save their comrades. McDonald's injuries were painful, but not serious. Within a few weeks he was about as usual, and went back to work within a comparatively short time. Gunn was not so fortunate. The internal injuries he sustained confined him to the hospital for some months, and it is asserted in the statement of claim filed on his behalf in the suit now under way that he has since been unable to work, and that he is permanently incapacitated from earning a livelihood at his former occupation. Under the Employers' Liability Act damages to the extent of \$2,000 or the equivalent of two years salary is claimed, or \$10,000 damages under common liability procedure. It is asserted by the plaintiff that the late Louis A. Dunkle, Fred Whitman and Joe Thorne, officials of the Le Roi company, were guilty of negligence in permitting the slope and timbering to get into what is asserted to be a dangerous and defective condition. In reply the defendant company sets up a general denial of the plaintiff's statement of claim. The second action is that of Hastings vs. the Le Roi No. 2 Mining Company. The plaintiff, Charles J. Hastings, had his left leg broken by the fall of a bucket in a winze from the 700-foot level of the Josie mine on June 11 last. Hastings was employed by the men having the contract from the company for the sinking of the winze, and asserts that there was negligence on the part of the company in respect to the hook and appliances used to attach the cable to the bucket, as a result of which the bucket fell and injured him as stated. He maintains that he has been permanently incapacitated from playing his avocation as a miner and seeks to recover under the Employers' Liability Act or \$10,000 under common liability procedure. The defendant company sets up a general denial of plaintiff's claim. All the parties to the litigation are well known locally, and the cases will be followed with more than ordinary interest.

SATISFACTORY OUTCOME. Performances of the Dramatic Club Yielded Good Profits.

The matinee performance of the farce-comedy "Jane" by the Dramatic club yielded the net sum of \$51.50, a very handsome sum, having regard to the other carnival attractions on that afternoon. A cheque for the amount has been handed to Mrs. Charles E. Simpson, the treasurer of the Ladies' Guild of St. George's church, who desires to thank the members of the club for their kindness.

The entertainment on the 10th inst. in aid of the "Father Pat" Memorial fountain by the same cast will yield a profit of between \$200 and \$250. The exact net profit cannot as yet be ascertained, owing to the fact that all ticket sellers have not returned.

The committee desires that all parties make returns to Mr. Duthie of the Bank of Montreal at once. The Dramatic club is to be congratulated, not only in regard to the very creditable performances given, but also in regard to the donations made to the church and Memorial fund. The management deserves the thanks of all concerned.

LONG TIME AHEAD. ST. LOUIS, Feb. 21.—Prof. Sylvester Waterhouse, a prominent educator of St. Louis, whose will has just been made public, bequeathed \$25,000 to Washington University, with the proviso that it cannot be touched until the year 2000, when it is hoped the fund will have increased to \$1,000,000 by accumulated interest.

AN EDITOR STABBED. WATHENA, Kan., Feb. 23.—Paul Grimstead, editor of the Times, has been probably fatally stabbed by Frank Warner, a drunken negro. There is talk of lynching. Grimstead served nearly a year in jail in 1900 for libel, and edited his paper from his cell.

TO CURE A COLD IN ONE DAY. Take Laxative Brome Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Grove's signature is on each box. 5c.

A SUSPICIOUS DEATH

DEATH OF A CHINAMAN AT TRAIL A GREAT MYSTERY.

EXPERT TESTIMONY SHOWS THAT THE DECEASED WAS STRANGLED.

(From Saturday's Daily.)

As a result of the investigations of Coroner Coulthard, two Chinese have been arrested at Trail charged with causing the death of one of their countrymen. The case was brought up last Thursday before Magistrate Binns, but the prisoners were remanded until today in order that they might meanwhile secure counsel. C. E. Gillan of this city has been retained to defend the alleged murderers. He will leave for Trail on this morning's train. The preliminary hearing will take place this morning. The murdered man, Sing Lee, was a resident of Trail for the last five years, and was employed in the wash house of Wing Wo. The evidence at the inquest brought out the fact that the deceased was a helpless sufferer from tuberculosis. For many weeks previous to his death he was nursed and cared for by his companions. The night Sing died, Wing Wo reported the fact to Chief of Police Devitt. The chief, knowing that Sing was afflicted with tuberculosis, had Dr. Hoyes, health officer at Trail, disinfect the laundry where the dead man lay. The doctor examined the corpse and his suspicions were aroused, hence the inquest. At the inquest Dr. Hoyes testified that his examination of the body showed a displacement of the thyroid bone and cartilage of the throat. The eyelids were open and the eye pupils dilated. There were four transverse scars across the throat, as though caused by fingernails. A post mortem showed a fracture of the left superior horn of the thyroid cartilage and the lungs nodular in character. Dr. Hoyes ventured the opinion that death was due to strangulation, and that it was impossible to have been caused by any efforts on the part of the deceased. The force necessary to cause death had evidently been applied from the right side. There were scars on the tongue, as though inflicted by the teeth. The lungs were tubercular in character, but should not have caused death at this stage. There were several Chinese witnesses at the inquest, but little information was gained from them beyond the fact that the deceased had been supported by them for several months, and that they had gone to his bed Tuesday morning to administer to his wants only to find him stiff in death. The coroner's jury found the following verdict: "Sing Lee came to his death on the morning of February 17 last, at the laundry of Wing Wo in the city of Trail, B. C., and that his death was caused by strangulation, not by himself, but by some person or persons unknown." The contention of the authorities is that the Chinese make a practice of prematurely ending the lives of their countrymen when, from injury or disease, their recovery is considered by them as hopeless.

OF MUCH VALUE. Useful Work Issued Here by J. L. Whitney & Co.

Table with 2 columns: Name, Amount. Includes Athabasca, B. C. Mine, Bosun, Canadian Gold Fields, etc.

The foregoing table is compiled from accurate information at first hand from the companies interested, and is reliable. Throughout the pamphlet is of value and interest. It is for free distribution upon application to the office of J. L. Whitney & Co.

Doak's Cotton Boot Compound. Is successfully used monthly by over 10,000 Ladies. Safe, effective. Ladies ask your druggist for Doak's Cotton Boot Compound. It is made in Canada.

A LONG STRUGGLE

CLEVER EXPONENTS OF CORNISH WRESTLING FOUGHT HARD LAST NIGHT.

GEORGE GEFFORD DOWNED JOHN TIPPET IN KEEN CONTEST.

(From Sunday's Daily.)

There was a feast of Cornish wrestling at the International Music hall last night. The principal event was a rattling go between George Gefford and John Tippet. Gefford won after three hours' wrestling. Both men proved to be scientific exponents of the game, and the exhibition was genuinely meritorious. Gefford weighed six pounds more than his opponent, and was the stronger of the two. Tippet was exceedingly agile, and escaped half a dozen times by sheer activity when it seemed inevitable that his opponent would score. The match was witnessed by a couple hundred people, who applauded the contestants vigorously. Gefford has only been in the city about a month, while Tippet is a somewhat older resident of the Golden City. Both had their supporters, who cheered them vociferously and added excitement to the function. Tippet took the first fall with a back kick, neatly administered. Gefford took the second and fourth with high heel throws, and the third with his hand in Tippet's collar and a leave in free. From the scientific standpoint and that of height, the men were splendidly matched, and this helped to make the bout as clever an exhibition as could be seen anywhere. Thomas Hancock refereed the match to the satisfaction of contestants and spectators. Gefford was seconded by Messrs. Brockshire, Manhire and Grigg, while Messrs. Bray, Trethewey and McArthur were in Tippet's corner. Nelson A. Burric was official timekeeper, with John Jacobs and Dan Cokely as assistants. In the preliminary bouts W. J. Manhire defeated Brockshire in two falls out of three, and William Donithorne downed David Lobb. The preliminaries were almost as interesting as the principal event. Gefford's performance last night delighted his friends. One of the most enthusiastic of those, John Jacobs, desires The Miner to state that there is \$500 to be deposited at this office, at the Clarendon or any other satisfactory point to say that Gefford can beat "The German Strong Boy" two falls out of three in two different styles. The idea is that the men shall wrestle one fall under Cornish rules, one as catch-as-catch-can and the winner of a toss shall then elect which style the third fall shall be wrestled. Moreover, Jacobs will bet his \$500 that Gefford can beat any man in America under Cornish rules at his weight and height. Gefford wrestles at 175 pounds and is certainly extremely clever.

ROSSLANDERS IN TONOPAH.

John McKane, Dr. Bowes, John M. Burke and General Warren. "The Tonopah mining district in Nevada is unique," says Mining Engineer John C. Ralston in Spokane. "The town is on a wide, treeless desert, 6000 feet above the sea, with nothing growing around it but sage brush. It is an impressively dreary place, but gold and silver are there in paying quantities, and a bustling camp of 3000 people has sprung up. "To get to Tonopah you first go to Reno. There you take a narrow gauge railroad which runs 150 miles to the south. At the end of the railroad journey you take stages for a 60 mile ride. The camp is still in the development stage. No mills have been erected, but more than \$1,000,000 worth of ore has been shipped. You can understand it was pretty rich to stand the freight rates. Fuel? They use gasoline almost exclusively. Timber there is none, and imported stulls sell for \$1 each. In the northwestern camps they are bought by the cord for \$3 or \$4. Fortunately little timbering is needed in the mines. The ground is as dry as powder, and there is not an ounce of water in the deepest workings. Living expenses are not as high as might be expected. The camp is run wide open, but is very orderly. Water is hauled from wells in the surrounding country. "There are not a great many Spokane men in Tonopah. John M. Burke has interests there, but spends most of his time in San Francisco. General C. C. Warren is there and has mining interests. Dr. Bowes, formerly of Rossland, is practicing his profession there. John Y. McKane, formerly of Rossland, has extensive interests, and is developing his properties."

KILLED WITH A FORK.

Murder of a Farmer's Wife by a Tramp Farm Hand.

ELMIRA, N. Y., Feb. 23.—A horrible murder was committed at Trowbridge, Pa., a small town about 12 miles from here, this morning. Mrs. Rachael Payne, wife of George Payne, a farmer, was murdered by a tramp farm hand named Edward Mason, who dragged her to the barn and killed her with a pitchfork, pounding so hard that he broke the handle of the instrument. He then ransacked the house and stole \$100 in money. He made good his escape and the woman was found in a dying condition at 4:30 o'clock this afternoon. Officers from four counties are on the murderer's trail.

A HORSE CUT IN TWO.

OTTAWA, Feb. 23.—A runaway horse from a milkman's sleigh attempted to get through a glass door into a butcher's store on Gladstone avenue and got stuck half way. The lower part of the door was wood. The animal was disembowled and had to be sawn in two before the door was cleared.

HOP AT SMELTER CITY

ODD FELLOWS OF TRAIL ENTER-TAINED RIGHT ROYALLY ON FRIDAY NIGHT.

EMINENTLY SUCCESSFUL BALL—MANY CHARMING GOWNS DISPLAYED.

(From Friday's Daily.)

A strong delegation of Rossland Odd Fellows attended the annual ball given by the Trail brethren on Friday evening. The function was eminently successful and adds another to the list of enjoyable entertainments under similar auspices. The hall was handsomely decorated, and excellent music was rendered by Chapman's orchestra. Supper was served to two hundred people at the Crown Point hotel. Committees in connection with the function were as follows: General—Morin, Harkness, Brandon, Smith, Merritt and Cockcroft; floor—Martin, Dock-erill, Donaldson, Steele, Mirose and Lawes; reception—Weaver, Brandon, Jackson and Macaulay. A number of charming gowns were in evidence, among these being the following: Mrs. Brandon, checked silk, trimmed with black baby ribbon and chiffon. Mrs. Weir, black silk organdie, crimson roses and honeysuckle. Mrs. Morin, butter colored lawn, cardinal passementerie trimmings. Mrs. Burdette, white silk rep, pink carnations. Mrs. Donaldson, white organdie and American beauty roses. Mrs. Jackson, black and crimson satin. Mrs. Hector, pale blue muslin, trimmed with white embroidery. Mrs. Gill, yellow silk with black trimmings. Mrs. Hoyes, white muslin with carnations. Mrs. Strong, pale blue muslin and white silk applique. Mrs. Schofield, black silk net. Mrs. Berg, old rose, white silk applique, pink and white carnations. Miss Hanna, flowered organdie, crimson carnations. Miss Callaghan, pink silk and carnations. Mrs. Guess, black and white silk. Mrs. Welch, pale blue silk. Mrs. Steele, black lace and crimson satin. Mrs. Leley, black silk with lace. Mrs. Dawson, black silk with white silk facings. Miss Jackson, black and white silk, battenberg lace. Miss Degagne, organdie, muslin, carnations and pearls. Mrs. Lewis, blue and white silk. Miss Hanel, cream cashmere, colored silk applique. Mrs. Leley, black silk with red trimmings and roses. Miss Leley, white silk, with black ribbons and velvet. Miss Kuhn, pink muslin, white satin and lace. Mrs. Campbell, white muslin and black lace. Mrs. Langlois, black and pink, with pearls and carnations. Mrs. Flint, white organdie and crimson carnations. Mrs. Klocker, ecru with black ribbon, velvet trimmings. Miss White, white lawn and pink ribbons. Mrs. J. White, black skirt and lavender silk waist. Mrs. Kennedy, cream cashmere silk applique. Miss Jones, white with pink ribbons and carnations. Mrs. Widmer, brown silk with pink trimmings. Miss Truswell, white lawn and lace. Miss Coleman, white lawn, white silk ribbons and carnations. Miss Pevely, white muslin and lace and carnations. Mrs. Binns, black lawn. Mrs. Clark, black skirt, blue and black bodice. Mrs. Fluhrer, black skirt, fawn silk waist. Miss Morrow, dark red velvet. Miss Hayden, black silk, red carnations. Mrs. Prescott, black skirt, white silk waist. Mrs. Frest (Rossland), black silk with silk lace collar. Mrs. Ehlers (Rossland), plum satin with white satin trimmings. Mrs. Hall (Vancouver), navy blue and black. Mrs. McEwan (Rossland), dark silk. Mrs. Schatt (Rossland), dark silk suit. Miss Smith (Rossland), white lawn. Mrs. Robinson, black skirt, white silk waist. Mrs. Whells, black skirt, pink waist trimmed with white lace. Miss Morgan, white lawn lace and ribbon trimming. Mrs. Harkness, navy blue silk, carnations. Mrs. Dolan, black and crimson. Mrs. Truswell, black and cream. Miss Helen Truswell, white lawn. Mrs. Ryan, white lawn and lace.

INSPECTING EMIGRANTS.

BERLIN, Feb. 21.—Herr Baldin, director-general of the Hamburg-American steamship company, and Dr. Wiegand, director-general of the North German Lloyd line, in consequence of United States Immigration Commission's Williams' close application of the laws in inspecting immigrants have directed their agents in middle and southern Europe to take no one who is unable to fill the requirements of the authorities at New York.

FOUND ON THE BEACH.

NEWPORT, R. I., Feb. 21.—The body of a man about 55 years old was washed on the beach at Castle Hill today. From papers found on his person, the body was evidently that of L. A. Dodge, a lawyer, with offices in New York and Boston. The medical examination found no evidence of foul play and gave a verdict that death was the result of suicide.

CRUSHING THE REBELS.

Defeat of Venezuela Revolutionists by Government Forces. FIGUEROTE, Venezuela, Feb. 23.—General Olivares at the head of the government troops from Barrocinia yesterday attacked at Kicarigua the rear guard of the revolutionist force commanded by General Caribe Vidam. After a fight lasting ten hours the rebel forces abandoned the field, leaving a number of wounded, among them Vidam and another rebel leader named Flores. General Olivares is continuing his march on Caracas in order to take the revolutionist army under General Rolando between two fires, as the government will shortly take the offensive in the direction of Guarenas.

RESPIRED FOR TWO WEEKS.

ALBANY, Feb. 23.—Governor Odell has granted a two weeks' respite to James P., alias "Whitey" Sullivan, who was to have been executed at Clinton prison tomorrow morning for the murder in 1901 of Nightwatchman William P. Wilson of Cobleskill, N. Y.

KILLED AT THE LEROI

CAGETENDER LOVE HAD NECK BROKEN IN MAIN SHAFT.

WAS INDUSTRIOUS AND CAPABLE—SUPPORTED A WIDOWED MOTHER.

(From Friday's Daily.)

Archibald Love, aged 23 years, met death in the Le Roi shaft yesterday morning. Deceased was cagetender on the day shift, and sustained a broken neck and internal injuries in a mishap to the cage. No inquest was deemed necessary, but the coroner, Dr. Coulthard, who went over the ground shortly after the fatality. At 7:40 o'clock yesterday morning Love loaded a 1600-pound ore car on the cage at the 700-foot station. The top deck was let down and on this rode John Macdonald, foreman blacksmith, who desired to come to the surface also. Love got into the car, and it appears that this was where he made a fatal error. The mine officials state that it is hazardous for men to ride in ore cars on the cage and that the fact is generally known among the men about the mine. The signal was given to the hoisting engineer, who started his engine at the usual rapid rate. Between the 600 and 600-foot levels the cage ore car caught against some of the shaft timbers, and the speed of the cage made the impact disastrous. The heavy car was thrown violently against the upper deck, then fell to the floor of the cage and went through, carrying the lower deck and cage down the shaft. Love was carried along. At a point some 60 feet below the point where the car jammed the car caught on the timbers and remained there. The engineer in the hoisting engine house immediately realized that trouble occurred and an investigation was made. The other cage was used to lower the investigating party, and the jammed car with Love's remains on top were quickly located. The body was extricated and brought to the surface, while the shattered cage and car were released with a block and tackle. Life was extinct when the searchers found Love's body. The neck was broken, and the unfortunate young man had sustained internal injuries. It was evident that when the car was thrown against the upper deck of the cage at the first impact deceased had sustained the fatal injury, or that, if he escaped at that moment, the fall had resulted in the broken neck. Dr. Campbell was summoned, but could do nothing for Love. John Macdonald, the upper deck passenger, was thrown about roughly when the loaded ore car was thrown against the hoisting floor on which he stood. A couple of teeth missing, slight cuts and painful bruises were the extent of his injuries. The late Archibald Love was a native of St. Stephens, N. B., where a widowed mother resides. He had resided in Rossland for a couple of years, being employed at the Nickel Plate and other mines prior to entering the service of the Le Roi over a year ago. He was a member of the Miners' Union, and the organization is looking after the disposition of the body, which was placed in Jordan's mortuary. The deceased young man is described by Superintendent Leslie of the Le Roi as an exceptionally energetic, capable and industrious young man. His sudden death is deeply regretted by those who knew him well and favorably since coming to the Golden City.

RANCHERS DID WELL.

Heavy Export of Cattle From the Territories Last Year. Mr. C. W. Peterson, formerly deputy minister of agriculture in the Territorial government, and now secretary of the board of trade, Calgary, manager of the Calgary exhibition and secretary of the Territorial Cattle Breeders' association, was in Winnipeg lately attending the stock breeders' convention. Speaking to a reporter of the Free Press, Mr. Peterson said that the year throughout the Territories had been a most satisfactory one for the ranchers. The export business amounted to 52,000 head of cattle, which exceeds the previous year by 11,000 head. These figures were recently completed, and are the correct returns for the period mentioned. The heavy import of stockers this year will be a big factor, Mr. Peterson says, and the finishing of the beef will be looked after very carefully all over the west.

WANT THEIR PROPERTY.

Vessels Taken from Venezuelans Not Yet Returned. WASHINGTON, Feb. 21.—Minister Bowen tonight received a cablegram signed by the "Prize Sufferers," Trinidad, requesting his good offices with Great Britain in securing the return of the prizes taken by that country before the raising of the blockade by the allied powers. The cablegram says Germany and Italy have returned the prizes taken by them, and adds that nearly all the prizes belonging to the poor shippers have not been returned. The minister sent a copy of the cable to Sir Michael Herbert, the British ambassador, requesting him to transmit it to the government at his earliest convenience. Thomas Frest left yesterday by the Canadian Pacific for Philadelphia on a business trip.

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Fraternal News

The dance given in this city during the week by the Ladies of the Eastern Star at Masonic hall and the grand anniversary ball given by the Trail lodge of the Independent Order of Odd Fellows made the week pass very pleasantly in local fraternal circles. Two or three of the other local fraternal organizations will probably give dances or entertainments within the next week or two. Outside of trying to arrange such entertainments, the week just passed has been an uneventful one among the fraternal organizations.

The local branch of the Knights of Pythias held their regular weekly meeting at their hall on Queen street on Friday night. The meeting was largely attended, despite the fact that many of the members of the local branch had attended a meeting of the Trail lodge on Thursday but through quite a number of candidates. Members of the Rossland lodge were invited to a man to be present at the ceremony. The invitation was largely accepted.

The Independent Order of Odd Fellows of this city spent a very enjoyable time as guests of the Trail lodge on the occasion of the Smelter City lodge's anniversary ball. The Trail lodge has always been famous for its anniversary balls. All have been successful social affairs, and last week's function was no exception to the rule.

Members of Aerie No. 10, Fraternal Order of Eagles, met at their hall on Second avenue last Monday night. At the meeting several applications for membership were handed in to the secretary. After the regular routine work had been finished, mention was made of the successful conclusion of the lodge's last grand opening social session, and a hope was expressed that another opening social session on a grander scale would be given by the Aerie at no very late date.

As Rossland Hive No. 5, Ladies of the Maccabees, has so many candidates to initiate at the meeting Tuesday night of this week Mrs. Josephine Desllets has issued a call for a meeting at an early moment of the initiatory team and the guards. A large meeting of the members of the order is expected to be in attendance Tuesday night.

The members of the Canadian order of Woodmen of the World held a meeting last Wednesday night at their hall on Columbia avenue. A large number of members were in attendance. Nothing outside of the routine work of the order was transacted during the evening.

It is understood that a dance will shortly be given in this city by the members of the Deborah Rebekahs. The society has already given one dance this year. The dance was a very successful one, and it is the aim of the members to make their next dance even more successful. It is possible that their previous functions.

GREENWOOD.

Business Men Join Lode Mine. GREENWOOD, Feb. 23.—The board of directors of the Greenwood Lode mine has decided to accept the proposal to amalgamate with the Greenwood Lode mine. A special meeting of the board will be held shortly to consider the matter. The board of directors of the Greenwood Lode mine has decided to accept the proposal to amalgamate with the Greenwood Lode mine. A special meeting of the board will be held shortly to consider the matter.

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McMILLAN BROS. MINING AND INVESTMENT AGENTS. ROSSLAND, BRITISH COLUMBIA. CABLES: "KENMAC," ROSSLAND. Bankers: Bank of British North America, Rossland B. C., and London, Eng. Cable Codes—Moreing & Neal, Bedford McNeil. Bank of Montreal, Rossland, B. C.

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