

WAS AWARDED DAMAGES

Charles J. Hastings Succeeded in His Damage Suit Yesterday.

Le Roi No. 2, Mining Co. Adjudged Guilty of Negligence.

(From Wednesday's Daily.) Charles J. Hastings was awarded \$3000 damages against the Le Roi No. 2 mining company yesterday by the supreme court now in session here.

On June 11th last Hastings was at work in the mine from the 700 foot level of the Josie mine, when the bucket used in hoisting muck became detached and fell.

Action was brought to recover from the Le Roi No. 2 company damages under the Employers' Liability Act to the extent of \$2000 or the equivalent of two years' wages, and under common liability procedure for \$10,000 damages.

The evidence taken before His Lordship Mr. Justice Irving, and the jury empanelled in the case, hinged largely about the question of the efficiency or otherwise of the hook employed.

MacNeill & Deacon appeared for the plaintiff, A. H. MacNeill, K. C., acting as senior counsel. The defendant company was represented by J. Stilwell Clute and Charles R. Hamilton, Mr. Hamilton appearing as senior counsel.

The action by Donald Gunn vs. Le Roi Mining company was taken up, the same counsel appearing in the matter. Gunn was buried in the cave at the Le Roi on July 27th last when Louis A. Dunkle met death.

President Buchanan Says Associated Boards Must Meet as Arranged.

Contrary to expectation, the annual convention of the associated boards of trade will be held at Fernie on the date originally intended—March 18th.

Mr. Buchanan says: "The question comes up as to whether we should now postpone our meeting for three weeks on account of the postponement of the date of the meeting of the legislature.

Secretary Jackson, of Rossland, will send out special notices at once to all affiliated boards stating that notwithstanding the announced postponement of the meeting of the legislature, it is deemed advisable in view of the meeting of the Dominion parliament, and in view of the deplorable strike in the coal mines, to adhere to the date fixed, viz., Wednesday, March 18th.

S. F. Parrish returned on Saturday from a trip to the Boundary and Spokane.

THE TIMBER BOOM OF THE KOOTENAYS

The Kootenays are on the eve of another big boom. This time it is not the mineral wealth but the timber lands. Timber will be king for months to come, and millions of dollars will be invested this year in the purchase of huge areas of forest land and the erection of sawmills in every direction.

During the last twelve months mile after mile of timber land has been quietly staked by men who have had the foresight to get in ahead of the boom. There is scarcely a district in Southern British Columbia that is not being cruised out by experienced lumbermen who have unlimited capital behind them.

There are several reasons for this sudden demand for merchantable lumber in the Kootenays. To the east, in Alberta and the adjoining Northwest Territories, the recent flood of immigration has opened a market for Kootenay lumber that is growing ten times as fast as

the capacity of the local sawmills. The treeless prairies of the Northwest are the natural market for Kootenay lumber, and Kootenay in this respect occupies a decidedly unique position.

The third natural outlet for the products of our forests is the northeastern portion of the state of Washington. From the international boundary to as far south as Spokane and the great Puget sound, and from the Idaho border to the foothills of the Cascades, including the Big Bend territory along the Columbia river, is a huge territory that will soon have to look to the Kootenays for its lumber.

The second reason for this great boom in Kootenay timber is the fact that the Okanagan district, a comparatively treeless country lying immediately to the west of the Kootenays, is being filled up

with prosperous settlers who are rapidly developing the agricultural resources of that rich district. Like the territories, the Okanagan is nearer to Kootenay than Pacific coast sawmills, and is another natural market for Kootenay lumber.

Then there is always the local market which is constantly growing, and is of sufficient importance to rank well with the outside trade. Fortunes will be made in Kootenay timber. There are millions in it. The Kootenay are enormous in their extent and contain a fine quality of timber as could be desired.

There are a hundred acres of agricultural land in the Territories to one acre of good timber land in the Kootenays, so it will be readily seen that there is not the slightest probability that the supply of lumber from this district will ever come up to the full requirements of the customers east of the Rockies.

ASTOUNDING EXPOSE

THE POLICY OF THE C. P. R. IN EAST KOOTENAY. AN ATTEMPT TO BE MADE TO GRAB THE RICH COAL LANDS.

The following is from the last issue of the Fort Steele Prospector:

The Canadian Pacific Railway company has commenced suit in the supreme court, Vancouver registry, claiming title to 240,000 acres of land in the Elk river valley, asking for damages for trespass, and an injunction restraining so called trespassers, from further trespassing, and from applying to the crown for title to said land.

The claim to the land by the Canadian Pacific Railway company is based upon the Provincial land grant by the government in aid of the Columbia & Western railway.

The announcement of the C. P. R. claiming title to 240,000 acres on the west side of Elk river, is a statement in which the whole of British Columbia is interested, for it will delay the opening up and development of a part of Southeast Kootenay which has been proved to possess quartz mines of exceptional richness, considerable areas of coal lands, and vast areas of choice timber lands.

The land grant of the Columbia & Western railways reads as follows: "It shall be lawful for the lieutenant-governor-in-council to grant to said railway company lands in the district of Kootenay and Yale not exceeding 10,240 acres for each mile of narrow gauge railway to be constructed by said company, upon condition of their constructing the said Columbia & Western railway within the time and according to the terms of this act of incorporation."

"A tract of land extending 16 miles on each side of the line of the section or sections as aforesaid of the proposed railway, and also such further area contiguous to the railway as the lieutenant-governor-in-council may direct, in order to make up a sufficient quantity under this act."

Anybody who knows anything about Southeast Kootenay and its land grants to railway companies are emphatic in condemning this attempt of the C. P. R. to obtain still further concessions in this district.

The land in question was supposed to have been under reserve for railway purposes, but this was found to have been a mistake and the government during the past year has allowed pre-emptors to take up land, issued coal licenses, and permits and leases for timber limits.

It is understood that the Canadian Pacific does not intend to be satisfied with its present holdings in this district, but will endeavor to force the government to make them a present of the land now held in reserve in the extreme southeastern portion of the district, which contains unlimited resources in coal, oil and minerals, besides vast forests of the choicest timber in the province.

There is no doubt but that the C. P. R. company has resumed its crusade in favor of its plan to absorb not only the 50,000 acres of coal land owned by the Dominion government, but with patriotic feelings think that the coal areas of Southeast Kootenay, as an asset, should belong to the C. P. R. It affects to be fearful that the smelting and mining interests of the Kootenays will in some way be affected—unless the entire coal fields of Southeast Kootenay are given to them.

THE INDUSTRY BOOMS

GREAT ACTIVITY ALL ALONG THE ARROW LAKE DISTRICTS. UNLIMITED CAPITAL AVAILABLE FOR ALMOST ANY SORT OF TIMBER.

TRAIL WAS CAPTURED

ROSSLAND AMATEUR PERFORMERS MADE A HIT IN SMELTER CITY.

STRONG DELEGATION OF ROSSLANDERS ACCOMPANIED THE AMATEURS.

(From Wednesday's Daily.)

A jolly crowd of Rosslanders spent last evening in Trail. It was the occasion of the presentation to the Smelter City citizens of "Jane," the successful farce-comedy produced by the Dramatic club of the Golden City. The performance was repeated at Trail by request, and the Rossland visitors were promised a hearty reception and a pleasant visit.

The entertainment was splendidly patronized, a crowded and appreciative house greeting the Rossland amateurs. Throughout the evening the efforts of the performers were received with marked applause; nor was this unmerited, for the play went with a swing and smoothness that could not fail to delight. The social function following the play was pleasant, a third but cheerful crowd returned to the city on the special train arranged for.

Among those in attendance from the city were the following: Dr. and Mrs. McKenzie, Mr. and Mrs. John Hooper, Mr. and Mrs. C. E. Simpson, Mr. and Mrs. Thomas Corson, Mr. and Mrs. Briggsford, Mr. and Mrs. W. J. Frost, Mr. and Mrs. R. W. Grigor, Mr. and Mrs. Harry McIntosh, Mr. and Mrs. Lancaster, Mr. and Mrs. N. A. Burritt and Mr. and Mrs. F. O. Fortin; Mrs. Charles Jackson, Mrs. R. W. Bennett, Mrs. Smith, Mrs. Al. Hanson, Mrs. J. Smith, Mrs. Ross Thompson and Mrs. Robert Adams; Misses Helen Bennett, Ida Marshall, L. Harris, F. D. Urquhart, Falding, Kinnear, E. Shrapnel, M. Billings, W. Crowley, May Harris, Charlotte Peterson and J. Phillips.

Messrs. F. B. Holstead, F. C. Hindsdale, W. W. Hageman, Gibbs, C. H. Walker, W. H. G. Phipps, Stanley M. Johnson, C. S. Wallis, A. W. Strickland, John C. Wilson, Jackson Rigby, T. A. Gray, W. J. Nelson, A. C. McCarty, Cranus P. Graham, T. M. Graham, W. Elley, William Veran, J. S. C. Fraser, John H. Mackenzie, Harold M. Ellis, Ward, J. H. Watson, Roscoe R. Leslie, Joseph Wright, H. H. Smith, Frederick Schofield, Edwin Durant, W. H. Burken, Eugene Croteau and C. World.

The foregoing list is incomplete, a number of people joining the excursion at the upper and lower depots.

EXCITED ITALIAN DEPUTIES.

ROME, Feb. 24.—Several duels between deputies are reported as the result of a disorderly scene in the chamber today. A heated debate followed an interpellation by Signor Montignari upon the alleged oppression of Italian subjects in Austria. The Republicans and the Conservatives indulged in violent recriminations, and the sitting had to be suspended.

EGOZCUS ACQUITTED.

SAN JUA, Feb. 24.—The jury in the trial of former Mayor Egozcus on the charge of destroying the records of the city water receipts, which it is alleged constituted the only evidence of extensive speculations and embezzlement, brought in a verdict of acquittal today.

CITY NEWS

HIS BROTHER ALSO—A brother of the late Archie Love was one of the victims of the Fernie catastrophe last summer.

FOR THE CROWN—J. Stilwell Clute has been advised by the attorney-general that he is retained by the crown in the case of Rex vs. Simpson. The date of the hearing has not been fixed by Judge Forin as yet.

AT GRAND FORKS—Grand Forks has formed a branch of the Provincial Mining Association and appointed seven delegates to go to the Victoria convention. Phoenix organized last evening.

NARROW ESCAPE—J. Hatfield, employed at the Le Roi mine, fell into an ore chute and dropped three floors on Sunday. He escaped with slight injuries and a severe shaking up.

PROMOTED—J. Burt Morgan has been appointed general agent for the Kootenays of the Mutual Life Assurance company of New York, an important and remunerative post. Mr. Morgan leaves tomorrow on a business trip to the Boundary.

UNSEATED—Ald. Morrison of Nelson has been unseated by Mr. Justice Irving on the ground of want of property qualification. This was the result of a suit brought by John Patterson.

NOT YET NAMED—The new rector of the Church of the Sacred Heart has not been named as yet. Rev. Father Coccola, of the St. Eugene mission, has been locum tenens since Father Welch's departure, and will continue in that capacity pending the appointment of a permanent pastor. On Sunday evening Father Coccola left for East Kootenay, on the understanding that he will probably return toward the end of the week. An announcement as to the new priest for the Golden City parish is expected almost daily.

LACROSSE—The outlook for the establishment of a lacrosse team in Rossland this spring is said to be bright. Several of the enthusiasts who essayed the task of organizing a club last fall have avowed their intention of reviving the project, and state that their chances of success are much brighter because of the fact that there are more lacrosse players in the city this year than last, various members of the hockey club being counted upon as recruits. No active steps have been taken as yet, but it is probable that organization will be completed and the team ready for practice in April.

FOR POSTOFFICE—The department of public works has let the contract for the furniture required in the new postoffice buildings. The goods will be supplied by James Jordan, of Rossland, and Noble Binnis, of Trail. The aggregate cost of the desks and other fittings is from \$1,000 to \$2,000. R. W. Grigor, supervising architect, states that the large fittings are now being manufactured in the east, and that he believes that it is the department's intention to push the work ahead as rapidly as possible. "The postoffice should be open for general service by April 1st, I should think," said Mr. Grigor in commenting on the matter.

MOUNTAINEERS—On Sunday a party consisting of Messrs. McNorris and Paulson, Messrs. McAlpine, Taylor and Hook, Messrs. Taylor, Carpenter, Devine, Plewman and Lewis, made the ascent of Mount Roberts on snowshoes. Four of the number having ascended the previous Sunday, the trail made in splendid condition and rendered the trip less arduous for those unused to climbing on snowshoes. Photos were taken showing the party on the climb, grouped around the camp fire and at the base of the historic flagstaff on top, besides some landscapes. The weather was fine and warm and the scenic views grand. All had a most enjoyable outing, although it is asserted that certain of the climbers had "consumption" quite seriously.

WHERE'S THE CUP?—Joe Lawler won the ski running race this year and is entitled to hold the \$300 trophy emblematic of the championship of the province. When Lawler applied to the carnival committee for the trophy, it eventuated that the committee was not in a position to deliver the goods. Last year the cup went to S. A. Hartman, and it was handed over to him without bonds. Mr. Hartman has since left the city, and the committee was not disposed as to what disposition to make of the valuable trophy. Now efforts are being made to locate Mr. Hartman and to learn from him where the trophy is, in order that it can be secured and delivered to the winner of 1903. In event of the committee failing to recover the missing cup, The Miner Printing & Publishing company hereby makes this offer that it will furnish the bullion required to make a replica of the trophy.

WOUND UP—The litigation involving the Nelson and Derby claims in this city has been concluded at last in Nelson, where the supreme court is now in session. It will be remembered that in the fall of 1900 the two claims were bought by a French corporation represented by G. Lucien Weyl. R. Thurston assisted in putting through the deal and was to receive \$3,000 commission on the \$35,000 purchase price. A company was subsequently incorporated to deal with the claims under the name of the Rossland Proprietary company, and Thurston put \$2,000 into the concern and subscribed for 1000 five dollar shares. He then brought suit for an undivided one-seventh interest in the property, and defendant claimed that the block of stock in question was to be issued to the plaintiff in full settlement of his claims. The supreme court held with the defendant and dismissed the action, which has been pending for a couple of years.

YUKON RATES CUT.—VANCOUVER, B. C., Feb. 24.—The prospect of being able to travel from Vancouver to Dawson City for less than \$100, meals and all other accom-

ABOUT SULLIVAN—

Cranbrook shareholders in the Sullivan mine are endeavoring to arrange a meeting of stockholders in East Kootenay with a view to arriving at a conclusion with respect to the company's affairs, and for taking united action to assert their claims.

ADJOURNED—

The call for the associated boards of trade convention at Fernie next month has not been amended as yet, but this is certain to be done, as the assembling of the legislature is postponed, and the constitution of the associated boards calls for the annual convention a week after the meeting of the House.

NO FOOTBALL—

The men who played football here last season have not seriously taken up the question of organizing a team for the approaching season, but it is probable that they will abandon the idea of introducing football in the Golden City. There are various obstacles, principal among these being the lack of proper grounds.

SPECIAL SLEEPER—

The local Canadian Pacific officials are arranging for a special sleeping car to meet the Arrow Lakes steamer carrying the Rossland delegation to the Victoria convention. The arrangement will be completed if the entire deputation travel together, and indicate their intentions to the local commercial agent of the railroad.

IN LONDON YET—

Frank A. Hewer, of the Spitzee company, is still in London. He is expected to leave about the middle of March for Rossland, and the company's plans for the Spitzee mine are to commence work along the comprehensive lines already sketched as early in April as weather conditions permit. The company's affairs are all in shape for the commencement of building and the installation of machinery.

TO NEXT SEASON—

The toboggans imported by the Midwinter carnival committee are temporarily stored in the board of trade rooms. It had been the intention to permit the toboggans to be used continuously, but as the slide has been cut up and injured to some extent by the thaw, it is probable they will be cached away until next season. The committee has other useful assets in the shape of torches, advertising material, etc., that will be handy next year.

FURNITURE ORDERED—

James Jordan has already placed the order for the furniture required to fill the contract made with the federal government by himself and Noble Binnis, of Trail, in connection with the new postoffice. The order embraces filing cabinets, top desks, office chairs, bookcases, counters, mats, linoleum, etc. Quarters oak will be used throughout, and all the furnishings will be en suite. The government will expend some \$2000 in furniture, and Mr. Jordan expects to complete delivery here by April 1st.

\$1000 WANTED—

Messrs. Blue & Deschamps have presented the city council with a bill for \$1,000 for the right of way across their lands of the city flume constructed last summer to bring the waters of Rock creek to the Stony creek dam. The right of way is a mile and a half long and sixty feet in width. The city fathers have shied at the size of the account, and the matter has been placed in the hands of the finance committee for consideration.

KNOWN HERE—

J. P. Vance, the Canadian Pacific engineer who met death in a Manitoba blizzard recently, was well known in Rossland. When stationed at Nelson under Fred P. Gattelus, district engineer, the late Mr. Vance was in Rossland more or less frequently and did considerable work in connection with the spurs from the main line to various mines. He is described as one of the most energetic and fearless engineers in the Canadian Pacific service.

FRATERNAL VISIT—

The members of Corinthian lodge, A. F. & A. M., will be the guests of their brethren at Trail on Friday evening, when the occasion will be somewhat of a red letter event. Degrees are to be conferred and several grand lodge officers are expected to make official visits to the Trail lodge on the night of the Rossland Masons' visit. The fraternal sojourners will leave here on the regular train and return by special train after the proceedings at Trail are concluded.

WILL BANQUET—

On Saturday evening the members of No. 1 company, Rocky Mountain Rangers, and the friends of Lieutenant Gordon Logan will tender him a banquet at the Hotel Allan. The function promises to be of a pleasing nature. Mr. Logan has been an enthusiastic member of the militia here and has done much to forward its interests, particularly in connection with the Military Rifle association and the bugle band. He is about to depart for Toronto to rejoin the clerical staff of the Canadian Electric company.

FOR ST. PATRICK'S DAY—

The indices of the church of the Sacred Heart are planning and arranging the cast for the play to be given on St. Patrick's day in the interests of their church. The entertainment will be under the direction of Mrs. J. M. Fitz-Patrick, a lady who has done much toward encouraging local dramatic talent in this city. Since coming here Mrs. Fitz-Patrick has established an enviable reputation by her able management of amateur theatricals. In taking hold of this year's St. Patrick's day entertainment Mrs. Fitz-Patrick and the ladies of the Catholic church have decided to produce "Sweet Lavender." The play is one that abounds in humor and pathos and has an interesting plot running throughout. An excellent cast has been made for the respective parts, rehearsals have begun and from the present outlook an excellent performance may be looked forward to.

Per Year

KOOTENAY

Southeastern After Mes and E

The East Kootenay Coal Reserving P

REVELSTOKE, from the free expression local residents, as we gathered from those here on their way Kootenays, the Pri not so popular as t might desire.

The impression is mlier Prior, in his administration, has his host. Instead of to the pressing needs duals who are trying est dollar in Briti seems to have tur railway interests, an ing good reason to s continue to do this public, especially th The voters are as nent questions conce and his ministerial among these is: W Eberts and Wells to their portfolios, wher toriously controlled Pacific Railway c Prior should know, thing, that a very i industrial supporters Mainland, will have to do with either of as they continue to enterprise for the b R. It is all very li to splutter, as he did the stump, but the he has for years pe clique at Victoria th bestowed upon the b of acres of the life Columbia. He has instrumental in hand of the people railway of the province the since operated for nt of his master, S neasy.

It is nothing so that the attorney-g to hold his seat in it is reasonably cert continue to do so a eral election. Your it on good authority Eberts quickly sees ways some of the st time and to provin Turner and the lat Davis, tried beyond, travel from the Koo and leave no stone u themselves for the n the attorney-genera upon this long suffe try.

And what a story tell! The Shuswap scandal; the Nakusp of the Columbia and K Columbia and West ish Columbia Southe the benefit of the C. for the individuals v willing to develop tion; the magnificent of the southeastern province.

But all this is as a pared with the vit affect the hopes a Kootenians today. Mr. Eberts, Mr. Wel minister representing province, has, it see time and to provin more! more! The South Yale are to tive railways, simp P. R. wishes to hog ticular section. The allowed a postponer of selecting certai avoid the payment o tax, and, last but n coal lands of Southe are outside the C. are to be "reserved Pacific.

This political buce otherwise the futu already fraught wit that are most di stourest, will bec what will happen t but a fair exampl the entire provin No wonder the r ed to materialize o ket! Small blame r refuse to advance that, in order to pay have to borrow mo future. Yet there land in East Kooto client people with a to develop the san able interest on the us the other day, charges on the p province. However Wells seem deter the pernicious pr "reserve" on them domain, and thus Prior's government as it might be.