NDERFUL UNANIMITY

bur Finally Crosses Bridge Opened by Chamberlain

Policy of Protection as the Leadatchword and Aim of the Unionist Party in Future Politics

on, Feb. 14.-An interesting corlence between A. J. Balfour and Chamberlain, dated today and ed on the eve of the unionist eeting at Lansdowne house disffectively of the report that serifficulties exist between the fac-of that party. Mr. Balfour's let-

lows: Dear Mr. Chamberlain,-The cony aroused over the fiscal question oduced not unnaturally, the imn that the practical differences of formers are much deeper than is the case. The exchange of which has constantly taken place us leads me to hope that this eption may be removed and the friction which has proved ous to the party. My own opinhich I believe is shared by the majority of the unionist party briefly summarized as fllows: reform is and must remain the istructive work of the unionist The objects of such reform are e more equal terms of competi-British trade and closer comunion with the colonies. While sent it is not necessary to describe act method whereby these objects attained it is inexpedient to perlifferences of opinion regarding ethods to divide the party other means may be possible ablishment of a moderate general on manufactured goods, not imthe purpose of raising prices ing artificial protection agains ate competition, and the imposi against small duty on foreign corn, are principle objectionable and they be adopted if it can be shown to sary for the attainment of the view or for the purposes of rev

his letter Mr. Chamberlain res follows: Dear Mr. Balfour,-I cordially your letter of today in which e summarized the conclusions we during our recent discussion. I agree with your description of ects we both have in view and accept the policy you indicate as desirable for the unionist adopt in endeavoring to give this policy and in defending all

ionist principles any services I der will be entirely at your dis-

er premier Balfour has thus finossed the bridge which Joseph rlain held out for him, and in ndence published late tonight s his position practically on Mr. tariff reform program. t will be heralded in the liberal ers in the morning as "Balfour's "Chamberlain's victory, ile the Daily Graphic, speaking alf of the unionist free traders, Balfour's "journey to as the price of his retention The eadership of his party. lainite journals express comatisfaction and attach no imwhatever to the Balfourian ns which the former premier upon his acceptance of the proon corn and a tax on manu-

Standard says that the agreeetween the two foremost states-the party is absolute and all "Mr. Balfour's surrender, ing. elayed till the eve of the Lans ouse meeting, quite evidently inged at the famous dinner convith Mr. Chamberlain and enhe latter to publish his recent ion of a desire for the leaderich suddenly stilled the news attacks on Mr. Balfour. As emphasize the fact that there in the future a dual leadership tionists, it is announced that in to the provisions of the cus private room in the house of its for the official leadership of ition only a similar room has ted to Mr. Chamberlain. This ual if not unprecendented. Mr. and Mr. Chamberlain are still ations with regard to reorganif the party machinery. conversion to the Cham-

policy is likely to be unpalat-a large section of the unionist Lansdowne house meet ich the duke of Devonshire. lord ecil and other free traders will to be the arena of in speaking on the subject.

WNED WHILE SKATING Feb. 12-Two small boys, Ed-on aged 8, and Willie Gogerty, re drowned this afternoon while when this afternoon while Lawrence above Victoria ted out too far to a spot thin and broke through, ice was thin and broke through The bodies have not been recov

JAPANESE LEGATION rsburg, Feb. 12-M. Tanno, third of the Jupanese embassy at rived here today to reopen the legation

OBBY TOO POWERFUL OBBY TOO POWERTE Conclusion of agton, Feb. 14-At conclusion of session of the senate interstate admitted it was auna car fill regulating railroad rates can-

SOLICITOR AND CLIENT

Anderson Fears Bodwell Will Tell More Than He Should

Enquiry Into Kaien Land Grant Resumed-Fresh Complications Arise and Details Get Interesting

(Special to The Daily News)

Press Gallery, Legislative Assembly, Victoria, Feb. 13.—The session of the legislature again this afternoon was al-most entirely devoted to the considera-tion in committee of the whole of prirate bills. By consent, the name of Paterson (Islands) was substituted for that of Munro, on the Kaien island land grant enquiry committee, the latter being called home on account of the danger being

ous illness of his mother, as mentioned yesterday. Minister of education Fulton introduc ed a bill to amend the Public Schools Act, 1905, the principal features of which are as follows:

Schools in rural municipalities are to be under the control of the school board elected for the whole municipality and municipalities are to be classed with cities under the style of "munici-pal school districts." In such cases, assessment , collections and disburse-ment of school rates are to be in the hands of the municipal councils. 2. In rural school districts, outside of municipalities, assessment and collec-tion of school rates to be in the hands of provincial assessors, who shall make a draft assessment roll to be submitted to the trustees instead of the trustees

making up the list of names in the first place The government suppler grant for teachers' salaries, is to be paid quarterly in municipal school districts, and monthly in rural school districts, instead of half yearly in both cases. 4. Provision is made for the establishment of high schools only in municipal school districts and not in the

union of outside rural school districts, as formerly. 5. The income of regularly appointed teachers and the salaries and wages of

persons under 21 years of age are exempted from assessment. 6. Mines and mineral claims, unworked crown granted mineral claims and

railways are to be included with other Allways are to be included with other assessable property under the act. 7. Separate qualification is given for voters and trustees in assisted school districts and provision is made for the qualification of voters in rural school districts before the assessment list is

made up. In the private bills' committee this west Kootenay morning, the bill of the West Kootenay Power and Light company for the ex-tension of the area of its operations, was again under consideration. Senato Warner Miller, of New York, president of the Dominion Copper company, whose works are located at Boundary Falls, near Greenwood, testified that he had become interested in this property under the impression that there was an unlimited source of supply for electric power to develop the properties. He also expected that the conditions were as they were in New York state, where there was absolute liberty given to all power companies to enter into any con-tracts they saw fit, in the state, and where there was free competition . Had he known that the conditions here were such as they turned out to be, he would not have gone into this propo-sition. The immediate needs of this sition. The immediate needs of this company was for from 750 to 1000 horse power, if this power could a smelter capable of handling 3000 tons of ore a day would erected, and this smelter would itself require 2000 horse He said that when the Dominion Copper company took hold of the Montreal and Boston company's properties, it acquired mines at Greenwood, Grand Forks, Phoenix, and elsewhere. Senator Miller said he was out here to arrange for the future development of the property owned by the company and in attempting to do this he found some difficulty with the Cascade Power company. If it were not pos with the Cascade sible to get power the new works There was abun not be undertaken. dance of low grade ore but in competition with Utah and other states, cheaper power must be provided than that supplied by steam. At present the high price of copper makes it possible to run with steam, but the present price could not be expected to continue. They might hold up for six months and good prices might continue for some time His company had stopped work new plant. Now, he said, he had to contract for power. Offers had been received from the Cascade Power the West Kootenay Power Co. He had no connection with either com-The Cascade company declined Dany sh all the power necessary. They

offered to furnish power, subject to contracts with other companies. In reply to Bowser, senator Miller said that the electric machinery and smelter improvements now proposed in sent smelter would cost about 0. The building of a 300 ton smelter

Post \$500,000 to \$750,000. did not mell senator Miller did not care where the power m as long as it was a continpply and was given at a reason-If the low grade ores of Columbia were to be developed le and smelter owners would be given an opportunity to get He had been acary power. ied to competition. Bodwell said he would like to assure Miller that the Cascade Power

company had not in view the prevent. ing of competition. All that his com-pany sought was that their \$500,000 in vestment should not be rendered use less by another company coming in and putting them out of business. J. E. McAllister manager of the British Columbia Copper company, at Qreenwood, also gave evidence, and

said that his company had a capacity of from 650 to 700 tons of ore a day. If his company would get the necessary power it would undertake to handle 2000 tons a day by September. After operating for several years it had been found that it was impossible to make a profit on the scale on which the property was being worked. Works had been put up on the understanding that the ore was really richer than it was found to be and it was decided, therefore, that the only way to make a profit on the investment was to increase the capacity. It was decided that an investment of \$750-000 would be made in machinery. Of this, \$40,000 would be in an electrical outfit, which would represent 2700 horse power. At present the company used 700 horse power. This was obtained from the Cascade Power company. Part of the 2700 horse power referred to wuld be used in the Mother Lode and Emma mines. The Cascade Power company was not always able to furnish the minimum supply of power. In Jan-uary and February of last year this was not received. He did not blame the Cascade company for this. There was a shortage of water in the Kettle river which accounted for the trouble. This shortage forced the company to stop operations at this time. The cost of operating under electric, power was about one-third of the cost by steam. To operate a plant by steam would be phibitive in cost. When he entered into the contract with the Cascade company, he was not aware that there was any priority of claim upon their power. He afterwards found that the Granby smelters and others had prior claim of the supply. When his company decid-ed to put in an electric supply, the Cascade company would not put in a line out agreed that the B. C. Copper company should do so, and then retain the cost with interest, in paying for the power supplied. This he contended, was an unprecedented action by any power company. Bodwell contended that the Cascade Power company was justified in not

agreeing to put in a line where the sup-ply of power needed was not large, and where no guarantee was put up as to the amount that would be required later In reply to other questions, McAllister agreed that it would not be in the best interests of the Boundary country to put out all chance of competition from the Cascade company. He, however, did not think this was likely to follow Bodwell could not see how it would be otherwise if all smelter companies cancelled their contracts with the Cascade company.

Lorne Campbell, manager of the West Kootenay Power company, was asked if there was no danger of his company increasing the price of power on com-pletion of contracts now entered into with the various smelters for the next with the various smellers for the next four of five years. Campbell replied that it would be impossible to do so, as the companies would still have a chance to utilize the Columbia river for power, and so prevent an increase in The committee then adjourned until

Thursday morning. The Kaien island land grant enquiry The Kaien island land grant enquiry was resumed this evening before the select committee of the house. Chair-man Garden announced his decision that the scope of the enquiry included all matters in any way affecting the ac-quisition of this land by the Grand Tranck Pacific railway Trunk Pacific railway.

Trunk Pacific railway. Some legal fencing ensue: between Bodwell and J. A. Macdonald as to the nature of the change in Bodwell's evi-dence, and as to whether or not he should be allowed to make a fresh state-should be allowed to make a fresh statenent at the present time or after Green's evidence has been taken. The upshot of the matter was that Bodwell was allowed to make a statement then and there. The purport of Bodwell's evidence was

that on the former occasion he had not told the committee all he knew in connection with the transaction believing that matters not then related were is-relevant to the scope of the enquiry. He now wished to state that after the order in council issued, granting Kaien island lands to the Grand Trunk Pacific, James Anderson went to Montreal. At this juncture D. M. Eberts, K.C., on behalf of Anderson asked the privilege of appearing as Anderson's coun

J.A. Macdonald objected on the ground that witnesses were not en-titled to be represented by counsel be-

fore the committee. A majority of the committee were unprepared to give a decision until they had consulted with the attorney-general and so for the time being Eberts was not permitted to appear for Anderson. Anderson then personally asked to be heard and said that Bodwell had no right to divulge anything that occurred between he and Bodwell, as his solici-

Bodwell agreed to this and added he would be very careful. Proceeding with his evidence, Bodwell said that when the Kaien island deal was first initiated he did not know Anderson was associated with Larsen in the matter except as an employee, but, subsequently he learned there wa some other form of association or agency and that consequently he was in a ense solicitor for Anderson as well for Peter Larsen . He had received Lar-sen's permission to disclose anything he thought proper and so far as Ander son was concerned he would be care-ful to say nothing that could prejudice his interests, in so far as the relations of solicitor and client existed. Revert ing to Anderson's trip to Montreal, Bodwell said he received a wire from man-ager Hays to come east. He went, and was informed that Anderson had made some kind of a demand for remuneration for his services in connection with securing the Kalen island lands for the company. Bodwell assured Hays that the company was under no obligation to remunerate Anderson, or anyone else in this connection. The crown grants

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THE WEITER AND THE PLATE WILL BE ALL

had been issued, the company was in absolute possession of the lands and no one could compel them to pay a cent. At this stage Macdonald suggested that Anderson ,being a witness, had better retire. Ross made some objection but finally Anderson withdrew.

Anderson withdrew. Bodwell proceeding stated that Lar sen was in no way concerned in this demand upon Hays. Larsen wanted nothing for his services and later when nothing for his services and later when Bodwell discussed the matter with him, he flatly declined to receive any pe-cuniary remuneration. Bodwell told Hays that the deal had been well managed and that the company had secured a good thing, so they might, if they lik-ed, consider the advisability of remun-erating Anderson . At that time nothing was done, but later Morse was out in Victoria and Larsen met him here and as the outcome of certain negotiations of which Bodwell knew nothing, Larsen settled with Anderson personally. What amount of cash, if any, changed hands Bodwell did not know; he understood that the G.T. P. people did not recou Larsen for this outlay. He could not say what Larsen's object was in onen-ing negotiations for securing the Kalen island lands for the G. T. P., but he did know that Larsen considered it impoli-tic to hold up the company for any cash payment in that connection. The cross examination of Bodwell by Macdonald on this new evidence wa postponed until tomorrow evening. The cross examination of Green was then resumed . Green told of meetings with Larsen in connection with the deal ,and also with one Mathews ,a former Kasloite, who it appears was as-sociated with Larsen and Anderson in some way, and was among those who secured title to lands on the mainland adjacent to Kaien island. Green was subjected to a searching cross-exam ation relative to the reserves on Kaiel island and adjacent main lands, also to the relations between Larsen, Mathews (now of Seattle) and Anderson. Green denied any knowledge of the syndicate formed by Anderson to handle the G. T. P. townsite and said Anderson never spoke to him on the subject. Macdonald then wanted to know if i were not a fact that Mrs. Anderson had

spoken to him in this connection. Green took exception to this question and declared it impertinent. Macdonald informed Green that it was mpertinent on his part, as a witness

to make such a remark and said he intended to press the question. Green at first could not remember that he had talked with Mrs. on the subject but finally said that perhaps he had on several occasions talked over the matter with her casually and jocularly. These conversations had occurred on the street or at her house,

never at his office. To a suggestion by Macdonald that Mrs. Anderson took an even more pro-minent part in the Kaien island land grant deal than her husband, Green re-plied: "Not to my knowledge." Green said he was positive she neve stated to him that both Bodwell and her husband were in the deal with Larsen Taking up the matter of the order in council confirming the grant to the G. T. P., Green in reply to Macdonald, said he was not sure whether the deputy attorney general or Bodwell prepared it. He had had interviews with Bodwell and Anderson before the order was drawn up. Larsen might have seen him about that time. Had not met him at An derson's house but had seen him at Bodwell's. Had not met Mathews there Was not sure whether Anderson ha expressed dissatisfaction with the terms of the order in council, but had discussed them with him. He was not sure i Anderson had seen the order and was not sure that Bodwell had not had it in his possession.

Question next as to his reasons for secrecy. Green stated that a disclosure of the negotiations might have led to complications and the government would have received all kinds of applications. Some of Green's answers in this con nection, as to Larsen's interests in the deal, conflicted with the sworn evidence of Bodwell. This was pointed out to him and he replied that he had told the facts as he remembered them and could not account for Bodwell's statements.

With further ice to th site. Green said he fully realized that i would ultimately prove valuable and be worth many millions to the railroad company. There had been no bargaining with G. T. P. officials in the matter at all. There had been no bargaining with anyone. Bodwell made the pro-position and it was finally accepted on the terms in the printed agreement. Green further stated that the govern ment made no investigation in possible sites for a terminus, had in fact, made no special investigations of any kind, and had not taken into consideration that the G. T. P. was prac tically bound to Kalen island terminu as being the best available harbor. He did not think it would have been advis able to-lay the matter before the legis lature before closing the deal. In repy to a suggestion of Macdonsaid that only those in the sec ald h

ret, Larsen, Mathews and Ande been able to locate lands adjacent to Kaien island. He said he believed other ocations had been made, and promis to look up the applications. stated further in response to

Green stated further in response i Macdonald's questions, that the govern ment made no attempt to stipulate that the G. T. P. should commence construc-tion at this end of the line in consider ation of this valuable grant, and that whilst there was some talk at first about \$5 per acre for the lands the matter was not pressed and Bodwell's offer of \$1 per acre was accepted. At this junc-ture the enquiry was adjourned until

tomorrow evening. It is anticipated that James Anderson's evidence will be taken next and it is expected this will prove somewhat sense-tional. It is not decided pet whether or not Mrs. Anderson will be called. She is known to have been very active in all the various land deals in which her husband known to have been very active in all the various land deals in which her husband has been and is concerned and it is quite possible she will be called upon to testify. So far Pêter Larsen's connection with the transaction remains a mystery, save on the supposition that he was actuated by purely philanthropic motives. It is evident now that Anderson was in the deal for something other than public in-terests. It appears, too, that Mathews of Seattle, had a finger in the pic. As the enquiry proceeds possibly more this purpose he was not informed where he was going and did not learn until nearing his destination. Ritchie gave some interesting information as to the ormation of Kaien island, the nature of the surrounding country, etc. The enquiry adjourned to the call of the chairman and will probably sit again on Friday evening.

TO LIMIT THE SCOPE ST. EUGENE PAY DAY Largest in History of Mine-Machinery

onth.

works,

are i City.

NEW TURN IN KATEN ISLAND LAND GRANT ENQUIRY

SMELTER MANAGERS WATCHING LABOR LEGISLATION

(Special to The Daily News) Press Gallery, Legislative Assembly, Victoria, Feb. 12 .- Owing to the absence of premier McBride and several mem-bers at the funeral of, the premier's brother, the late W. L. McBride, at New Westminster, all controversial business at the legislature was passed over this afternoon, and during a brief mescion only come propagation tills session only some unimportant bills were considered in committee, and a number of private bills given a second reading

At the opening of the house, J. A. Macdonald, the leader of the opposition, in a few appropriate words express the sympathy of his side of the hou the sympathy of his side of the house with the premier's sad bereavement, and stated that until such time as the premier was able to resume his place

premier was able to resume his place in the legislature the opposition would consent to waive consideration of all controversial business. Minister of finance Tatlow replied, expressing appreciation of the sympa-thetic words of the leader of the oppo-cition sition

A new turn was given the Kaien island land grant investigation this morning by the application of E. V. Bodwell to have the committee define the powers and scope of its investiga-

Macdonald pointed out that as Bod well was only a witness and not coun-sel, it was rather strange to have him coming forward to dictate or advise as coming forward to dictate or advise as to the proper course to be pursued by the committee. Macdonald said that if Bodwell wished in any way to amend or supplement his evidence he would be pleased to give him an opportunity to do so, but could not consider for one moment his right to discuss in any way the score of the inquiry way the scope of the inquiry.

After some discussion it was decided to adjourn the inquiry until Tuesday evening, when it is expected the government members of the committee will ernment members of the committee will be ready to give effect to a plan regu-lating the scope of the inquiry to suit the views of Bodwell. It is generally understood that Bod-well's idea is to limit the scope so as

to prevent Anderson giving evidence contradictory to his, Bodwell's, state-ment. Anderson and his friends are closely identified with the Kalen island land grant deal, and they alleged that they have not benefitted to the extent outgeing of the state of the state. anticipated, owing to the failure of Bodwell, or of the members of the gov-ernment, to carry out their part of the agreement. Consequently they are dis-gruntled, and perhaps ready to testify to details of the deal which might prove

injurious to the government. There-fore, it is very important that steps should be taken immediately to limit the scope of the enquiry. The smelter managers of the province are gathering here to watch the progress of Davidson's bill to regulate the hours of labor in smelters. Among

the notrs of labor in smellers. Among those in attendance from up country smellers are: F. W. Guernsey, Trail; J. McAllister, Greenwood; A. W. B. Hodges, Grand Forks; and J. J. Camp-bell, Nelson. Their attitude is not one of active opposition to the bill, but to suggest that in view of the amicable agreement recently arrived at between the management and the men as to the hours of labor in smelters, the in-troduction of the bill at this time is uncalled for. They express a desire to test the present mutual arrangement for a further period before special legislation is enacted. C. W. Munro, M. P. P., left for Chilliwack tonight, having received a tel-

egram that his mother was dying. His departure will probably necessitate a reorganization of the Kaien island land grant committee of enquiry.

FOR THE PRESENT.

FRED RITCHIE GIVES SOME IN-

TERESTING EVIDENCE

(Special to The Daily News)

land grant enquiry this evening the ex-

amination of Hon. R. F. Green was

continued. Nothing of interest was elicited beyond the fact that he had met

Morse and Wainwright of the Grand

Trunk Pacific at Portland, by appoint-

nent some time in 1903 befo

eral

Victoria, Feb. 14 .- At the Kaien island

LAND GRANT ENOURY CHIEF COMMISSIONER EXCUSED

At this year's annual minering of the association just closed at Vancouver the following officers were elected for the year: President, Thomas A. Brydon, Victoria; first vice-president, James DIDN'T PLAY FAIR Johnstone, Nelson; second vice-presi-Johnstone, Neuson; second vice-preat dent, H. Kipp, Chilliwack; third vice-president, M. Fletcher, Armstrong; sec-retary-treasurer, W. J. Brandrith, Vic-toria; executive committee, Messrs, Pal-mer Metcalfe, H. Kipp, W. J. Brandriith. Delegates to Ottawa, Messrs. Met-calfe and Brandrith. Meetings were arranged for as follows: First quarterly meeting at Dun-cans, in April; second quarterly meet-ing at Penticton in July; third quarterly meting at New Westminster in Octo ber, and next annual meeting at Nel-

elections, to discuss ma which had no reference to the Kalen island land grant, but the nature of which he declined to disclose.

which he declined to disclose. In reply to a question by Paterson, the chief commissioner said he had no idea how many good deep water har-bors were available on the coast. He had not considered whether or not land adjoining good deep water harbors, was worth more than \$1 per actre. in view of worth more than \$1 per acre. in view of the possible demands for a railroad terminus.

Green was excused for the present, but will be recalled when Macdonald has had time to look into the returns of land grants produced by the chief com-

J. Fred Ritchie, P.L.S., was the next witness, Anderson being excused on ac-count of private business engagements. Ritchie told of being employed by Anderson to stake and survey under South African war scrip, several blocks of land on the mainland adjacent to Kalen island. He knew nothing of Anderson's objects and simply carried out instruc-tions. When he was taken north for

James McArdle, proprietor of the Black Hawk livery barn here is ap-plying for an hotel license in Franklin City. It is also stated that a prominent capitalist from East Kootenay is ne-gotiating for a mill site at Franklin City. It is also learned that two lots in this young city on Third street and Franklin avenue have just been pur-chased for the purpose of erecting a laundry thereout laundry thereon.

SCARED THE MINERS

No. 2 Mine of Coal Creek Colliery Settled-Sawmills Active (Special to The Daily News) Fernie, Feb. 12.-The output of the Coal Creek colliery has been somewhat

curtailed for the past week by the breaking down of the haulage engine of No. 2 mine, which prevents more than one division of that mine from eing worked. Last night No. 2 settled, and this Last night No. 2 settled, and this settling was accompanied by phenom-ena which led the men on shift at the time to cease work and go home. There was no danger, however, to be appre-hended and the mine, with the excep-tion of that affected by the haulage engine, is now working as usual. Word received from the Fernie hosk-ev team now at the Bossland carnival. ey team now at the Rossland carnival,

ey team now at the Rossiand caralval, is to the effect that they consider that they have not been fairly treated in being compelled to lay off Sherman, one of their best players. All of the sawmills in this vicinity are making preparations for a large spring and summer trade. B. C. FRUIT GROWERS

Recently Elected Officers of the Assothas already been announced in the

telegraphic despatches that the next annual meeting of the Fruit Growers' Association of British Columbia will be held in Nelson. At this year's annual mmeting of the

EIGHT HOURS IN SMELTERS

W. of A., Send Resolution

<section-header><section-header><section-header><section-header><text><text> Gladstone Local Union of Fernie, U. M. w. of A., Send Resolution The secretary of the Fernie Glad-stone local union, No. 2314, of the Unit-ed Mine Workers of America, has sent The Dally News the appended resolu-tion re hours of labor in British Co-lumbia smelters, with a request to pub-lish same. The resolution reads as follows: Whereas, This local has given due consideration to the conditions, includ-ing the hours of labor, of workmen employed in and about smelters; and Whereas, Having considered the na-ture of such work if is in the ominion ture of such work, it is, in the opinion of this local, unquestionably the right of such workmen to have labor hours, and not to exceed 8. Be it therefore res Be it therefore resolved, by Glad-stone local No. 2314, United Mine Work-A Competitor Who O Nelson, 13th Feb., 1906.

Arriving-Personals

Arriving—Personans (Special to The Daily News) Moyle, Feb. 12.—Saturday was pay day at the St. Eugene mine and the amount distributed totalled \$32,000, the largest sum>paid out on any pay day in the mine's history. The men em-ployed number 320 and the average naid to each man was \$100 for the paid to each man was \$100 for the The machinery for the Black-Mac

Kay Mining company has been ordered for the mine under Moyie lake. Por-tions of it are coming from Nelson, Rossland and Vancouver. The ma chinery consists of a seven-drill com-pressor, boilers of 109 horsepower capacity, two pumps, a holst and two drilling machines. Ore shipping has commenced from

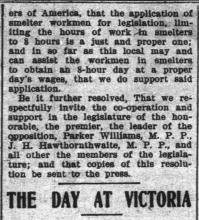
Ore shipping has commenced from the Aurora mine, on the west side of Moyie lake. About three carloads of ore will go to either the Nelson op Trail smelters. Miss Brunton, formerly school teach-er here, won, with a single ticket pre-sented to her at Nanaimo, a valuable plano at a coast drawing. Dr. Harvey and wife have returned

Dr. Harvey and wife have returned The Moyie Lumber company has a, number of men at work clearing up Lamb creek for the spring's operations. GRANBY PAY ROLL

Grand Forks Rejoicing Over Money in Circulation-Personals (Special to The Daily News) Grand Forks, Feb. 12.—Saturday was pay day at the Granby smelter and Some \$40,000 was distributed among

he 300 employes of this big reduction General superintendent A. B. W.

General superintendent A. B. W. Hodges, of the Granby mines and smel-ter, is making a tour of Nevada and will inspect some of the smelters of that state before returning home. The engineering corps of the North Fork survey, under chief engineer H. W. Worrington, have pushed their lo-cating survey through the canyon and are at present camped at Franklin City.



PRIVATE BILLS LEGISLATION TAKES UP THE SESSION

ETITIONS FAVORING EIGHT HOUH SMELTER DAY

(Special to The Dally News) Press Gallery, Legislative Assembly, Vic-toria, Feb. 14-Again today almost the enthre session of the legislature was devoted to the consideration of private bills, Hon. R. F. Green moved the second

reading of the bill to amend the Land Act. Attorney general Wilson moved the nd reading of the bill to amend the Coal Mines Regulations Act. Both bills Coal Mines Regulations Act. Both bills were given second readings without a division. Price Ellison introduced a bill to provide for the extermination of wild horses east of the Cascade mountains, a measure ne-cessitated by the spread of glanders in the Okanagan district. Davidson and Fraser presented petitions in favor of the pasage of an eight hour

cessitated by the spread of glanders in the Okanagan district.
Davidson and Fraser presented petitions in favor of the passage of an eight hour law for smelters.
Harry Wright, M.P.P. leaves for Nelson tonight to attend the supreme court slittings.
R. E. Beattie of Crambrook, is visiting.
R. B. Beattie of Crambrook, is visiting.
The capital.
The amendment which Dr. H. S. Young of Atlin, has infroduced to the Placer Mining Act is calculated, he says to give resk claims a much longer lease of life at present is limited to 250 feet square.
Dr. Young points out in explanation of this amendment that in case of the disconce between benches being narrow, and consequently the Stound rich, the present size of the claim is satisfactory. On the other hand, however, where the auriferous gravel extends over a wide area of the disconce between benches the 250 feet long in findent.
The direction of the stream. By this system the low grade dirt will however on batakes a claim will have a fair chance to get the rich streams. By limiting it to 50 feet in width a miner might carry on his work in low grade dirt with no prospose the chances are altogether, altered, it would result, the system he proposal made for the Stourne, she member on the stream is not inder stoking up their residence on the claims tor proses the chances are altogether, altered, it would result, be thinks, in miners taking up their residence on the claims tor proses the chances are altogether, altered, it would result, be thinks, in miners taking up their residence on the claims tor proses the chances are altogether, altered, it would nesult, be thinks, in miners taking up their residence on the dimest taking up their residence on the dimest taking and extend too for the stream Melinnes, who is on his way to Ottawa, includes this proposal mong the others which heavill subminit for approval to the dominion government.

NELSON CRICKET CLUB Had Organized for Coming Season and 1s-

Has Grganized for Coming Season and is-sued Its First Challenge There was a strentious, not to say en-tropic to the strention of the strent of the strent of the end of the strent of the strent of the strent out, the proceedings of last season dis-cussed, the advisability of getting as many new members as possible suggested, and a challenge issued to the Rossland cricket olub to open the ball here or in Rossland on Easter Monday next. After the secretary had read the minutes of last year, which signalized the formation of the club and had announced that the contagion of the hub of the Kootenay had so influenced the remainder of the districts that Rossland, Trail and Greenwood had now cricket clubs, while a late member of the club. P. McL. Forin, had announced this intention of coming odwn with a team from the heights of Fernie and demolish-ing that the club had not a deto arainst it, was owed several, had a tot of cricket paraphernalia and a smail bal-ance in the bank. The chairman, who happened to be the official scorer seconded this by declaring that the Nelson club in the leignt of and kept the scores. On the election of officers being proceeded with cost of a stast the scores. On the election of officers being proceeded with the following was found to be the with the following was found to be the sued Its First Challenge suffered defeat-ne and aspt. the proceeded with the following was found to be the result of the ballois: Honorary presidents, J. Fred Hume, W. A. Mandonaid and mayor Gillett; president, Judge Worln; vice-presidents, F. Starkey and Kev. F. H. Graham; secretary-treasurer, A. W. Dyer; capitain, C. Morrison; vice-capitaln, E. J. Marks; executive committee A. H. Coppen, C. T. Partington, R. J. Steel, R. Ley and G. Horstead. After some further discussion on general business it was decided to open the seeason with a match on Exaster Monday with Rossland, the place of the match to be de-termined by Rossland. The meeting then adjourned to the call of the chair.



Magistrate All the Facts Were Admitted and Defence Was Purely Technical--First Case

Under the Statute

(Special to The Daily News) Rossland, Feb. 14.—Police magistratë W. J. Nelson gave judgment this morn-ing against the Le Rol Mining company and the Canadian Mines, Ltd., charged with infractions of the eight hour law, by inspector of mines MacGregor. The mines involved were the Le Rol, War Beels and Centre Star

War Eagle and Centre Star. His worship finds each of the com-ponies guilty and imposed a fine of \$25 without costs in each case.

The particulars of the charge as set out in the judgment state that: "Each company is charged for that it did on the 29th of January, 1906, at the did on the 29th of January, 1900, at the city of Rossland, induce or persuade its engineer, being a person employed in or about a metaliferous mine, in which a stationary engine, exceeding 50 horse power was operated for more than twenty hours in twenty-four, to perform be during for more than sight hours in twenty hours in twenty-four, to perform his duties for more than eight hours in the twenty-four contrary to the provi-sions of the said general rules. The material facts are not in dispute. No evidence is called for the defence, and from the evidence offered by th prose-cution it appears that each of the com-panies engaged the engineer named in the respective informations at a wage of four dollars (\$4.00) per day, it being a term of the employment that he should work twelve hours in each twenty-four."

wenty-four.". The defence set up was wholly tech

nical. In his judgment the magistrate after reciting the facts and the contention of the defence, says in part: "I am of opinion that the words are broad enough to include and do include persons employed in operating mach-inery on the surface. The words have a most comprehensive meaning, and it would be too narrow a construction to hold, that they do not include engineers who are operating machinery on the surwhile be too hartow a consideration of the hold, that they do not include engineers who are operating machinery on the surface.... While I feel that the strictest construction should be placed on the statute, in as much as it curtails the natural rights and liberlies of the work-men, yet I am of opinion that the offer-ing of employment to an engineer at a certain wage per day, with a stipula-tion that he works twelve hours per day, constitutes in itself an inducement or persuasion within the meaning of the Act. The workmen is induced to enter into the employ of the company by the offer of employment at such a substan-tial wage, in order to obtain which, he agrees to work twelve hours a day in contravention of the statute. I have given the point some consideration, and I think cases alke the present are just such cases as the statute alms at pre-venting.

venting. "It has been admittedly passed to safe "It has been admittedly passed to safe guard against loss of life and property. The manifest intention of the rules in question is to prevent engineers being so overworked by long hours of con-tinued labor, the result of which over-working having the effect of causing them to be incapable of performing, or inattentive in performing their respon-sible duties. This being the object and intent of the rules L do not think they can be frustrated by the simple hiring can be frustrated by the simple hiring of a workman at a wage of \$4 per day, ployer being careful to use no actual words of inducement think the hiring referred to, constitutes as contended by the prosecution, an in-ducement or persuasion within the meaning of the Act. I find each of the defendant companies guilty, and impose defendant companies guilty, and impose a fine of \$25.00 in each case, without costs, which fine in default of payment costs, which fine in default of payment shall be levied of the goods and chattels of each of said companies. I believe these are the first prosecutions under the Act, and the words of the statute have never been judicially construed. If either of the defendent companies de-sire a case to be stated for the opinion of a judge of the supreme court, under the provisions of the Summary Convictions Act. I will be slad to do so, and stay Act, I will be glad to do so, and stay Act, I will be glad to do so, and stay proceedings meanwhile." R. M. Macdonald, of Nelson, appeared for the prosecution, and C. R. Hamil-ton, K. C., and A. H. MoNeill, K. C., for

the respective companies.

DEATH OF HECTOR SPROAT Son of Former Gold Commissioner Dies in Victoria Hospital

Victoria Hospital Victoria, Feb. 13-The death occurred this morning at St. Joseph's hospital of Hector Sproat, son of Gilbert Malcoim Sproat, formerly a resident of Nelson, when connected with the Columbia-Koot-nay Navigation company. The deceased was 38 years of age and unmarried. He hately occupied the position of superinten-dent of the river division of the White Pass & Yukon rallway. The funeral will take place on Friday afternoon, under the auspices of the Royal Templars of this city. The late Hector Sproat was a mem-ber of Nelson lodge, A.F. & A.M.

The deceased, whose father was for-merly gold commissioner here, was well known all over the Kootenays. He left Nelson about six years ago at the time of the first Yukon excitement and went north. He was employed as an engineer on the Kootenay lake steamers during the four years he lived in Nelson. He came to this country as third engineer on the steamer Islander, when that vessel came round the Hown to Victoria from England in 1887.] BEDFORD RESIGNS

Winnipeg, Feb. 14-S. A. Bedford, su-perintendent of the Brandon experimenta. farm and one of the best known agricul-turalists in western Canada, has resigned to engage in private busin