The Semi-Weekly Colonist.

VOL. XLVII., NO. 27. VICTORIA, BRITISH COLUMBIA, FRIDAY, JANUARY 13, 1905. FORTY-FIFTH YEAR.

Spoke For Merchants

Deputation From Victoria Board of Trade Appear Before Commission.

Enter a Protest Against Alleged Unfair Tax on Stock and Liabilities.

Crow's Nest Pass Coal Company Object to Taxation of Coal Lands.

The proceedings at yesterday's session of the commission inquiring into the operations of the Assessment Act were of a particularly interesting character. At the morning sitting G. G. S. Lindsay, managing director of the Crow's Nest Pass Coal Co., appeared and entered an objection to the taxing of coal land at five per cent. as wild lands. He entered very fully into the question and the commissioners were evidently much impressed with what he said. At the morning sitting also, Hon. R. G. Tatlow made the important announcement that the Act in practice had come being close to the estimates. The estimates fixed the revenue at $650,000. The returning by June 30th would be $680,000.

The major portion of the afternoon session was taken up with hearing the views of the deputation from the Victoria Board of Trade. This deputation represented the merchant's interests solely and explained the objections which that section of the community have against the operation of the Act, complaining particularly of the tax on liabilities. A. C. Galt spoke of the operation of the two per cent. tax, combatting the views expressed by mining men from Slocan on the previous day. The commission will resume its sittings at 10 o'clock this morning, when a delegation from Vancouver will appear and give testimony as to the operations of the Act.

MORNING SESSION.

At the opening of the morning session, G. G. S. Lindsay, vice-president and general manager of the Crow's Nest Pass Coal Co., called attention to the large tax of 5 per cent. on coal lands. It was excessive on this class of property. the intention of the act was to compel people to improve their property, and it was obviously impossible to improve coal lands. The company thought coal lands might be treated as real lands or treated in a class by themselves. The company was paying $1,500 an acre on the lands being worked, and was paying a triple tax. He suggested that coal lands should be placed in a class by themselves and taxed less heavily than at present. It was important to the company to have this thing taken up by the commission, as in Alberta, where they paid no royalties the mines were coming in competition with the Kootenay mines. Mr. Lindsay entered into a history of his company's affairs indicating that at a time was the company a monopoly.

To the chairman, Mr. Lindsay said he thought the smelting industry was on the up-grade. British Columbia had undoubtedly a great future ahead of her; but it was only for the large capitalist. The small capitalist could not do very much. He thought the policy of the government should be to woo capital to British Columbia on a large scale. There was no province in the Dominion with such great natural wealth.

Replying to Mr. Buntzen, Mr. Lindsay explained that the coal lands in Alberta paid no royalty at all.

To Mr. Ker, Mr. Lindsay said very little timber was taken off the coal lands. There was no way of ascertaining the market value of the lands. The company had recently acquired 200,000 acres more of lands.

To Mr. Tatlow, Mr. Lindsay agreed that the company's contention was that the mines could only be attacked at four points; that the company held these points and the balance of the land was practically valueless. As far as the mountain tops were concerned the company would gladly give them back to the government, but the flat lands and the valleys the company would endeavor to attract people to them.

E. M. Yarwood, solicitor for Thos. D. Jones, Nanaimo, was next heard. Mr. Jones owned 100 acres improved land on Galiano island assessed at $800. In 1904 a new assessor was appointed and he assessed it at $400 as "wild land."

The chairman thought this was a matter for the court of revision, not for the commission to deal with.

Mr. Yarwood directed attention to Mr. Jones' holding of other lands which were taxed as wild lands which could not be improved. He was using it for quarry purposes. The lands were practically of no value.

Mr. Yarwood also directed attention to the need of an alteration in the act, so that coal lands should not be classed as wild lands.

The chairman remarked that Mr. Jones had apparently no kick coming as he had acquired the coal lands at $1 per acre.

Mr. Tatlow pointed out to the commission that it was now evident that the commission could not possibly have been appointed earlier, as the working results of the act was even now not ascertained.

On another point, Mr. Tatlow explained this year it was estimated that the revenue from the mineral tax would be $66,224.67.

The commission then adjourned for lunch.

AFTERNOON SESSION.

On the resumption of the sitting in the afternoon, A. C. Galt, solicitor for the War Eagle and Centre Star mines, Rossland, gave evidence. He understood when he left Rossland that nothing was to be done by the commissioners respecting the two per cent. tax.

The chairman explained that it was outside the scope of the commission and was only dealt with incidentally.

The deputation from the Board of Trade, headed by Colonel Prior, was here given a hearing. Colonel Prior explained the dissatisfaction which was apparent amongst the business men respecting the operation of the Assessment Act. The merchants objected particularly to the tax on liabilities. As the merchants here were so far from the big markets of supply, they were compelled to carry large stocks, and they objected to being taxed so heavily. The committee thought, if the merchants were to pay one-half of one per cent. and half the liabilities and book debts, it would be more equitable. The committee also thought commission merchants should be rated more heavily than at present. In the Northwest Territories the government collects $210 per year from a liquor house before travelers can solicit orders. It was manifestly unfair that because large stocks were carried for the accommodation of the public, merchants should be so heavily taxed.

Mr. C. F. Todd said the Board of Trade committee spoke only for the mercantile interests. It was admitted that the taxes should be increased in order to provide the necessary revenue, but the merchants thought they were taxed disproportionately. The merchant deserved more consideration than the capitalist who came here to live on his money. It was not necessarily the net worth of the merchant on which he would pay, he would pay on his liabilities—stock and book debts.

Hon. Colonel Prior then read a statement showing how a particular merchant was discriminated against. He thought the commission would see that the tax bore very heavily on the merchants in this city who carried large stocks. The merchants also had to pay the municipal tax.

The chairman thought that the municipal tax was very small.

Hon. Colonel Prior also explained that when a traveler went to sell goods in any provincial towns he had to pay the $50 municipal tax.

The chairman said it would appear to him that the plan suggested by the Board of Trade would operate against the large capitalist in favor of the small investor.

Mr. Todd said it would be difficult to arrive at a law which would touch everyone alike. As far as the wholesale merchant was concerned everything was getting down to a cash basis. Respecting stocks, business here was done very largely on the credit system. In Seattle the accounts were collected every two weeks.

The chairman pointed out that the province would, in certain stated instances, make the suggested plan lose all power of taxing goods wherever they might be found.

Mr. Todd cited a different stated case proving the wisdom of the plan suggested by the board.

Hon. Mr. Tatlow, referring to the taxation on personal property, said income tax was paid in the tax derived from real estate.

Mr. Todd stated the merchants did not object to paying taxes, but did object to the raise from 50 to 90—this

(Continued on Page Eight.)

The Situation In Morocco

Power's Interests Shifted From South Eastern Europe to Africa.

Moorish Tribesmen Are Getting More and More Out of Hand.

PARIS, Jan. 11.—Indications point to the speedy transfer of the attention of the continental chancelleries from southeastern Europe to northwestern Africa. News from Tangier and Fez show that, notwithstanding the recent backdown by the Sultan and his assurances, the anti-European feeling is growing among his subjects and the long smouldering flames of resentment among the Moors against the annexation schemes of France may break into a violent conflagration without a moment's notice.

Already the foreign ministers and consuls at Tangier and Fez are warning their countrymen of the danger that is threatening them and are advising them that all who can may leave Morocco until the present dangerous situation is passed. It now seems that before long France, which regards Morocco as her legitimate prey, may be compelled to send an army into the country to combat a "holy war" that may be waged on as active a scale as was the last uprising in the Soudan, which General Kitchener brought to an end. It is suspected that since last April, when the Anglo-French convention was signed, recognizing France's superior rights in Morocco, the Paris government has been secretly fomenting a spirit of unrest among the Moors with the object of bringing matters to a head, necessitating French intervention.

Whether this be so or not, it is certain that within the past nine months the Moorish tribesmen have been getting more and more out of hand, and on their occasional entries into the towns where there are Europeans they shout insults to the "Christian dogs," and assert their intention of driving them from the country. The leader of the European propaganda is Raisuli.

Since his success in securing the ransom he demanded from Mr. Perdicaris, Raisuli has become the idol of the huge hordes of Moroccan tribes. A few members of his own tribe are very bitter toward him because he has retained practically all of the Perdicaris ransom money for himself, but these are insignificant, and by all the others Raisuli is regarded almost in the light of Allah to wage war against the Christian unbelievers. Raisuli has met with a success that is disquieting to the French diplomats in his endeavors to establish a truce among the various tribes and to induce them to sink their differences in the face of the common enemy.

Not for many years have the tribesmen been so friendly to one another as they now are, and for that reason they are at present more dangerous to French ambition in northwest Africa than they have ever been before.

The Sultan of Morocco, Abdul Aziz, is believed to be completely in the hands of the French, for which reason, if there be an outbreak of hostilities, it will be in the nature of a civil war as much as an attack against the Europeans. The Moors are now charging that Abdul Aziz has left the Moslem faith for Christianity and are endeavoring to cause the troops loyal to him to desert in the name of the Prophet. Raisuli is making the most of this feeling of religious animosity toward the Sultan, and he is secretly pushing the claims of the pretender, Muley Mohammed, on the understanding that if the pretender gains the throne he will make Raisuli his prime minister.

There is no fear of any more trouble in Morocco leading to a dangerous diplomatic situation in Europe. The predominant nature of French interests in Morocco is recognized in all the continental capitals except Madrid, and the Spaniards are impotent to hold France in check once the authorities at Paris believe themselves compelled to act.

DEATH OF INDIAN CHIEF.

Missoula, Mont., Jan. 11.—Chief Machielle, head of the Flathead Indians, is dead as a result of being pitched from his wagon near Plains. Elaborate preparations for the funeral are in progress. Interment will be according to the mysties of the Flathead tribe, and the funeral will be the largest ever held on the reservation.

VALUES AVERAGE $5 A TON.

Greenwood, B. C., Jan. 11.—The Montreal & Boston Consolidated, which did not get to work until late in the autumn, smelted about 40,000 tons of ore, which yielded in metals as follows: Gold, 3,435 ounces; silver, 13,494 ounces; copper, 920,900 pounds. That would indicate a gross value at full market quotations of $5 a ton.

Rats Were Put To Good Use

Japanese Army in Manchuria Profits by a Raid on the Rodents.

Skins Were Used to Make Ear Protectors for the Troops.

Efforts Made Years ago to Fight the Plague Proves to Be Useful.

TOKIO, Jan. 10.—When the time came to forward the winter outfits for the armies in Manchuria and the commissariat produced hundreds of thousands of fur ear protectors, Japanese and foreigners alike wondered where these things could come from. No one had ever heard of their being made.

It seems that two years ago the plague was raging along the China coast. The Japanese quarantine bureau decided that strenuous efforts must be made to keep the dread disease out of the country. They determined to start a crusade. In all the seaports and larger cities bounties were offered for each rat brought in. The small boys found this a great source of revenue, and the competition at once became very keen. For each rodent the huntsman was given a small sum and a lottery ticket. The money he might squander, but the ticket he saved, and at the end of the month there was a drawing, with prizes varying from $5 to $50. Rat catching became a popular amusement, and the boards of health all over the country were kept busy examining the daily bag. Each animal was duly registered and the place in which it was caught was noted. It was then examined, and if any suspicious germs were discovered, the building from which the rat came was immediately raided, all the animals were hunted down and the place disinfected. In this manner the plague was kept out of Japan. The small boys amused themselves and made money, but no one ever stopped to think what had become of the millions of rats that had been worrying the boards of health. They had not been thrown away, the military authorities had used them to make ear protectors.

EVIDENCE FOR MR. BRYAN.

New Haven, Jan. 11.—Counsel for William J. Bryan today appealed from the decision excluding as evidence the sealed letter by which Philo S. Bennett requested his widow to turn over to Mr. Bryan $50,000.

REDUCTION IN OIL.

Pittsburg, Jan. 11.—The Standard Oil Company today made another reduction of eight cents in the price of all grades of crude oil.

RICHARD CROKER WOULD BUTT-IN

Ex-Tammany Leader Disregarded Jockey Club Rules and Suffers.

London, Jan. 11.—A serious scandal promises to develop in racing circles as a result of the Jockey Club's action in interdicting Richard Croker from training horses at Newmarket. The history of the affair given out by friends of Mr. Croker is that when at the Newmarket sales in September, Mr. Croker appeared as a bidder for certain yearlings he was informed he was opposing Lord Marcus Beresford, who has entire charge of King Edward's racing stables. This did not deter Mr. Croker, and it was suggested to him that if he insisted in competing he would not be allowed to train his horses at Newmarket.

MESSENGER MURDERED.

El Paso, Texas, Jan. 11.—A telegram announcing the murder of P. A. Latta, a Wells-Fargo messenger running between this city and Mexico City, has been reported by the company's officials in this city. The dead body of the messenger was discovered in his car. His death is believed to have been accomplished by robbers, but the officials decline to state whether the express car was as they assert. No details have as yet been received.

STRIKE IN CIGAR FACTORY.

Montreal, Jan. 11.—A strike is at present in progress in the cigar factory of Joseph Store & Company. Twenty-five of the operatives went out on strike as a protest against reduction in the rate of wages between $3 and $3.50 per thousand cigars, according to quality. "We wanted to have an open factory, that tells the whole story," was Tasse's reply.

A COLD DAY IN BUTTE.

Butte, Mont., Jan. 11.—Butte experienced the coldest day in two years, the temperature ranging from 10 degrees below zero to 25 and 30 below.

SIGNIFICANCE OF VICTORIA DAY

Bishop of Meath Urges That Clergy Instruct People as to Observation.

Canadian Associated Press Cable.

London, Jan. 11.—The Bishop of Meath has sent a letter to deans throughout the country urging that on the Sunday before May 24 in each year "in cathedral churches throughout the dominions of King Edward that the keynote of moral responsibility attaching to citizenship in the Empire should be struck by the clergy in their sermons and discourses, so that the people may rightly understand that the object of celebrating the day is not to enable them to indulge in vain boasting or self-congratulation, but to impress on the minds of citizens of the Empire how grave are their responsibilities and how important it is that they should train themselves, so far as they may be able, to worthily fulfill the high mission with which they have been entrusted by the Almighty."

DANISH CABINET RESIGNS.

Copenhagen, Jan. 11.—The remaining members of the cabinet have resigned. King Christian has requested the ministers to carry on business until their successors are selected.

THE HAWAII SCUTTLED.

Barkentine Sunk at Kobe in Order to Subdue Fire.

San Francisco, Jan. 11.—The barkentine Hawaii, which reached Kobe about a week ago with her cargo on fire, has been scuttled in an effort to subdue the flames. A few days ago it was announced that the fire was under control, but word came today over the cable that heroic measures had to be taken to save the vessel. The Hawaii is owned by Hind, Rolph & Co. of this port.

The barkentine Hawaii is well known in this port, she having been to the British Columbia mills on many occasions to load lumber cargoes and has been a frequent visitor in Royal Roads. She is a vessel of 953 tons. The Hawaii loaded a cargo of fish guano at Killisnoo for the Japanese port and sailed on October 23. After a voyage of 72 days across the Pacific she arrived at Kobe on Jan. 3, and took fire soon after arrival. The news that she was on fire was given in these columns some days ago; it was then thought that the fire would be quickly extinguished. Capt. Johnson is in command of the Hawaii.

Conspiracy Unearthed

Police Discover Extensive Plot at Odessa Against the Government

Work Progressed so Far That Damage Done Is Likely Irreparable.

Expectations That Investigation Will Cause the Greatest Scandal.

ODESSA, Jan. 11.—The police last night authorized the bare announcement that a dangerous conspiracy against the government had been unearthed and that large quantities of seditious literature had been confiscated. In well informed circles the opinion prevails that the work has been permitted to advance so far that irreparable damage has been done. That wholesale arrests will be made within the next 24 hours seems to be the general belief. Rumors are in circulation to the effect that several well known Socialists have already been imprisoned.

When the first news of the existence of the conspiracy and the purpose of disseminating seditious literature among the reservists, soldiers and sailors reached the authorities, comparatively little attention was paid to it. But it was found that by bribery and other means the agitators had managed to smuggle huge quantities of the most seditious matter into the naval and military barracks all over the empire, and the work has been going on so long that the opinion gains ground that nearly all of the recent outbreaks, together with much of the ever increasing spirit of rebellion among the troops, may be attributed to the undisturbed activity of the Odessa conspirators.

The investigation just begun will be continued until every man and woman concerned in the plot has been identified and arrested, and many predict that a scandal of almost inconceivable proportions will follow the first disclosures.

STEAMER ASHORE.

New York, Jan. 12.—(3:30 a. m.)—A large steamer is ashore on Fire Island beach. Owing to the thick weather her name has not yet been learned, but the vessel is a large one and is well lighted up. One of the steamers likely to be there is the Italian liner Lombardia from Genoa and Naples reported last night as 27 miles off Sagaponack L. I. There is not much sea running and the vessel does not appear to be in immediate danger. The wind is from the northwest and rather light.

NEWS WIRINGS FROM WINNIPEG

Selecting Archbishop of Rupert's Land — Improvements on C. P. R.

Winnipeg, Jan. 11.—The house of bishops meets at Regina the 25th inst. to consecrate Archdeacon Holmes as Bishop of Moosonee, and elect either Canon Pentreath or Bishop P. Matheson as Archbishop of Ruperts Land. The synod of the diocese, on a fourth ballot, decided on Canon Pentreath, of Vancouver, as the second name to go before the house of bishops to secure a metropolitan. Canon Pentreath accepted by wire last night.

Taylor, who murdered his wife in October, is dying in the provincial jail and will not live six weeks.

Twenty-five million five hundred thousand bushels of grain were inspected at Winnipeg during the period beginning September 1 and closing December 31 of last year. The previous year the figures were 23,500,000 bushels, or an increase in favor of the present year of 2,000,000 bushels.

The canteen and No. 2 barracks of the Northwest Mounted Police at Macleod were destroyed by fire this morning. No. 1 barracks was saved with difficulty by citizens.

The extradition of Sarah Ann Pearson, of Mullalelish county, Armagh, Ireland, was granted today. The woman is wanted in Ireland to answer the charge of having murdered her mother-in-law, Alice Pearson, it is alleged, for her money. This, however, only turned out after her death to amount to £38. The woman denies the charges.

The police tonight rounded up a dangerous forger named P. Williams, who has been victimizing merchants for several weeks past.

Second Vice-President Whyte of the C. P. R. left for Montreal last night, taking with him the estimates for the western lines of the system. Larger appropriations will be made for rolling stock and the proposed extension of lines are heavier than last year. Provision is made for heavy rails on the "Soo" line from Portal to Moose Jaw and on the Yorkton section. Many improvements for the main line are proposed, including new stations and larger sidings.

Parliament Assembles

Houses Will Be Formally Opened by the Governor-General Today.

Speech From the Throne Will Contain Nothing of Much Importance.

Brief Proceedings in the Lower Chamber Yesterday Afternoon.

From Our Own Correspondent.

OTTAWA, Jan. 11.—The speech from the throne tomorrow will not contain anything of a very startling character. About the only measure of importance which is referred to is the bill granting autonomy to the Northwest Territories. There will be the usual reference to the prosperity of the country and His Excellency will express his thanks for the cordial reception tendered him by the people of Canada. There is no reference to the naval militia bill, to reciprocation or to any prospective tariff change. Altogether it is quite on the cards that something in this direction may take place this session.

Earl Grey has appointed Colonels Otter, Irwin, H. R. Smith and Sherwood to be honorary A. D. C's.

R. L. Borden is on his way to Ottawa. In reply to a message from the Conservative caucus again tendering him the leadership, Mr. Borden this morning wired the Conservative whip, Mr. Taylor, and Senator De Boucherville that he is leaving Halifax this afternoon and will be in Ottawa Friday. A caucus of the party has been summoned for Friday morning.

The House of Commons this morning presented a busy scene, the members being engaged in the signing of the roll, subscribing to the oath and taking their seats. A glance over the chamber revealed the presence of many more young men than usual, a fact indicating that maturity of age is no longer an essential to political preference.

The proceedings in the house this afternoon were brief. Chief Justice Taschereau, acting Governor-General, summoned the Commoners to the Senate chamber and instructed them to elect a speaker, which being done, the Earl of Grey will tomorrow formally open parliament. Sir Wilfred, in the house, afterwards proposed R. F. Sutherland as speaker, and after he was installed and made a brief address of thanks, an adjournment took place until tomorrow.

Sir Richard Cartwright, Messrs. Davis, Ross and Choquette took their seats in the Senate today. Speaker Dandurand was duly installed. Both he and Mr. Sutherland held receptions later in the day.

All British Columbia members have arrived. One hundred and seventy-two members were sworn in today out of 214.

OLD MANSION A TREASURE TROVE

Excavators on Site of Millionaire's Home Discover Large Sum of Money.

New York, Jan. 11.—A tale of recovered hidden treasure, amounting to $150,000, according to some versions, has become public to ornament the histories of sudden wealth in the recent Bronx real estate boom.

In an old brick vault, underneath the site where once stood the Theodore M. Macy mansion, workmen who are excavating are said to have found a rusty iron bound chest containing enough money to pay for the modern apartment house that is to be erected. The chest is now in the home of the owner of the ground.

The Macy mansion, with the single exception of a club house, was the last of the many colonial homes that once ornamented what is now the Bronx. The house was situated at Longwood and Prospect avenues and was sold a short time ago to the present owner.

The old mansion was at once torn down, and a few weeks ago workmen began excavating for the foundations of the new house. One of the men suddenly broke through into an old vault, and the owner, with a friend, investigated the hole. Great quantities of rubbish were found, and finally the chest was uncovered. The fortunate individual refuses to disclose the exact value, but is said to have admitted it is ample to pay for the big apartment house.

Theodore M. Macy, who once owned the old house, died about seven years ago, leaving an estate valued at several million dollars, and was the founder of the great department store of Macy & Co.

TRANS-ATLANTIC RATES.

London, Jan. 11.—(Special.)—Though the White Star and Cunard lines have made no move, yet notice is given by the Anchor line that the third-class fare after March will be the same as before the rate was cut, indicated that the matter has been satisfactorily arranged.

WILL CASE IN CALIFORNIA COURTS

Hopper-Dunsmuir Suit Is Again Up for Argument In San Francisco.

San Francisco, Jan. 11.—The taking of testimony before Courtenay Bennett, the British consul-general, in the famous Dunsmuir will contest was again postponed today owing to the failures of the attorneys in the local contest to complete their arguments before Judge Coffey. When the hearing was called in Judge Coffey's court H. J. Campbell, representing Edna Wallace Hopper, stepdaughter of the late Alexander Dunsmuir, continued his argument to show that the local courts have no jurisdiction to probate the will. Attorney Campbell declared that it nowhere appeared on the face of the judgment roll that the decree which he is trying to have set aside was executed according to the laws of any country. Attorney Campbell closed his argument at noon, and this afternoon Attorney James Wheeler began his argument for the opponents.

MURDEROUS ASSAULT.

San Francisco, Jan. 11.—Frank Signorretti, a mining man from Ogden, Wash., was assaulted by a brace of colored men at Sansome and Pacific streets this morning, relieved of $500 in cash, two Wells-Fargo money orders for $100 each, and left for dead by his assailants. He was found a short time after the robbery by Policeman Stelzener.

RIOTING AT BETHLEHEM.

Jerusalem, Jan. 11.—The Greek Christmas observances in the grotto of the nativity at Bethlehem were marked by a sharp fight between Greek and Latin clergy, arising from the old-time jealousy regarding protection of the grotto. The governor had to be summoned to quell the riot.

COLLAPSE OF A SPIRITUALIST.

Declared That Someone in Audience Was Trying to Trick Her.

New York, Jan. 11.—Mrs. Mary S. Pepper, pastor of the First Spiritualistic church in Brooklyn, and widely known among followers of spiritualism, collapsed from heart trouble in a room to the rear of the pulpit, at the close of a "reading," in which she had denounced an attempt of a young man in the audience of 500 or 600 to trick her. As is customary in the church, a number of articles belonging to dead persons were placed upon her desk, and she announced that she would put herself in communication with the spirit world. The first article was in a sealed envelope. Mrs. Pepper appeared to become very angry, and, pointing to someone in the gallery, declared attempts were being made to trick her. Services were brought to a close and the woman staggered to the back room of the pulpit, where she collapsed, but physicians soon brought her to and she was sent home in a cab.

Duke's Family Air Their Scandal

Sensational Marriage of Wealthy New Yorker and Grave Charges Made.

District Attorney Jerome Is Investigating Alleged Conspiracy.

New York, Jan. 11.—Brodie L. Duke was yesterday transferred to the insane asylum at Amityville, L. I., from the Sanford Hall sanitarium at Flushing. The Duke family, it was learned today, will not only seek to have the marriage to Miss Webb annulled, but will bring criminal charges against persons who will be charged with a conspiracy to bring about the marriage.

The action looking toward the release of Duke was taken today by Lawyer Champes Andrews, who obtained from Justice Gaynor, of the Supreme court in Brooklyn, a writ of habeas corpus calling upon the superintendent of the Sanford hall sanitarium to produce Duke on Friday morning at 10 o'clock.

On the other hand, Lawyer Cornelius J. Sullivan, counsel for the Duke family, appeared before Justice Greenbaum, of the Supreme court, this afternoon and obtained an order directing Duke and his relatives to show cause why a committee should not be appointed to take charge of the person and property of Brodie L. Duke. The order was made returnable in the Supreme court on Jan. 20. Mr. Sullivan also obtained from Judge Greenbaum an order restraining R. S. Kauffman from disposing of two promissory notes aggregating $16,800, which Duke issued and gave Kauffman to discount in the course of transactions for the purchase of lands in Texas on behalf of Mrs. Duke.

Announcement was made today that Laurence Duke, son of Brodie L. Duke, recently committed to a sanitarium on the order of a magistrate, had taken steps to secure the annulment of his father's marriage to Miss Alice Webb. What turn the investigation by District Attorney Jerome may take is yet uncertain, but it was said there would certainly be no immediate arrest in the case, the investigation having not reached a stage where a criminal prosecution involving such action was possible.

Lawyer John D. Lindsay announced that Laurence Duke, son of Brodie L. Duke, had instructed him to begin an action for the annulment of Brodie L. Duke's marriage to the former Miss Webb. He said:

"We have placed all the facts in our possession in the hands of the district attorney and it is for him to decide whether any criminal action will be taken."

Mr. Lindsay said he knew nothing about a statement attributed to Mrs. Duke that an offer of $300,000 had been made to her on condition that she consented to annulment of the marriage.

The marriage took place while Duke and the woman were on a debauch. It is also alleged he was drugged. The record of Duke's bride shows that she was originally an orphan asylum foundling, then tenderloin woman, finally a successful adventuress.

The commitment of Brodie L. Duke, half brother of J. B. and B. N. Duke, the tobacco capitalists, to a sanitarium for examination as to his sanity, and the sensational developments growing out of the case were investigated by District Attorney Jerome. The affidavit on which the commitment was issued was made public today by Justice Wyatt, who was the issuing justice. It bears the name of Victor G. Mitch, of this city, but does not give his occupation.

Assistant District Attorney Lord said that he understood that the management of the Park avenue hotel, where Mr. and Mrs. Duke had been stopping, had made the first complaint which resulted in Duke's removal to Bellevue hospital.

The $40,000 worth of securities found on Duke were still in the office of District Attorney Jerome, Mr. Lord said, and were being examined.

Mrs. Alice Desplaines, friend and companion of Mrs. Duke, was in the district attorney's office today under subpoena, but did not go before the grand jury. She made an affidavit and will return to give testimony on Jan. 13.

Dr. Maurice A. Strum told Assistant District Attorney Lord today that Mrs. Duke was suffering from nervous prostration and could not come to the district attorney's office for two or three days.

HANKOW-CANTON CONCESSION.

Question Is Said to Have Reached Point of Deadlock.

London, Jan. 11.—The question of the Hankow-Canton railway concession, according to a Shanghai despatch to the Times, has reached a deadlock, which is likely to end either in the abandonment of the enterprise or intervention by the American government. The Hankow-Canton Railroad Company was organized under the laws of New Jersey and a majority of the stock was originally held in the United States. Later the control of the corporation was acquired by Belgian capitalists.

Mr. Borden Is Still Leader

Conservatives of Canada Decline to Accept Their Chieftain's Resignation.

He Is Urged to Attend an Early Caucus of His Loyal Supporters.

Will Probably Be Seated for Carleton—Foster Is Leader Pro Tem.

From Our Own Correspondent.

OTTAWA, Jan. 10.—(Special)—At a caucus of Liberal-Conservative senators and members tonight it was unanimously decided not to accept the resignation of R. L. Borden as leader of the Opposition, and a telegram was sent to him in the name of the party urging him to come to Ottawa at once to arrange to resume his duties as leader.

The meeting was largely attended, over 50 out of 74 Conservative members of the Commons being present and some twenty senators, including such as Bowell, Carling, Deboucherville, Perley and Josiah Wood. Senator Deboucherville occupied the chair.

George Taylor, chief whip, acted as secretary. He read a number of letters from absent members, all urging that Mr. Borden should be asked to continue as leader. He then read the following letter from Mr. Borden:

"To the Conservative members of the Senate and the House of Commons assembled in caucus:

"Four years ago you bestowed upon me the highest mark of your confidence when you required me to undertake the arduous duty and grave responsibility of leading the party in the House of Commons. To the best of my ability I have endeavored ever since to justify that confidence. I gratefully acknowledge how much you have done to strengthen my hands, and I am deeply sensible that without your loyal and generous aid freely accorded on all occasions my task would have been infinitely more onerous. We still firmly believe that the policy which we advocated and the principles which we upheld in the recent contest were truly in the best interests of Canada, and although we may regret temporary defeat, yet we do not for one moment regret the stand which we took upon the great questions of the day. Under the conditions which have ensued, it is necessary that you shall choose another leader. My resignation has already been given informally. I now place it unreservedly in your hands with every assurance of my hearty co-operation in the ranks of the party. Let me add that the happy remembrance of your loyal support and comradeship will always abide with me. Faithfully yours,

(Signed) "R. L. BORDEN.

"Halifax, N. S., Jan. 7, 1905."

Mr. Haggard moved, seconded by Mr. Roche, that the caucus decline to accept Mr. Borden's resignation, but that he be requested to attend an early meeting of the caucus for the purpose of hearing the views of his supporters as to why he should retain the leadership of the party.

This resolution was supported by a dozen gentlemen and carried unanimously on a standing vote.

It was decided, on the motion of Messrs. Bergeron and Sproule, that a senator or privy councillor should lead the opposition until such time as Mr. Borden takes his seat in the house. This means that Hon. Geo. E. Foster will be acting leader.

A committee was appointed to convey the wishes of the caucus to Mr. Borden. They met immediately after the adjournment and sent the following telegraphic message to Mr. Borden in Halifax:

"The caucus of Conservative senators and members unanimously decline to accept your resignation of the leadership, and, in the name of the party in the Senate, in the House of Commons and throughout the Dominion, respectfully request you to retain it. They desire you to attend an adjourned meeting of the caucus at Ottawa at the earliest possible moment."

The telegram was signed by all the members of the committee.

After the meeting members of the party freely expressed their satisfaction at the decision arrived at. Nothing was said about a constituency for Mr. Borden, but it is generally understood he will sit for Carleton county, Ont.

The first conference between the government and the Northwest delegates regarding provincial autonomy took place today.

By an order-in-council just passed, J. A. Roddick, head of the dairy branch, has been appointed dairy commissioner, F. W. Hodgson head of the live stock branch, live stock commissioner, and Geo. H. Clarke, head of the seed branch seed commissioner. These gentlemen were formerly under Prof. Robertson. Hereafter they will report to Deputy Minister O'Halloran.

The war office has refused to allow Major Braithwaite to take the office of director of military operations and staff duties at Ottawa.

Speaker Belcourt bade farewell to the staff of the House of Commons today.

Geo. Taylor, chief Conservative whip, saw Premier Laurier this afternoon regarding the seating arrangements on the opposition side. The result of the conference is that Mr. Taylor has practically secured everything he asked for the government consenting to take three front seats for their followers on the opposite side instead of four.

RUN ON BANK.

Stampede Caused by Nervous Depositors Mistaking Mission of Customers.

New York, Jan. 11.—Five hundred excited Hebrews who had deposits in the State bank in Grand street were at the doors of that bank all night and early today, more than a thousand persons waiting anxiously to withdraw their deposits. The run on the bank, which began yesterday afternoon, was resumed when the doors opened today. The trouble began yesterday through a misunderstanding by some small excitable depositors thinking a rush of depositors to place their money in the bank were withdrawing.

New Year's resolutions and an advance from 1½ to 4 per cent. in the interest rate have resulted in an unprecedented rush to deposit money in some of the larger savings banks in this city. The rush reached its height today, when it became necessary to call regular policemen to preserve order in the great crowd awaiting at one of the big banks to deposit their earnings.

EMPRESS' ARRIVAL.

Yokohama, Jan. 11.—Arrived, Empress of India from Vancouver and Victoria for Kobe.