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WM. D. HAYWOOD NOT GUILTY

JURY'S VERDICT IN IDAHO MURDER CASE

On First Vote Eight of the Jurors Were in Favor of Acquittal

Boise, July 22.—Wm. D. Haywood, secretary-treasurer of the Western Federation of Miners, is not guilty of the murder of Former Governor Steuneger.

The verdict of the jury was rendered at 1:55 a. m. to-day, after an all night session.

The first intimation that the verdict had been reached came shortly after 7 o'clock and word was immediately sent to the attorneys and newspaper correspondents that the jury was about to come in. Judge Wood was the first to reach the courtroom and he was followed quickly by the attorneys. At 7:4 a. m. Haywood was brought in and took his seat by the side of his counsel. A minute later the jury filed in and a few minutes later the verdict was rendered.

It was announced that on the first ballot after the jury retired the vote stood eight for acquittal and four guilty of some degree of murder. The members of the minority were won over one by one before daylight this morning.

The court proceedings were very brief. After he had taken his seat on the bench, Judge Wood said: "Gentlemen of the jury, have you agreed on a verdict?"

"We have," said James B. Goss, attorney for Haywood, "and we are glad to see that you have reached a verdict."

The prisoner's attorneys jumped to their feet and congratulated him on the back, and all tried to grasp his hands at once.

Judge Wood ordered Haywood's discharge and said that at 10 a. m. tomorrow he would fix the time for the trial of Moyer and Pettibone.

The jury stood dead-locked at 10 to 2 most of the night and ballots were taken at frequent intervals. On the very first ballot taken after the jury retired the vote was eight for not guilty, three for murder, and one undecided. Then the undecided man went over to the majority. One by one the members of the minority were won over, until just after daylight an agreement was reached.

Governor Gooding was in the courtroom when the verdict was rendered. He had nothing to say and left in company with Judge Hawley, leading counsel of the state.

Haywood thanked each one of the jurors in turn and told them if they ever came to Denver there would be a warm reception for them at the Haywood home.

E. F. Richardson, counsel for the defense, said: "We have had a fair trial. Idaho may indeed be proud of herself."

ANOTHER STABBING CASE.

Berlin, July 22.—Another girl baby, it is reported, was stabbed here to-day. The outrage occurred in Schoenzer Alley, a crowded working people's district.

VICTORY FOR MOROCCAN TROOPS DEFEATED TIMBESMEN AND BURNED VILLAGES

Many of the Inhabitants Were Killed While Large Numbers Were Captured

Tangier, July 22.—The Sheridian troops on Saturday attacked villages belonging to Kmass tribe in whose territory bandit Raisuli holds Kaid Sir Harry Maclean prisoner.

Troops burned and looted the villages, killing many inhabitants and taking a large number of prisoners. The government forces were completely victorious, but as the battle was fought within six hours' journey of where Kaid Maclean is believed to be located, his position is regarded as more precarious.

The Sheridian troops were under the command of Kaid Bouchta, who has a personal account to settle with Raisuli, having been wounded by the bandit in a former encounter.

GRANT MADE TO EXHIBITION

THE SOUTH SAANICH COUNCIL VOTE SUM

Oil Engine to Be Purchased for Running Rock Crusher—Rate of Taxation.

(From Monday's Daily.)

The municipal council of South Saanich met on Saturday evening at eight o'clock in the council chamber at South Saanich. The new rate by-law passed its third reading and was formally adopted. The rate for general purposes is four mills and for school purposes one mill. The assessor gave the total assessable property in South Saanich as \$3,903,126, divided as follows: For land, \$3,414,433; for property improvements, \$488,700. This is higher than last year on account of the great increase in the land values of properties in the municipality.

The British Columbia Agricultural Society was voted a sum of \$200 for their approaching exhibition.

The balance sheet of the municipality, as audited by the official auditor, was submitted to the council. The accounts having been certified to be correct, the balance sheet was approved and passed. The other matters before the council were of a routine nature.

The meeting was called to order by Reeve Brydon, who occupied the chair. Councillors Moore, Pointer, Grant, Quick, Durand and Puckle were also present. The newly-elected clerk to the municipality, J. R. Carmichael, was presented in an unofficial capacity by the assessor.

Permission was granted, after a formal application had been made to the municipality, to Lieut.-Col. Roycroft, of Maywood, to have the city water laid to his house from the city's mains, near Mr. Hoime's house on Quadra street.

J. E. Smart, of the B. C. Agricultural Association, drew the attention of the council to the fact that \$100 had been granted to the South Saanich Agricultural Association, and to the common interest which the ratepayers of the municipality of South Saanich had in any agricultural project in the territory. In consequence, on behalf of his executive, he asked for a grant for the exhibition of 1907 to be voted to his association.

Councillor Puckle, seconded by Councillor Quick, at once moved that a grant of \$200 be made to the association. This was unanimously adopted.

A letter from a Winnipeg firm in reference to a road along their property, on the line of Victoria & Sidney railway, received the due consideration of the council.

The meeting adjourned.

LOOKING GOOD AT MT. SICKER

WORK COMMENCING ON THE LENORA MINE

Will Soon Be Shipping Ore—Prospects Excellent at Tye and Richard III.

(From Monday's Daily.)

The Mount Sicker mining camp is again taking on more of its old time activity and there is every prospect that it will become an important mining centre.

Work has begun on the Lenora again where London capital has become interested, and within a few weeks' time ore will be shipped from the works by the railway line to the Crofton smelter. Henry Croft, who spent some months in London in the interests of the mine, has put a staff of men to work on the Lenora preparatory to beginning the active mining again. Inside of three weeks it is more than likely that shipments will commence.

The prospects at Tye are abundance of money back of the project, and all that is needed is to prove that the ore is there and the finances will be available for all kinds of development in the province.

The Tye Company is reported to be working in a fine body of ore higher up the mountain, and a year's work in splendid ore is in sight.

Adjoining the Tye the Richard III. is turning out well, shipping over the Tye aerial tramway.

The prospects at Mount Sicker are years better than they have been for years and the camp should yet make a record for Vancouver Island.

TO LODGE COMPLAINT.

Vancouver, July 22.—Consul Morikawa announced this morning that he was going to cable to Tokio the facts regarding R. G. Macpherson's alleged interference in the payment of \$25 yesterday by each Japanese before he left the ship. Mr. Morikawa thinks that an incident of international importance may be worked up regarding the matter.

GENERAL PUNISHED.

St. Petersburg, July 22.—General Schilder, who was in command of the review in Krasno Selo last Wednesday, when the Semenovskoy regiment refused to participate in the manoeuvres and broke up the order of parade, has been relieved of his command and has been given a minor appointment in the provinces. He has been succeeded by Gen. Zuboff, formerly attached to the general staff.

EXCEPTION TO JUDGE'S ACTION

J. A. AIKMAN GIVES HIS VIEWS IN COURT

He Severely Criticises Course Taken By Mr. Justice Martin Five Days Ago.

(From Monday's Daily.)

Before Mr. Justice Irving this morning J. A. Aikman made another unsuccessful attempt to secure the release of Peter Hansen, who was sentenced several weeks ago to a year's imprisonment on a charge of breaking and entering the Royal Arms restaurant and stealing four dollars. The conviction was secured in the city police court before Magistrate Hall. Mr. Aikman today applied for a writ of habeas corpus, it being his second application, but Mr. Justice Martin held that it was not within his jurisdiction to grant the writ. Mr. Aikman read correspondence connected with the refusal of Mr. Justice Martin to sit at a special sitting of the court of appeal called by Chief Justice Hunter on Monday, July 22nd. He said, upon Mr. Justice Martin taking that course his only legal remedy was to petition the Minister of Justice for executive clemency in the case.

Mr. Aikman stated that he had, upon finding his appeal against Magistrate Hall's refusal to reserve the Hansen case upon a point of law was delayed by Mr. Justice Martin's action in refusing to attend court, sent the following wire to the minister of justice, advising him of Mr. Justice Martin's action. He had followed this wire with a letter and had sent copies of this letter to Mr. Justice Martin, the attorney for the province and Chief Justice Hunter. The correspondence was then read in the court. The letter with which Mr. Aikman supplemented the wire to the minister of justice contains, at the opening, a copy of this telegram. The letter in full was as follows:

"The Honorable the Minister of Justice, Ottawa.

"Sir—I to-day wired you herein as follows 'Rex against Hansen appeal court set this day at eleven, adjourned till two, then sine die owing to Judge Martin's failure to make up quorum, but because Chief Justice refused to notify him in writing, although verbal notice was given by Chief Justice. Hansen in jail; no other remedy. Wire Judge Martin to sit.'

"J. A. AIKMAN, Counsel for Hansen."

which I now beg to confirm, and also to complain of the action of Mr. Justice Martin in refusing to sit upon the case in the court of appeal simply because the Chief Justice sends word to him through the registrar of the court instead of formally notifying him in person or in writing of such sitting.

"The assizes are now sitting in Vancouver and Mr. Justice Clement is busy attending them; Mr. Justice Morrison is absent in the east and there are only three judges available here for appeal work, and simply because Mr. Justice Martin has a bug in his ear as to what he is entitled to do in the way of a notification as to the sitting of the court of appeal, persons deprived of their liberty are to be kept in durance vile until Mr. Justice Martin has the question decided as to whether he is entitled to be notified by the Chief Justice in writing or by the Chief Justice in person, and not whether an accused is entitled to be released or otherwise.

"It does seem to me that such quibbling on the part of a judge is beneath the dignity of a person holding an office which ordinarily is entitled to the respect of the whole community, consequently I trust that you will see my way clear in bringing Mr. Justice Martin to his senses.

"I am sending a copy of this letter to the Chief Justice and Mr. Justice Martin.

"Yours respectfully,
"JAMES A. AIKMAN,
"Counsel for Hansen."

"Victoria, July 22nd, 1907."

Mr. Aikman said he received from the office of the Minister of Justice, a telegram in reply to his wire, saying that it was not within the province of justice to give directions to a judge in such matters. Upon receipt of this wire, Mr. Aikman, said he, again communicated with the office of the Minister of Justice, his letter being as follows:

"The Honorable the Minister of Justice, Ottawa.

"Sir—I am in receipt of your telegram and duplicate of yesterday's date in which you say: 'Not within province of justice to give directions to a judge in such matters.' and in reply thereof I beg to take issue with you in the matter and point out that under the Revised Statutes of Canada chapter 21, section 4, sub-section (b) and (c) and section 5, sub-section (a) you have full power to prevent the maladministration of justice in any province of the Dominion of Canada, and if there is no wrong done my client in Judge Martin's refusal to sit in the court of appeal on the grounds referred to in my letter to you of the 22nd instant, then there is no further use for me to complain, but I respectfully submit that where the liberty of the subject is concerned there should be no such petty bickering carried on between the judges of the highest court in the province as has been in this case, and therefore, I again urge you to consider the matter carefully and call Mr. Justice Martin's attention to the fact that he is not an absolute monarch in any sense of the word, but that he is a judge paid by the people to perform the high duties of his office in such manner as the law directs.

"I am calling the attention of the Attorney-General of this Province to the matter by letter of even date herewith.

"G. A. AIKMAN,
"Counsel for Hansen."

"Victoria, July 24th, 1907."

"Upon the day set for the special sitting of the court of appeal, when Mr. Justice Martin did not appear, the incident was recorded in the press, said Mr. Aikman. Upon reading the newspaper accounts, Mr. Justice Martin had addressed the following letter to him:

"I see by to-night's paper that to-day the Chief Justice referred to certain correspondence between us on the subject of this appeal, but the contents and result thereof are incorrect, as stated. In such very unusual circumstances the counsel concerned are entitled to, and should see for themselves, said correspondence, so that they may be fully advised in the premises and not misled, and consequently, that for that purpose I shall be at the law courts at 12 o'clock to-morrow (Tuesday) for the purpose of showing it to you and the other counsel concerned (Mr. Moresby), to whom I am writing to this effect.

"I beg to acknowledge receipt of your letter of to-day.

"ARCHIE MARTIN
"J. A. Aikman, Barrister-at-Law,
"Victoria, B. C."
(Continued on page 7.)

STEAMER BURNED TO WATER'S EDGE

NINE WOMEN AND CHILDREN DROWNED

Either Jumped Overboard Into Lake Or Were Forced Overboard in Rush for Boats.

Auburn, N. Y., July 22.—The steamer boat Frontenac was burned and beached opposite Farley's point at Lake Cayuga yesterday and nine lives were lost. The victims were all women and children passengers and all were drowned. Several other passengers were severely burned before the boat could be beached. She lies burned and blackened, in seven feet of water. The bodies of the drowned women and children have been recovered.

The following were drowned and the bodies subsequently recovered: Miss Homer Genuing, Freeville; Carl Genuing, 7 years old; Mrs. Zalia McCreehy, Cohoes; Miss Lida Bennett, Frankfort; Miss Stella Clinton, Ithaca; Miss Marietta Sullivan, Syracuse; 6-year-old daughter of Howard Able, South Bloomingburg; two unidentified women.

The steamer, an old sidewheel double-deck craft, which has plied between Ithaca and Cayuga on Lake Cayuga for twenty-five years, left the former place for the upper lake, carrying fifty passengers and a crew of twelve.

In midlake fire broke out in the engine room and, fanned by a stiff north-east wind, spread quickly to the after-ward section of the boat. The crew of twelve men behaved splendidly, fighting the flames at first, but seeing that nothing could be saved, turned all their attention to the passengers. Life preservers were thrown every one that could be found in the brief time, but in spite of their efforts, nine perished. Capt. Brown directed the work of the crew, and was the last to leave the burning boat.

In strong contrast to the bravery of the crew, was the panic and, in some instances cowardice of many of the men among the passengers. In their efforts to save themselves they seriously impeded the work of the crew. When the flames were first discovered in midlake Capt. Brown turned the bow of his little vessel toward the shore.

The beach was reached at Farley's point. Men from the summer cottages did gallant work in rescuing the passengers and in caring for the injured. It is not known just how the women and children were thrown into the water. It is thought, however, that they became panic-stricken and either jumped into the water as the boat neared the shore, or were forced overboard in the rush to get into the boats that put off.

NEGRO ELECTROCUTED.

Put to Death in Electric Chair at Sing Sing for the Murder of a Woman.

New York, July 22.—Wm. Nelson, a negro, was executed in the electric chair in Sing Sing prison at Ossining early today for the murder of Lily May Norman, with whom he lived. Nelson was given two shocks. It was the first execution in which Jesse Frost, the new warden of the prison, officiated.

The crime for which Nelson paid the death penalty was committed in December, 1905, in this city, and was the result of a drinking affair.

JOURNALISTS ON THE WAY WEST

TWO PARTIES NOW TOURING CANADA

Man Drowned in Attempt to Save Brother Who Had Fallen From Boat.

Regina, July 22.—The grand reception accorded the British journalists on Friday at Winnipeg was followed yesterday by an equally enthusiastic welcome at Brandon, where the visitors were met by Hon. Dr. McInnis, provincial secretary, Mayor Clements and the aldermen and a number of prominent citizens. In the party were Mr. Whyte, second vice-president, and C. E. McCrea, general passenger agent of the C. P. R.

Another Party.

Quebec, July 22.—A second British press party arrived yesterday in Quebec by the Allan steamer Virginian. The members of the party are: Messrs. Wm. Longstaff, London; J. T. Dunford, Bridgewater; W. Redmond, Bristol; A. H. Powell, Birmingham; Chas. W. Starmer, Darlington; Joseph Cook, Sheffield; R. McCosker, Belfast; R. Coombe, Dundee, and Allenburgh, Manchester.

Two Drowned.

St. Johns, Que., July 22.—Two brothers, Phillip Meunier, aged 25, and Arthur Meunier, aged 20, from St. Alexander, met their death by drowning at Barbot Creek, about two miles south of here. While out sailing one of them accidentally fell out of the boat and the other in attempting to rescue him, also fell overboard and both were drowned.

Cleaver Capture.

Montreal, July 22.—A detective and a railway waiting room mirror commanded the undoing of a crook at the Bonaventure station. Detective Sloan happened to look into the mirror and spied a man bending over another who was sitting on one of the station benches. The man sitting down appeared to be in an intoxicated condition. The crook proceeded to abstract the mirror, and all the time the detective witnessed the deed by looking in the mirror. Clyde McDonald, the alleged thief, is now in the jail waiting trial.

Cattie Killed.

Brookville, Ont., July 22.—Grant Kibborn, a farmer residing three miles from here, found three cows dead in his pasture. Examination showed that two had been poisoned by strychnine, while the third's throat was cut. There is no clue to the party, and Kilborn says he does not know why he should be singled out as the victim of such a rascally.

FIRE CLAIMED TWENTY VICTIMS

FLAMES DESTROYED NEW YORK TENEMENT

Majority of Those Who Perished Believed to Have Been Women and Children.

New York, July 22.—After an all night search of the ruins of a six story tenement at No. 22 Christie street, which was burned shortly after midnight, the police announced that there were twenty victims of the fire.

The bodies of the dead were found in all sorts of unexpected places, to which persons had fled when the fire broke out. Almost all of the bodies were burned beyond recognition, many to such an extent that it was impossible to distinguish the sex.

A majority of the victims, the police believe, were women and children.

One of five of the victims had been identified up to an early hour to-day. They were Maritie Di Dolce, his wife and their two infant children, and Frank Shields, a bed-ridden cripple, who was carried to his injuries soon after his rescue.

The burned building was one of the old-fashioned tenements common to the East Side, with a store on the ground floor and the apartments upstairs crowded with tenants, mainly Italian.

The fire started in the store and swept through the building with such rapidity that a fifth of the 300 tenants in the place met a horrible death.

NEGRO KILLED BY A PREACHER

WHILE TRYING TO ESCAPE AFTER BURGLARY

Rev. S. L. Couch, Who Did the Shooting, Acted in Self Defence

Chattanooga, Tenn., July 22.—For the second time within a period of three months Rev. S. L. Couch, Methodist preacher, yesterday shot and killed a negro. The shooting three months ago was in defence of his wife, while the killing of Bud Wiley yesterday was in defence of his life.

Couch is employed as a watchman at a large lumber mill. While making his rounds it was reported to him that two negroes had broken into a store nearby. He captured one. The negro struck Couch in the face and attempted escape. Couch then fired a bullet into the negro's head.