THURSDAY September 12, 1901

THE ALIEN

t. 7 . 14 . 21

. 30 t. 4

14

28 30

t. 13

. 20

r. 30

pt. . 17

g. 28 pt. 4

pt 11 pt. 17 pt. 18 pt. 25

g. 31 ept. 3 ept. 7 pt. 14 pt. 21

pt. 18 pt. 25 ug. 28 ept. 4 ept. 11 ept. 18 ept. 18

ug. 31 Sept. 7 ept. 14

ept. 28 ept. 28

Sept. 5

ept. 12 mbia

Sept. 19 Bis-

Sept. 26 Aug. 28

Sept. 4

raska Sept. 11 Sept 13

realth

Aug. 2

Sept. 7

Sept. 14 Sept. 28

Europeas

I, B. C.

TIPET

R'y

IWAY

ROSSLAND WEEKLY MINER

OF WORK.

THE STRIKE.

LABOR LAW Evidence for the Prosecution in the Geiser Trial. Further Hearing of the Case in Court on Friday.

All day Thursday was taken up at the police court with the hearing of the charge against Albert Geiser of contra-vening the Alien Labor law in the alleged vening the Alien Labor law in the alleged contracting with onle Neil Stevenson to come from Baker City, Oregon, to work in one of the Le Roi properties. Court resumed the hearing at 10:30 a. m. and sat until 5 o'clock, with a brief interval for lunch. The hearing was not concluded, and will be taken up again this morning at 10:30 o'clock.

The first witness called yesterday morning was John A. Kellog, attorney and counsel-at-law in Northport. Mr. Kellog was called to give evidence as to abrogated by Stevenson at Northport, and he did not believe it would be con-tended that the act intended to impose any penalty in a case of this description. the Alien Labor law as it exists in the United States. The Canadian law only United States. The Canadian law only When complainant swore that he came applies as against the importation of into Canada of his own accord, could it persons coming from a country which discriminates against Canadians by acts of a similar nature, hence the necessity of establishing the existence of Allen labor legislation in the Republic to the tabor legislation in the Republic to the vice-president of an arten organization, south. A copy of the statutes relating to the matter up to 1891 was put in as evidence, and Mr. Kellog swore that the law was still in force. Mr. Bernard MacDonald was called

for the prosecution and was on the wit- cution, answered the objections raised for the prosecution and was on the wit-ness stand for a short time. Mr. Mac-Donald evinced a disposition to answer all questions put to him promptly and fully, and was not delayed long. After replying to the formal exteriors relation replying to the formal questions relating to his connection with the Rossland to work. Great Western properties, Mr. MacDonald in reply to a question stated that Mr. Geiser had a contract for the performance of certain work at the Le Roi No. 2 mine. The document was produced in court and filed as an exhibit. There was also a verbal agreement in existence relating to the loading of ore from the No. 2 dump at the Le Roi mine for shipment to the Trail smelter, but beyond this there never had been nor was there at the present time any agreement as to work in the Le Roi mine. Mr. Geiser had already commenced work under both contracts. Mr. MacDonald could not say how many men were employed, or where the men had come from that were at work. Asked if he was awaie that Mr. Geiser had brought in men from the United States, Mr. MacDonald stated that he was not cognizant of anything of the kind, remarking that it would, or the kind, remarking that it would, however, be perfectly natural that the majority of the miners now at work should have come from the United States, a census of the men employed

Mr. Geiser in Rossland, and did not propose to. At Northport he had been offered a job in the smelter or quarry, but did not take the offer. He was told

very much opposed to the testimony given by Stevenson. Briefly, witness stated that he had known Stevenson in Baker City, but denied that he had ever offered complainant a position in Ross-land. Witness had a contract for grading and tunneling in the lime quarry at Northport, and all arrangements for men in Baker City had been with a view having shown a flew months ago 60 per cent of the employes were Americans, and particularly because of the fact that to getting a crew for these enterprises. of the 1000 men or more formerly bm-It was generally known that he had the ployed in the mines the majority had gone south to look for work and it was only to be expected that these would re-turn when the mines reopened. He had

Rossland, as required to meet the word- roast heaps.

Clifford Bowlen, who has already ing of the statute. On the contrary it referred to, was placed on the stand for was shown by witness' own statement that he intended leaving the city at the the defence, Mr. Bowen gave his evi-dence in a most straightforward manner. He stated that he had been a working earliest possible moment and had no in-tention of becoming a resident. As to the evidence submitted by the complainminer since 1894, and had worked about the evidence submitted by the complain-ant Stevenson and his witnesses, coun-sel for the defence stated that nothing had been adduced to show that defendant to Rossland two weeks ago and was now to Rossland two weeks ago had knowingly solicited or contracted to foreman at the Josie mine at a salary had knowingly solicited or contracted to have complainant emigrate to Canada or made in Rossland by Mr. Geiser, no con-made in Rossland by Mr. Geiser, no conhad entered into any agreement, express or implied. Stevenson had declared in his own evidence that he had come into Canada of his own accord, and surely in view of this fact there could be no contention that the there could be no to go to work in Northport, and had no instructions as to hiring men for other places. He engaged the informant, Ste-venson, at Baker City for the Northport work, and stated that after Stevenson had been hired he said: "I am a big drunken stiff. I'm no good to my family bere or anywhere and can do as much for contention that the Alien Labor law applied to his case, or that the Attorney-General could have reason to deport the man. The conversation alleged to have taken place at Baker City, when Steven-son said: "What show is there to go?" and defendant replied: "All right," was them in Northport as anywhere." Wit-ness reiterated that he did no hire Ste-saler who was in the city this week. assuredly no contract, admitting that the venson or Treat to come to Rossland. When witness came to Northport he found there was no work for him there, and having fulfilled his mission of bringing the Baker City detachment to the land has not been alone in experiencing point where they were to go to work he was a free agent and had come on to Rossland. Here he met Mr. Getser and was lexactly to the contrary, inasmuch as both men declared they had done nothing Rossland. Here he met hir. Greger and secured the position he was now filing. At one point in his evidence Bowen was asked how many miners were work-ing in the mines here. He replied that a one of the best customers in the as one of the best customers in the whole. in the direction of going to work. On the other hand it was demonstrated out of Stevenson's own mouth that he had thrown the whole matter up at Norththere were three men actually doing miners' work at the present time, but port, in a foreign country. Even suppos-ing a contract existed prior to this stage, which of course was not admitted, it was

that there were a number of others in the crew who stated they were miners, but who had not yet been put to work is used they are miners, but who had not yet been put to work

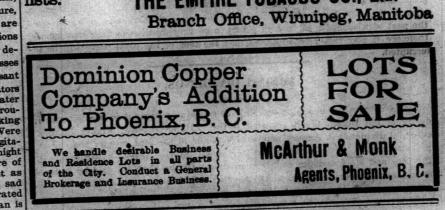
at maning. The case for the defence being con-cluded, Judge Boultbee announced that a decision would be handed down a week hence. After the recess for luncheon, court pression is long sustained, severe losses reasonably be contended that defendant was guilty of a contravention of the law?

After the recess for luncheon, court resumed to hear the charge against Mr. Geiser of violating the Alien Labor act by encouraging the importation of one James H. Andrew. The man in the case proved to be a young fellow of 18 years of age. His story was that he went to Mr. Geiser's Baker City office and asked for work as a carpenter. Later he returned and said he did not and asked for work as a carpenter. tors' maw could be satisfied they might Later he returned and said he did not be disposed to extend some measure of care to take work as a carpenter, but sympathy toward such a movement as would like a job as a carman. The re-quest was acceded to. When he left Baker City with the others he hadn't a cent, but was bought a meal en route satisfied to let well enough alone the to Spokane and at the latter point was agitator must ever be making trouble given a dollar to buy food. On reaching Northport Andrew went with the other It is not sufficient that the great army Judge Boultbee requested Mr. Mac-Neill to give an opinion on the supposimen to the "bull-pen," as he describes the smelter boarding house, and had tious case of an employer contracting with a man to work in Rossland, giving lunch there. Later in the same day he had dinner there. After the evening must stir up trouble or lose his job the man \$50 and having the man go to meal he came down town, fell in with a party of the striking smeltermen and "had a good time with the boys." He did not return to the boarding house that night or at all spending a part of California instead of coming to Rossland as contracted. Would this render the man at this end of the line liable to man at this end of the Alien Labor law? prosecution under the Alien Labor law? Mr. MacNeill expressed the opinion did not return to the boarding house that night or at all, spending a part of the night at one of the down-town saloons and leaving next day for Ross-land. He had no money, but was given a ticket for Rossland by Neil Stevenson, whom he had told that he would like to come to Rossland. Witness was asked why he did not go to work in North-port, and said it was because of the strike. Asked if he did not know of the trouble in Rossland, he replied in the affirmative, but remarked that he that the fact of the man going to California instead of going to Rossland would not affect the employer's liability beyond, possibly, mitigating the punish ment to be meted out by the court. The defence was then commenced, His Honor reserving the decision on the ob-jections taken. Mr. Albert Geiser was the first witness called, and he remained on the stand for the balance of the after-

the affirmative, but remarked that he came up here because he desired to know the real facts of the case. "I can see no reason why the managenoon. Mr. Geiser's side of the story was

the affirmative, but remarked that he came up here because he desired to the mines. If can see no reason why the manage-ment should not be able to operate the mines. If can see no reason why the manage-ment should not be able to operate the mines with full crews at an early date. Several of my customers here inform to the to their personal knowledge a number of the old residents of the city are more than anxious to return to the evidence submitted was prac-tically the same so far as Mr. Mac-Donald was concerned. W. L. MacDonald, vice-president of the Miners' union, was also recalled and the mines. When the fact is once have gone that the mines are working again there will be an influx that will make glad the hearts of the olliper to indicate the districts to which these more than anxious to return to the districts to which these more than anxious to return to the districts to which these more than anxious to return to the districts to which these more than anxious to return to the districts to which these more than anxious to return to the districts to which these more than any to the districts to which these more than securing the working again there will be an influx the twill make glad the hearts of the old resident to the the districts to the districts

dent of the country, nor was it shown that stevenson had become a resident of Boseland as resident of HOW WHOLESALE MERCHANTS No brand of Chewing Tobacco has REGARD THE RESUMPTION achieved popularity so quickly as POINTS AFFECTED BY "The wholesale people doing business The Finest Chew ever put on the market. Discussing the effect of the strike on the extensive wholesale interests in Nelson, the gentleman continued: "Rosssalers have supplied the majority of the Sold Everywhere goods consumed here for several years, TRADE Even the tags are valuable-ON EVERY FLUS Save them and write for our illustrated premium country. The strike has hit the whole THE EMPIRE TOBACCO CO., Ltd. lists.



NOTICE TO SHAREHOLDERS

The Winnipeg Mines, Ltd. NON-PERSONAL LIABILITY

STOCKHOLDERS WHO HAVE NOT PAID NO. 8 CALL ARE HEREBY NOTIFIED THAT SUCH STOCK IS NOW DELIN-QUENT AND LIABLE TO BE DECLARED FORFEITED TO THE TREASURY IN ACCORDANCE WITH THE ARTICLES OF ASSOCIA-TION AND ALL STOCK ON WHICH THE FIRST FIVE CALLS WERE UNPAID 26th JULY HAVE BEEN FORFEITED. Interest at the rate of 10 per cent will be charged on all arrears. THE FOLLOWING ADDITIONAL FINAL SETTLEMENT HAS BEEN LEVIED.

labor trouble from which an agitator- mitted to the various Boun ridden camp is never free for a mo-ment." The foregoing from a hard-headed bus-

ween all to Rosse points; he Great nd O. R. the Canadary creek

with stage ween Spo-

st, 1901. Arrive. .. 7:35 pm. .4:10 p.m. 6:05 p.m. & P. A. ide Ave

e. Wash

mited RAINS.

VE. DEPART m. 7:10 a. m. m. 9:35 a. m. m. 11:50 p. m. m. 10 45 p. m. 7:30 p. m. 7:30 p. m. m. 7:35 a. m. m. 9:50 a. m. m. 3:0c p m. m. 5:33 . m. m. 7.40 a. m.

others daily. anch leave

verside and

E:

S-3 KANE AND

eral Agent, okane, Wash Oregon.

.

turn when the mines reopened. He ha formation about work in this seen litters from former employes now in the United States who asked for inforbut all that were hired were taken on the express understanding that they were to go to work in Northport. When mation regarding the resumption with a Stevenson said witness told him to hit a view to assuming their old positions. Elmer Treet, another man who claim-ed to have had a contract with Mr. man. at the Northport station, it was a

Mr. MacNeill, counsel for the pros

Cross-examined by Mr. MacNeill, wit-Geiser to work in the Le Roi mine, was ness stated that about 40 men were now called for the prosecution. He deposed that he had worked for two years as a at work in the mines here. In reply to a query witness stated that a time book was kept at the mine, and the prosecuhoisting engineer and had been engaged to run the Le Roi hoist here. When cross-examined witness stated that he tion demanded that it be produced. had not worked or offered to work for

FRIDAY'S SECTION.

Several interesting facts were elicited at Northport that there was trouble at Rossland, but came up to satisfy his own curiosity on the point.

the charges against Albert Geiser for contravening the Alien Labor law. One of the most prominent of these related to the wage scale in other camps. Evi-dence was adduced to the effect that The last witness for the prosecution was William L. MacDonald, vice-presi-dent of the Rossland Miners' Union and miners receive in the mines about Baker the complainant in the case before the City, Ore., \$3 per diem for a ten-hour day, while shovellers, carmen and other court. In reply to the formal questions witness stated that he had seen Judge laborers are rewarded with the munifi-cent sum of \$2.25 for ten hours' work, Forin sign the consent for summary pro-ceedings before the police magistrate though in some cases the same labor was paid as high as \$2.75 for ten hours' and that the mining industry was neither new nor was there any lack of skilled men to conduct the work in this work. This statement is the sworn evi-dence of Clifford Bowen, Mr. Geiser's foreman at the Josie mine, who deposed camp. MacDonald was closely cross-examined as to his motive in bringing the that prior to his accepting a position at Northport with Mr. Geiser he had workaction against Mr. Geiser. He solemnly avowed that he telieved the law of the was his duty to take action looking to the preservation of the law under which he lived. He admitted that the Rossland country was being broken, and that it the preservation of the law under which he lived. He admitted that the Rossland Miners' Union would in all probability entire facts in this connection set forth

Miners' Union would in all probability pay Stevenson's board while the latter was in the city, and that the same course would be followed in regard to while Mr. Bowen was under oath. The entire day was taken up with the hearing of charges against Mr. Gelser. One of the cases was concluded at noon Treet. MacDonald swore that he was a native of New York state and was not and a second commenced after lunch. a British subject. He had worked in this In the case concluded the court reserved camp from time to time for four years judgment for a week. and had never been interfered with in

On resuming yesterday morning the and had never been interfered with in coming or going. The last work he had done on Red mountain was in one of the properties under Mr. Bernard Mac-donald's management, but for some weeks prior to the commencement of the strike he had not been working in any of the mines.

mines. The adjournment for lunch was then taken, court resuming at 2 o'clock. The case for the prosecution having been con-cluded, Hom. T. Mayne Daly moved for a dismissal of the action on a number of objections. Briefly, the chiestions taken a dismassion of the action on a number of boundoes held that while he beneved he objections. Briefly, the objections taken was empowered under the act to order by counsel for the defence were that the the time book to be brought into court,

reiterated his testimony as to securing the order for the summary hearing from this Honor Judge Forin. Cross-examined, witness admitted that the Miners' union was paying the expenses of Andrews while the latter was in the city, and the decent miners, who only ask fair working conditions, return. I have to the compense him for any expense him for any expense him securion. Working conditions, return. I have been told by others that a number of business men in Rossland are favorably disposed toward the continuance ably disposed toward the continuance and the continuance are favorably disposed toward the continuance

been told by others that a number of business men in Rossland are favor-ably disposed toward the continuance of the labor trouble and will back up the agitators in their attempt to keep up the friction, but have yet to meet the merchant who expresses himself in this vein. Whenever I run across such a business man, I will be tempted to doubt his sanity, for it is so apparent to anyone that labor trouble spells ruin to business interests and that the agi-tator is ever a menace to commercial prosperity, that no merchant would in his proper senses accord the slightest support to an element that is avowed-ly fighting tooth and nail to prevent the pay roll from being resumed. I readily is

<text><text><text><text><text><text><text><text><text><text><text><text><text><text><text><text><text><text><text>

by counsel for the defence were that the summons did not contain the word "knowingly," as provided in the section under which the action was taken, and the omission was fatal. Second, that there was nothing in the information to indicate that defendant had entered into a contract of any description with the complainant. Third, that nothing had been produced as evidence that any contract had been entered into with the complainant prior to his becoming a resi-

squadron consisting of four ships was

AN EXPEDITION LEAVES ECUADOR TO ASSAIL COLOM-BIA. COLON, Sept. 9.—Via Galveston—On the publication of the report in Panama yesterday afternoon that a Venezuelan squadron consisting of four ships was



