

ALLEGED CONSPIRACY IN LUMBER TRADE

MISSOURI OUSTER
SUIT IN PROGRESS

Companies Charged With Cur-
tailing Output in Order to
Keep Up Prices

St. Louis, May 23.—That the big lum-
ber companies agreed on a curtailment
of production, that prices were fixed
by a committee and that printed price
lists were sent to all the firms as a
means of controlling the market, was
testified yesterday in the initial hear-
ing of the state's ouster suit against
the alleged lumber trust.

Asked about a meeting of the South-
ern Lumber Manufacturers' Association,
which later was re-named, the Yellow
Pine Manufacturers' Association, at the
world's fair in 1904, George W. Smith,
secretary of the Yellow Pine Manu-
facturers' Association, said that the
price list committee met to executive
sessions in conjunction with the
association. He testified from his re-
cords that the price list committee re-
ported lumber was being cut faster
than it was being shipped, that "it was
surprising that the surplus continued, in-
stead of advancing values would be im-
possible."

"A way must be found," the report
continued, "to reduce the surplus and
keep the supply in proportion to the
demand."

The secretary's minutes of an ex-
ecutive session read: "It was thought
advisable to recommend to all manu-
facturers a reduction of 12.5 per cent
in the output of all saved lumber un-
til such time as the demand should
more nearly absorb the supply."

He said notices were sent to all mem-
bers to reduce their output for 90 days,
and that again before the expiration of
the 90 day period, he sent another notice
that curtailment should continue for
90 days more. He testified to the
holding of seven committee meetings
between June, 1904, and January, 1905.
Asked whether these meetings all were
held to raise prices, he said: "There
were that many meetings of the com-
mittee at which it gave its opinion as to
what prices ought to be."

Later he testified that the price com-
mittee's activities were discontinued by
a vote of the association. The state
tried to obtain an admission that this
prosecution, and Smith particularly ad-
mitted this, saying "I desired to
avoid the charge of collusion to fix
prices."

Trade Congress.
Charges that the press persecuted
the lumber trade for the last five years
and that press and public are respon-
sible for the investigation of the lum-
ber interests by the department of
justice were made by several delegates
to the lumber trades congress yester-
day. The discussion was over an effort
of E. F. Perry of New York, represent-
ing the National Wholesale Lumber
Dealers' Association, to have articles
XVI and XVII stricken from the code
of ethics, which the congress formulated
for the trade at large. While he
failed in this, a mild substitute was
carried.

The sections of the code under fire
are:

"It shall be the duty of the manu-
facturers and wholesalers to take an
active interest in the marketing of their
products through regular trade chan-
nels."

"It is the sense of the congress that
the widest possible trade publicity be
given for the purpose of making known
irresponsible unethical and unscrupu-
lous manufacturers, wholesalers and
dealers."

A resolution was submitted by George
S. Merrill of Salt Lake, Utah, to take
the place of the articles.

The new section reads: "It should
be recognized by lumber men, manu-
facturers and wholesalers that the retail
distributors of lumber are a necessary
factor in the trade and a useful servant
of the public and as such should be
recognized as the logical channel
through which to market their prod-
ucts."

In the discussion before the vote, A.
C. Garms of Montreal, La., said the
newspapers have "insulted and attack-
ed" the lumber trade "in the most vile
manner."

FLIES OVER PORTLAND.
Portland, Ore., May 23.—With rudder
wires and steering gear absolutely use-
less, aviator Charles Walsh's hazardous
made an eight-mile circle over the
residence part of the city, guiding his
aeroplane solely by the use of the tilt-
ing planes, and gradually worked the
machine back to the starting point.
The feat was witnessed by thousands
of enthusiastic persons who were
wholly unaware of the aviator's pre-
dicament. Following his hazardous
journey, Walsh made two perfect
flights, carrying as passenger Roscoe
Fawcett, a Portland newspaper man,
in the final flight.

FOUNDRY DESTROYED.
Fredericton, May 23.—The New
Brunswick foundry, one of the city's
biggest industries, was destroyed
by fire yesterday. The loss is esti-
mated at \$300,000, insurance \$165,000.

In 1890 only 280 tons of asbestos were
produced in Canada, valued at \$24,700;
whereas in 1909 the production amounted
to 62,300 tons, valued at \$2,500,000.

DR. A. W. CHASE'S 25c.
CATARRH POWDER
Is sent direct to the diseased parts by the
introduction of a small tube, which
drops the powder into the throat and
permanently cures Catarrh and
Hay Fever. 25c. Mower Bros.
Admission, Bates & Co., Toronto.

TOBACCO HABIT
Dr. McTaggart's tobacco remedy
moves all desire for the weed in a few
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quires rinsing the tongue with it occa-
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Marvellous results from taking his re-
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LEAPS TO DEATH FROM PASSENGER TRAIN

C. P. R. Employee, Who
Plunged Into River, Believed
to Have Mistaken Location

Revelstoke, May 23.—Duncan Wilkins,
a fitter's helper in the car shops here,
stepped off No. 96 passenger train while
standing on the bridge just west of
the station at Steamboat and plunged
to his death into Skamoose lake.

Despite the attempts of his comrades
to find the body no trace of it has
yet been discovered. The deceased left
this city on Friday night with an aux-
iliary train to pick up bad-order cars,
and had apparently performed that
duty and appeared to lay up at Ske-
moose for the night. When No. 96 came
in from the west it is presumed he
jumped on to the train to speak to a
friend, and while aboard the train
looked onto the bridge to switch, get-
ting the right of way to No. 2 going
west. While the train was standing
on the bridge it is thought the deceased
had mistaken the location and thought
himself in the yards, and stepping on
the train dropped into the lake. The
bridge is raised for a considerable dis-
tance in the centre, but at either end
it is approached by a short trestle.

Deceased had been in the employ of
the shops here since April, 1906. He was
28 years of age, unmarried, and has
a sister living here. His parents are
believed to be residing at Pentelton,
B. C.

EUGENE SCHMITZ IS NOW POOR MAN

Former Mayor of San Fran-
cisco Loses Fortune in Ce-
ment Factory and Mines

San Francisco, Cal., May 23.—Form-
er Mayor Schmitz, who escaped going
to San Quentin prison with former
Boss Abe Ruef by the slenderest legal
technicality, and who is now at liberty
on heavy bonds, has lost all his for-
tune. Schmitz is said to be dead
broke, all his business ventures have
gone wrong. He was poor when
elected mayor, but is said to have quit-
ted to get out of jail on bail he ob-
tained the assistance of William J.
Dingee, an Oakland capitalist. In
turn Dingee induced Schmitz to invest
money in a large cement factory near
Santa Cruz, in this state. This com-
pany was dragged "down into ruin"
after showing some very rich returns
in San Francisco. Schmitz then started for
Sinaloa, Mexico, where his brother is
interested in some mines, but a letter
was received by one of his old friends
saying the mines were worthless and
Schmitz is stranded and needs
money to get out of the country and
reach home. It is estimated Schmitz
made half a million dollars, but the
only thing that remains is a home
which is in his wife's name. All the
other property has been taken away.

VERNON ASSIZES.

Vernon, May 23.—Mr. Justice Morri-
son presided at the spring assizes here.
His lordship briefly addressed the
grand jury, congratulating them upon
the fact that the list which they would
have to consider was not long, nor
were the offences of the most serious
nature. They were as follows: Rex
vs. Munk, perjury; Rex vs. Brown,
horse stealing; Rex vs. Hamsham, horse
stealing.

The first case, the judge stated, was
one which should not have been sent
to the assizes. Henry Munk was a mun-
icipal constable at Pentelton, and the
depositions showed that, in the course
of his duties he had arrested a man
charged with disorderly conduct. The
case against one of these was dismissed
by the magistrate, and Constable
Munk was charged with having given
false evidence in prosecuting the case.
His lordship said that municipal con-
stables could not be expected to have
the experience in preparing cases that
a metropolitan officer had, and a mis-
take might easily be made without any
intent to deceive. In the other two
cases he thought they would have no
difficulty in finding true bills.

The grand jury sent in a true bill in
the case of Ernest Brown and Ham-
sham, and threw out the charge against
H. Munk.

In the case against Ernest Brown of
Kamloops, charged with stealing a
horse from L. H. Patten of Hedley, the
jury failed to reach an agreement, and
were dismissed.

The next case was that of an Indian
from Hedley, also charged with steal-
ing a horse from a man named Griffin.
The jury brought in a verdict of "not
guilty," the foreman adding a rider to
the effect that the police were deserv-
ing of criticism for their poor prepara-
tion of the case in not securing the
man from whom the accused claimed to
have got the horse.

The Brown case was then tried over
again. They found the accused "guilty
of an attempt at theft," and he was
sentenced to one year in jail, the time
of his sentence to start with his arrest
last January.

The case of Dake, the Enderby
jeweler charged with arson and fraud,
upon which a jury had disagreed at the
fall assizes, was again adjourned, the
Crown not being able to proceed on
account of the absence of some of the
witnesses. Dake was accordingly held,
in his own recognizance, to appear for
trial at the next court of assize.

PROBABLY DROWNED.
Lillooet, May 22.—According to a re-
port received here, Patrick Fountain,
an Indian, fell off a bluff into the Fra-
ser river and was drowned. Fountain
was last seen alive by some persons
who passed him while he lay in a
drunken stupor on the road near the
river. A few hours later he was miss-
ing. His hat was found on the edge of
the bluff.

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"I COULD NOT LIVE"

WITHOUT "FRUIT-A-TIVES"
Writes the Treasurer of
Caledonia Township

"Fenaghvale, Ont., Jan. 29, 1910.
"For thirty-five years (and I am now
a man over seventy) I have been a
terrible sufferer from Constipation.
"No matter what remedy or physician
I employed, the result was always the
same—impossible to get a cure.
"About two years ago I read the
testimonial of Hon. John Costigan re-
garding 'Fruit-a-tives' and I decided
to give this fruit medicine a trial. I
have used 'Fruit-a-tives' ever since.
They are the first and best medicine
that suited my case. It is a great relief
to 'Fruit-a-tives' I am satisfied that I
could not live."

"JAMES PROUDFOOT.
"The liver controls the bowels by mov-
ing up enough bile into the bowels
move. The only possible way to cure
constipation is to make the liver active
and healthy and thus store up sufficient
bile to move the bowels.
"The 'Fruit-a-tives' acts directly on the
liver—ensures an abundance of bile—
and causes the bowels to move regu-
larly and naturally. Fifty cents a box, 6
in the case of a dealer 25c.
"Fruit-a-tives is sold by all druggists
and by mail from Fruit-a-tives Limited, Ottawa."

EMPIRE PAGEANT.
Battle of Chateauguay Will Be In-
cluded in Programme.

London, May 23.—The Canadian pa-
geant committee has arranged to in-
clude in the festival of the Empire the
scene depicting the battle of Chateau-
guay, the withdrawal of which has
been resented by Canadians.

It was announced in April that the
Canadian committee had decided to
eliminate from the coronation pro-
gramme Canada's principal contribu-
tion to the pageant, entitled "Chateau-
guay," which was held for the Empire,
which was intended to represent the
defeat, through strategy, of an invad-
ing American force in 1813 by a hand-
ful of Canadians.

It was thought that the pageant
might wound the susceptibilities of
American visitors and cause a feeling
which would endanger the conclusion
of the proposed Anglo-American arbi-
tration treaty.

TO HAVE WATERWORKS.

Wilmer, B. C., May 22.—A Water-
works company for this village is be-
ing organized. So far many generous
subscriptions have been received and
there is every reason to believe that
in the course of another six weeks
at the outside the first sod will be
turned in the opening up of this pro-
ject which will supply the require-
ments of the people.

MURDERS HER HUSBAND.

Leadville, Colo., May 23.—Made furious
by threats to desert her and her small
children and go back to Italy, Mrs. Frank
Capral yesterday murdered her husband
while he was asleep by twice striking him
on the head with an axe. Capral's father
was murdered two years ago in the same
house in which yesterday's tragedy oc-
curred.

SIX NEGROES SHOT TO DEATH IN FLORIDA

Band of Men Masquerading as
Officers Secure Prisoners and
Riddle Bodies With Bullets

Lake City, Fla., May 23.—Six negroes
were lynched here early Sunday after
a party of more than a dozen men,
masquerading as officers, appeared at
the county jail and secured possession
of the men by presenting a bogus tele-
gram to the 16-year-old son of the
sheriff, ordering the release of the
blacks to the alleged posse of officers.
The negroes were being held for safe-
keeping on a charge of murdering B.
Smith, a sawmill man of Whites-
boro, Leon county, and wounding an-
other man named Register.

The party came from Tallahassee to
the Lake City in automobiles, took the
negroes about a mile from town, com-
pelled them to stand abreast, and about
ten men fired with rifles and pistols
until every one of the prisoners were
riddled with bullets. The firing lasted
about half an hour, and at daybreak
citizens found the negroes mutilated
bodies.

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STRIKES ROCK IN YUKON AND SINKS

Steamer La France Stove
Large Hole in Hull—Pas-
sengers Gotten Off

Dawson, Y. T., May 23.—The steamer
La France, one of the first fleet sailing
from La Barge for Dawson this year,
struck a rock off Thirty-Mile River,
twelve miles above Hootalinqua, and
stove a hole in her hull. She sank and
row lies with two feet of water over
her deck.

The passengers were gotten safely
ashore and were transferred to the
steamer Pauline, which proceeded on
her way to her destination. All the
La France's cargo also was gotten ashore
safely except 25 cases of oranges and
lemons.

It is said the vessel will be raised
and repaired and ready to proceed by
Wednesday. The river is very low above
Dawson, creating, which causes many
trucks to be exposed.

The other Lake La Barge steamer
passed safely and will arrive in Daw-
son to-day.

PARIS CHAUFFEURS STRIKE.

Paris, May 23.—Parisians are being
greatly harassed by the strike of 2,000
chauffeurs which went into effect here
to-day. The strikers this afternoon at-
tacked a few non-unionist chauffeurs,
the tires of the machines and
threatened passengers. In several in-
stances the police were called to dis-
perse the strikers.

NEARLY TWO HUNDRED KILLED AT JUAREZ

Revised Estimates of Casual-
ties in Mexican Town—Two
Hundred and Fifty Wounded

Juarez, May 23.—Revised estimates
of the casualties of the battle of
Juarez place the total number killed at
150, with about 250 wounded. The fed-
erals are believed to have lost 150 in
killed and 100 wounded, while the re-
bels lost 90 killed and 40 wounded.

Many of the dead were buried with-
out knowledge of the commander,
of either side. Only physicians and sur-
geons who were first on the scene knew
the story of the real number buried in
wells and under houses. "It was said by
a physician yesterday that 65 fed-
erals had been found piled in a well after
the first day's fighting, that 12 others were
discovered on a roof and buried nearby
before the battle ended. The wounded
have been getting excellent treatment
at the hands of the Mexican White
Cross and the Red Cross, and only a
half dozen deaths have been recorded
since the battle ended.

The number of dead, it appears, was
far out of proportion to the wounded,
but General Viljoen, who fought with
the Boers in South Africa, and has
been military adviser to Senor Madero,
declared yesterday that the heavy loss
in killed was inevitable, on account of
the close range of the fire.

CHEER VERDICT OF JURY AT ASSIZES

Demonstration Follows Ac-
quittal of Mr. and Mrs.
Miller at Westminster

New Westminster, May 23.—A wild
outburst of cheering, and hand-
clapping which the court officials were
unable to still, the jury sitting on the
Rex vs. Miller case brought in a ver-
dict of "not guilty."

Officials shouted "silence," "be quiet,
please," "sit down," but all fell on deaf
ears and a general rush was made from
the public section of the spring assizes
court room so that those who had list-
ened to two days' evidence in a com-
plexing case might give further vent
to their feelings.

This case, which was one instituted
by the crown against Francis and Mar-
garet Miller, alleging that they had at-
tempted to blackmail their brother-in-
law, James B. Wilson, by demanding
the sum of \$50,000, had created a deal
of excitement in the city where the
parties were well known, especially
Wilson, who, in the real estate line of
business, had made a number of big
deals.

After an absence of two hours the
foreman stated that all the jury were
of the one accord that the prisoners
were not guilty of the charges pre-
ferred against them.

The jury was thanked by the court
for their attendance and discharged.
That grand jurors and witnesses are
insufficiently paid was the opinion of
the grand jury, and they included a
clause in their report which they pre-
sented to the court to that effect. They
carefully examined the provincial goal
city lock-up, the Royal Columbian
Hospital and the insane asylum, and
made recommendations about the
buildings.

Juneau, Alaska, May 23.—F. W. Miles,
a former Seattle policeman, who is said
to be an important witness for the pro-
secution in the case against ex-Chief of
Police Wapenstien, of Seattle, indicted
on four counts for alleged acceptance of
bribe, was taken from the steamship
Jefferson on her arrival from Seattle on
Sunday by a deputy United States mar-
shal, who had a fugitive warrant for his
arrest of Miles. The ex-policeman spent
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CAPTAIN'S BRIDE FIGHTS PIRATES

ASSISTS SHIP'S CREW
TO REPULSE ATTACK

Chinese Attempt to Loot Ves-
sel, but Are Driven Off
and Later Captured

New York, May 23.—The tale of a
bride, whose skill with a rifle had con-
siderable to do with saving her hus-
band's ship from Chinese pirates is
being told on the New York water-
front to-day by the crew of the Jute-
polla, a four-masted clipper just in
from China.

The twelve months' trip from New
York to China and back was the honey-
moon tour of Captain Frank Downs
and his bride, formerly Miss Nellie
Carter of Baltimore.

The Jutepolla was many miles up
the Chu Kiang, a river of unsavory
reputation, when the attack by pi-
rates came. There were sixty of them,
and they swarmed aboard the vessel
while part of the crew was on shore
leave. The members on board and
passengers, who is a crack rifle
shot, were ready to receive them. How-
ever, with several lines of hose, pistols,
belonging plus and the bride's rifle. A
verging fight followed, and in it Mrs.
Downs took a prominent part. The
pirates closed in on the little company,
swinging knives and clubs. Mrs. Downs
stood off a little and got in two effec-
tive shots. Finally the pirates fled.

The attempt to loot the ship was re-
ported to the authorities and later the
shipper and his mate were invited to
the Jutepolla. The pirates, however,
they attended but did not recognize
any of the pirates, chiefly because, as
they remarked, all Chinamen looked
alike to them.

The headman's work was skilful.
They heard that he was expected to
decapitate at each blow and that a
failure to do so would send him
promptly to death by the same sword
he had yielded. He did not miss a stroke.

INCREASED WAGES.

Vancouver, May 22.—City Engineer
Fellows, at the meeting of the Water-
works committee recommended in-
creased wages as follows:

"I find that there has been a recon-
sideration of the rates paid to the em-
ployees of the Water Department by
which an increase in the neighbor-
hood of 3 1/2 cents per hour has been
made for the men. It appears that no cor-
responding increase was considered as
regards the Waterworks Department.
I can only point out that if the in-
creases granted in the Water Depart-
ment are justified, that it appears to
your engineer that there is every reason
why similar increases should be granted
to the employees in the Water-
works Department, and I would, there-
fore, recommend that all blacksmiths,
carpenters, machinists, pipelayers,
pipefitters and corkers receive an in-
crease which will place them in equity
with the men in the Waterworks De-
partment."

TWO BLAST FURNACES FORCED TO SUSPEND

Blown Out at Grand Forks on
Account of Crow's Nest
Pass Strike

Grand Forks, May 23.—During the
past week six furnaces have been in
operation at the Granby smelter. At
this city, treating 18,623 tons of ore
from the company's own mines, as
well as 403 tons for foreign ore. The
total treatment for last week
was 19,026 tons, while for the year to
date the total is 442,632 tons.

Two furnaces were compelled to close
Saturday afternoon owing to the
strike of the coal miners at the Crow's
Nest Pass and the inability of the
Granby Company to secure coke from
that district. Four furnaces are still
in blast.

Shipments of ore from the Granby
mines at Phoenix will continue until
the middle of next week, when these
will have to be discontinued. It is
stated that there will not be very many
miners laid off at the mines, as the
company will do a large amount of
development work during the tempo-
rary shut down of the smelting works in
this city.

COMMERCIAL TREATY.

Berlin, May 22.—The German govern-
ment has just concluded a commercial
treaty with Sweden.


Germany was handicapped in the ne-
gotiations by the fact that she had al-
ready given Sweden the advantage of
either nearly all the reductions made to
other countries, including treaties and had
no or nothing left that used as counter.
German manufacturers are pleased at the
provisions against the export duty on
as well as a very strong condemnation
of the appointment of a bakeshop in-
spector, were some of the subjects
that came up for discussion at the
meeting of the Trades and Labor
Council.

The first question arose out of a re-
commendation included in the report
of the parliamentary committee, and
aroused a great deal of discussion, in
which many opinions condemning the
laundries in the city were expressed.
It was stated that the laundries would
not permit the employment of union
labor; that they made their employees
work overtime; and that owing to the
high prices charged, workingmen
could not pay for laundry work. It

WANT MUNICIPAL LAUNDRY.
Vancouver, May 22.—The question
of establishing a municipal laundry;
the relations existing between union
labor in the bakeries in the city and
the owners of the establishments, as
well as a very strong condemnation
of Alderman Stevens' action in regard
to the appointment of a bakeshop in-
spector, were some of the subjects
that came up for discussion at the
meeting of the Trades and Labor
Council.

WANT MUNICIPAL LAUNDRY.
Vancouver, May 22.—The question
of establishing a municipal laundry;
the relations existing between union
labor in the bakeries in the city and
the owners of the establishments, as
well as a very strong condemnation
of Alderman Stevens' action in regard
to the appointment of a bakeshop in-
spector, were some of the subjects
that came up for discussion at the
meeting of the Trades and Labor
Council.

ELLIMAN'S EMBROCATION



FOR USE ON ANIMALS.
Sore Shoulders,
Sore Udders of
Cows, Sore Feet
in Horses, Sore
Legs, Sore
Chests, Sore
Eyes, Sore
Ears, Sore
Mouths, Sore
Noses, Sore
Tails, Sore
Claws, Sore
Hooves, Sore
Skin, Sore
Wounds, Sore
Ulcers, Sore
Fistulas, Sore
Abscesses, Sore
Tumors, Sore
Cancers, Sore
Scalds, Sore
Burns, Sore
Frostbites, Sore
Chilblains, Sore
Rheumatism,
Gout, Gravel,
Rheumatoid
Arthritis, Sore
Throat, Sore
Tongue, Sore
Gums, Sore
Periods, Sore
Breasts, Sore
Vagina, Sore
Rectum, Sore
Anus, Sore
Prostate, Sore
Bladder, Sore
Uterus, Sore
Ovaries, Sore
Fallopian Tubes,
Sore Cervix,
Sore Vagina,
Sore Rectum,
Sore Anus,
Sore Prostate,
Sore Bladder,
Sore Uterus,
Sore Ovaries,
Sore Fallopian
Tubes, Sore
Cervix, Sore
Vagina, Sore
Rectum, Sore
Anus, Sore
Prostate, Sore
Bladder, Sore
Uterus, Sore
Ovaries, Sore
Fallopian Tubes,
Sore Cervix,
Sore Vagina,
Sore Rectum,
Sore Anus,
Sore Prostate,
Sore Bladder,
Sore Uterus,
Sore Ovaries,
Sore Fallopian
Tubes, Sore
Cervix, Sore
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Prostate, Sore
Bladder, Sore
Uterus, Sore
Ovaries, Sore
Fal