he had been asked at Carbonado by two of his companions to lend them his razor to shave with, he had done this and when the last of the two had finished shaving he had put the razor in his, (Amandia's) vest pocket, where it was subsequently found.

"Why did you carry a gun?" asked Mr. Taylor.

"All nationalities carry guns, so I carried one. All Italian boys carry guns, is I carried one. All Italian boys carry guns. I showed Cozza the gun before shooting. I showed cozza the gun beare should, see it. I am a married man. That is my wife and baby over there,"—pointing to the jury box on the north side of the court

Mr. McAnn took the witness all over the ground again but Amandia fairly stuck to his story as first told. He said that he did not want to fight or get into trouble because he was a married man. He told Cozza that, and he, Cozza, re-He told Cozza that, and he, Cozza, replied that he had no one-meaning no wife and family depending on him. At first, the witness said, he had no thought as to was the better man, but when Cozza grappled with him he realized that Cozza was the stronger of the two Foreman Wells asked the witness in Cozza had the razor in his hand all the time, after first taking it out, and Amandia said he had. Then the foreman and several of the jury wanted the witness to make lear just what hap-pened between the firing of the 4th and 5th shots and Amandia said again, "I 5th shots and Amandia said again, "I ran around the little shop and we met again and grappled and I fired the last shot I had. Juryman Walmsley persisted, "Why did he not get away when he ran around the butcher shop," but beyond admitting that Cozza did not follow him, the witness came back to the statement "We met," and no further explanation was given.

The court then adjourned for an ho

and at 2.15 Mr. Ross announced that the defence was closed except as to Romano, a crown witness from Fernie, not called, but who was coming up on the Crow steamer arriving in a few hours. The court—I do not wish to deprive the prisoner of any thing that will help him. Do you think this man can give any material evidence?

Mr. Taylor—Yes, my lord, we do.

From what we are given to understand Romano can give us very material as-The court—In that case the court will

adjourn until 7 o'olck.

The court then took up some civil matters elsewhere referred to in this

issue.

The further proceedings in the Amandia case are published in another column in this issue.

KING CO.'S PLANER MILL

Important Addition to Industrial Establishments of Cranbrook

Cranbrook, May 22—The planer mill of
the King Lamber company, situated some
thalf mile northeast of the depot, is rapidly
assuming shape under the foremanship of
Mike Johnston, who has been long assoclated with the company's tuterprises. The
power house is being built entirely of brick
and stone, and will be perfectly ifreproof.
This building will be 48x24 feet in the clear
outside. The boiler, manufactured by the
Waterous company, is on the ground ready
to be placed in position.

The main planer building, which will be
14x84 feet, is already raised to the eve
level. It will be a huge structure and the
covered platforms which will project from
either side will add very considerably to
its imposing extent. The office building is
already finished and is quite elegantly furmished in a thoroughly up to date style.

A considerable crew of men are engaged
on the general work at present, but when
the plant is in operation fully 30 will find
steady employment in this important addifor to the industrial establishments of
Crasbrook.

Pert. of the machinery has already ar-

flon to the industrial establishments of Craubrook.

Part of the machinery has already arrived, the principal units being a big band resaw and a timber sizer of equal dimensions. Another carload of machinery is expected to be laid down on the company's spur inside a day or two. It is said to be the intention of the company to bring all the lumber sawn at Toohty and Smith's lake mill to the Crenbrook plant for seasoning and fluishing. The new concern will be the assembling and distributing point for the entire unfinished product turned out by the company at its various pleants; an arrangement which will tend to centralization and the consequent more effective management by Malcolm King, hother of Dr. J. H. King, M.P.P. for the Cranbrook division.

PRESENTMENT

Grand Jury Visit the Jail and Sey Com-plimentary Things of the Warden About 11 o'clock yesterday while the Anderson case was in progress at the assizes the grand jury filed into the court room and through H. E. Croaslaile, their foreman, made the following presentment.

May it please your lordship, we the grand jurors for the Kootenay district present: That we have visited the jail at Nelson and find that the same high tandard of cleanliness, order and dessipline that we have always found under the present warden is being maintained.
We desire to call the attention of the ernment through your lordship to the rearly destruction of large areas of valable timber owing to unchecked forest fires and to urge that more vigorous steps be taken to prevent and check these

fires, and if necessary that more string-ent legislation be introduced.
We desire to express the gratification of the district at the appropriation made for the long-needed court house, which ratification will be greatly enhanced by he early commencement and active prosecution of building operation HENRY E. CROASDAILE.

Nelson, May 22,1906.

HUNTER V. RESUMES SHIPMENTS HUNTER V. RESUMES SHIPMEN (Special to The Daily News)
Ymir, May 21—Saturday the Hunter V. mine commenced ore shipping, the train north teking three cars. From now on shipments will go on regularly. The train whilch was out of repair has been overhauled, some new splices put in and is in thorough working order.
Ranchers on Salmon river are exceedingly busy putting in their crop. Messrs, Feeney and Peters are cultivating a large acreage this year.
Chas. Dundee of Rossland, is here on a business trip.

business trip.

Mr. and Mrs. Chisholm have returned to Ymir adter an absence of a considerable period. Mr. Chisholm will take charge of the Goodenough group of claims on Widthorse, adjoining the Ymir Gold, Mines.

WINNIPEG HUSTLING Winnipeg, May 22—An association representative of the commercial and industrial interests has been formed for the purpose of attracting manufacturers to the city.

SLOCAN ORE **SHIPMENTS**

Increase in Tonnage and Number of Shipping Mines Recorded

Past Week Showed Healthy Activity in all Mining Districts-Mine Shipments and Smelter Receipts for Week

Unusual activity has been manifested in mining circles during the past week in every district throughout southeast ern British Columbia.

The ore shipments from the Slocan show a decided improvement over the previous week, both in tonnage and in the number of shipping mines.

At Rossland a contract has been let for a new hoisting plant for the Centre Star mine, which when completed and installed will be the largest lode mining hoist in Canada. It will have a capacity of 1200 horse power and will be steam

driven.

Last week the dividend cheques were sent from the office of the Granby Consent from the cince of the Grandy Con-solidated in New York the sum being distributed amounting to \$405,000. The Granby has so far paid \$943,630 in divi-dends. The total Boundary shipments for the week are somewhat smaller than

for the week are somewhat smaller than usual but well up to the average.

At the Eva mine in the Lardeau 4500 tons of ore have been milled this year to date and a rate of about 250 tons per week is being maintained. These figures will be included in the output detail in pext Sunday's issue of The Daily

Locally the chief feature of the week has been the sale of the Eureka group on 49-Creek to the Canadian Consoli-dated Mining & Smelting company, of Trail. The transfer means that the property will be actively and exten-

property will be actively and extensively developed immediately.

The Vancouver mine near Silverton, which has been idle for many years, has been leased and bonded by M. S. Davys and a large body of high grade ore is already in sight.

The new concentrator of the La Plata Mining company is about completed and will be ready for operation this coming week.

The ore shipments and smelter

INO OLO DIMPRIORED COMO NO	
ceipts for the week and for th	e year
date in detail are appended.	er a formis
BOUNDARY SHIPMEN	rs _
Mine Wee	k Yes
Granby14,50	05 323,6
Mother Lode 4,4	10 00,1
Brooklyn-Stemwinder 2,9	04 58,7
Sunset 6	93 17,3
dilinerate and a second a second and a second a second and a second a second and a second and a second and a	64 6,3
Rawhide 3	96 5,3 50 2
Dr. y load the accessorate accessorate and	33 4
Flovidence	7.6
Other mines	4,0
Total	85 488,5
ROSSLAND SHIPMENT	
Centre Star 1,6	
Le Roi No. 2 6	
O. K	4
Jumbo 16	00 2.7
Other mines	8,6
The state of the s	340 -140
Total 5,7	7 183,1
SLOCAN-KOOTENAY	90.00
St. Eugene 555	
Sullivan 50	
	2 1,8 4 3
Ottawa	
Loudenay Delle	5 2
Queen	8 1
Lorna Labone	1
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Amenican Duy	2
	1
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GRAND FORKS, B.14,50510030

323,698 2,760 156 4,634 331,247 ...14,635 B. C. COPPER CO. GREENWOOD, B. C. 67,03 DOMINION COPPER CO. BOUNDARY FALLS, B. C. Total TRAIL SMELTER TRAIL, B. C. Centre Star Le Roi Le Roi No. 2 . nay Belle .

er V. King 6.779 HALL MINES SMELTER NELSON, B. C. Ottawa

MARYSVILLE SMELTER

15,671

Rossland, May 19—The contract for the erection of a new hoist for the Centre Star has been let to the Northers Manufacturing company of Milwaukee, against nine competitors. The new hoist will when installed, be the largest lode mining hoist in Canada. It will have a capacity of 1200 horse power and will be steam driven. The present hoist was found to be insidequate for the requirements of hoisting the ore and waste of the Centre Star and War Eagle through the Centre Star shaft. The task of installing the hoist and making the connection between the two mines will occupy several months. It is thought, howeven that it will be completed in six months from the present date.

It is thought, however, that it will be completed in six months from the present date.

(Special to The Daily News)
Phoenix, May 19—L. H. Moffatt, a director of the Rathmulien Mines, Ltd, who are operating a group of the same name in Summit coamp, visited the property this week and was much pleased with the showing now being made. Considerable development work has been done in the crown granted claims of the company in the last two years, but latterly work has been confined to the Reliance claim, which aims been developed by a shaft now down 100 feet, with dirfts at the 50 foot and lower sevels. Although the formation is badly cut by porphryr, copper ore of a good grade has been encountered in the workings, and considerable ore of shipping grude was encountered in the face of the drift of the 100-foot event this week. It is the expectation to ship from the Reliance this summer.

This week the dividend checks from the New York office of the company, the amount so distributed being \$46,000, the second time that this amount has been paid this, year, being 3 per cent on the old par value, \$10, of the issued shares. The company has so far paid \$355,530 in dividends.

Keijiro Nakamura, the Japaniese metalungist, from the Besshi copper mines in the land of the militado, has spent the most of the week in the Boundary, examining the mines and smelters of the district. He was several days at the Granby Consolidated was here this week on this camp on the same mission. After heaving here Mr. Nakamura will visit the Nelson smelter and then make a tour of the emelters in the western part of the United States.

President Jacob Lamgeloth of the Granby Consolidated was here this week on this annual bour of inspection of the properties of the company, and expressed harself as well pleased with the progress made here since his visit to the Boundary last year. He was accompanied by his wife and J. P. Graves, general manager of the Granby company.

OF INTEREST TO MINERS

SPECIAL WEEKLY ARTICLE ON PROMINENT METALS

COPPER IS THE SUBJECT NOW DEALT WITH.

Copper is the subject of our fourth article of the more common metals, which we publish this week. Great interest is being taken at the present time in copper properties, in fact with the increasing prices, and the demand for the metal, it is probable that we shall hear of several other large concerns starting operations in jurisprovince during the coming year. The report this week that one of the largest corporations operating in the Kootemays had decided to invest a large sum in one of the local properties will no doubt be an incentive to prospectors to pay more attention to the minerals carrying this metal than has been the case during the last few years. To this Copper is the subject of our fourth carrying this metal than has been the case during the last few years. To this end we have decided to go more fully into this class of minerals than has been the case formerly, and we hope that advantage will be fully taken of it.

Our correspondence column are still be Our correspondence colums are still being taken full advantage of, and we hope it will prove of great benefit during the

it will prove of great benefit during the coming summer season to our many mining readers from outside points.

Where an assay is desired, and it is required in a hurry the fee should always accompany the sample. Should the fee not be known a preliminary fee of at least \$1.00 should be sent. The assay will in that case be run, whilst reply is awaited from the sender. COPPER

Copper has been known from remote antiquity, and was in those antiquity and was in those alternative alloyed with tin when it was used for making edged tools, bronzes, etc.

Copper has a red color, metallic luster and streak. It is highly ductile, very malleable, and tenacious. Its specifie gravity is about 8.8 varying a little cithes up or down according to the way

gravity is about 8.8 varying a little either up or down according to the way it has been manufactured.

When heated to whiteness copper gives off metallic vapors. If it is exposed to a damp atmosphere it becomes green owing to the carbonic acid in the air attenting it forming a carbonate of confecting it, forming a carbonate of cop-per or "verdigris." Copper is very freely soluable in nitric acid even in very dilute soloutions, but is hardly acted upon by hydrochloric acid even in its strongsolutions.

by hydrochloric acid even in its stronger solutions.

Copper forms two clases of salts, cuprous and cupric. To this peculiarity is
due the great quantity of copper ores
and the variety of their color.

Formerly the world's supply of copper was drawn from rich ores containing up to 40 per cent of the metal as
mined, but at the present and in the immediate future reliance must be placed on the enormous bodies of law grade
ore now being worked in various parts
of the world. The copper contents of
these deposits vary from ½ to 5 per
cent, probably 3 per cent would be a
fair average, though in England, 2 per
cent is considered good. The copper deposits of the Boundary districts are
good instances of these classes of ore.
The following are a few of the richer
class of copper ores.

The following are a few of the richer class of copper ores.

NATIVE COPPER—Copper is frequently found in its native state though hardly ever pure, nearly always containing a little silver, bismuth, merican little silver, b

22 feet wide, and the thickest par more than eight feet. It contained over 90 per cent copper, and weighed about 420 tons. It was found in the belt of conglomerate which forms the footwall

420 tons. It was found in the belt of conglomerate which forms the footwall of the vein.

CUPRITE or Red Copper oxide ore, occurs commonly in eight sided crystals, sometimes in cubes, also massive and earthy. It has an uneven fracture; is brittle, and has a semi-metallic to earthy luster. As its name shows it has a red color of various shades, with a similar colored streak. It contains when pure about 39 per cent copper. This mineral is cuprous oxide.

MELACONITE or cupric oxide varies greatly in color from the previous min-

MELACONITE or cupric oxide varies greatly in color from the previous mineral though in composition there is not such a great difference. This mineral has a steel or iron gray color when in scales, when it is earthy it is black or grayish black. It contains about 80 per cent copper, and 20 per cent oxygen, when pure, but is rarely found in this condition nearly always containing. when pure, but is rarely found in this condition, nearly always containing earthy matter, etc. Tenorite is the name usually applied to this mineral when it is in the form of scales.

Following the oxides of copper we come to the carbonates of which there are three, viz. Malachite, azurite and surichalette.

aurichalcite.

MALACHITE is the green carbonate ore

and contains 57.4 per cent copper. It is found both crystalline and massive usually in the latter form. This form usually in the latter form. This form of ore is very common at or near the outcrop of copper veins. Lime-malachite is very similar to ordinary malachite, it is due to the decomposition of various copper ores (probably sulphides) when in a lime formation. It is of considerably lower grade.

AZURITE or blue copper carbonate is very similar to malachite excepting in

AZURITE or blue copper carbonate is very similar to malachite excepting in color, being an azure blue. It contains 55.4 per cent copper, and is found massive as well as crystalline.

These two carbonates are frequently found together near the outcrop of the vein. They have remarkable powers for staining the vein filling; very small quantities giving the rock a decided blue or green color, and a small per cent is sufficient to make the ore appear to be solid malachite or azurite. For this solid malachite or azurite. For this reason the appearance of copper stained rocks is likely to be seriously mislead-

ing as to their contents.

AURICHALCITE—This mineral is compound carbonate of copper and zinc, containing about 20 per cent of the former's oxide, and 53.2 per cent zinc. It has a pale verdigris green color, with a similar colored streak.

We are unavoidably compelled to hold over the balance of the conper minerals. over the balance of the copper mineral

CORRESPONDENCE. CORRESPONDENCE.

F. M., Nelson, B. C.—Your No. 1 is very similar to garnerite, that is a silicate of magnesia and nickel. We would advise you to have it tested for nickel. No. 2 is pyrrhotite; this also may contain nickel. No. 3 is a quartz porphory probably carries a little gold and silver.

K. Kaslo, B.C.—Your sample is a mixture of pyrrhotite, galena, and zinc lende. As you do not state where it is from it is hard to advise what to assay it for. It will probably contain a little gold and silver besides lead and sinc.

P., Greenwood, B.C.—Your sample a granitic rock with copper pyrites intermixed. We may state that it is the first of this kind that we have seen in the

country.

B., Trout Lake, B.C.—No. 1 sample is galens, zinc blende, and copper pyrites.

No. 2 is zinc blende and iron pyrites. In No. 2 is zinc blende and iron pyrites. In shipping No. 1 you may possibly get allowed for the copper present in the sample should it go over 2 per cent. This will all depend upon the market and the smelter to which it is sent. Before shipping we would advise you to submit a bid sample to the smelters in this detail.

mit a bid sample to the smelters in this district.

F. E., Grand Forks—Your sample is fairly good granite and contains no commercial values.

V. E., Nelson, B.C.—The Laurentian group (geology) is the oldest of the three you quote, in fact it is the oldest period in geology. The rocks in this class have been found to contain no distinct organic remains. The next in order of age on your list is the Cambrian, and then the Devonian.

then the Devonian A. N., Waneta, B.C.—We are in receipt of your fees for assaying and will have the same attended to for you. It arrived too late this week (Saturday) so we will

NO DIVERSION OF TRADE

post you the result early next week.

J. J. HILL DISCUSSES HIS RAILWAY PLANS.

IS CONTEMPLATING NO INJURY TO CANADIAN PORTS.

St. Paul, Minn., May 22.—James J. Hill said today that his object in building a trans-continental line through Canada does not contemplate a diverting of the trade to the United States, and he has no intention of building up American ports at the expense of Candral Canada (1998). American ports at the expense of Can-At a banquet at Montreal on Saturday

At a banquet at Montreal on Saturday, minister of justice Fitzpatrick and president Shaughnessy, of the Canadian Pacific, were quoted as saying that Mr. Hill's Canadian projects will divert traffic across the line to American ports.

Mr. Hill added: "If it were our intention to haul Canadian products to America, would it be necessary to construct tion to hair Canadian Products So Printica, would it be necessary to construct a new east and west line? We would be able to do that with our present lines, and would not have to spend \$300,000 for terminals at Winnipeg. Nor do the people of the Northwest look upon it in

Verdict of Manslaughter Returned in Morrissey **Shooting Case**

Prisoner is Sentenced to 20 Years Penal Servitude by Mr. Justice Morrison Just Before Midnight

(From Tuesday's Daily)

Just before midnight the jury in the murder trial which has been in progress since Friday morning lest, brought in a verdict of manslaughter and Mr. justice Mourison at once imposed a sentence of 20 years' imprisonment in the provincial registratives.

penitentiary.

The court room was uncomfortably crowded last night at 7 o'clock when the evening session of the assize court commenced, and the room remained packed to the door until Mr. justice Morrison's

to the door until Mr. justice Morrison's charge to the jury in the Amandia murder case was concluded.

As stated elsewhere in this issue, with the exception of one witness the earlier session of the court concluded about 3 o'clock when an adjournment was taken to permit of the arrival from Fermie of a belated witness that the defence wished examined.

witness examined, stepped into the witness box and explained why he had not made his appearance sooner. He then told what he knew about the shooting. he was an eye witness of the affray and his testimony did not materially differ from that already given except upon the question of what happened betwen the firing of the fourth and fifth or final and fatal shot. He said at the end the two men were in sight and that at no time did either of them disappear, thus con-tradicting the accused who said he ran round the butcher shop in the interval etween the two last shots.

between the two last shots.

At 7.30 Mr. Ross commenced his address for the defence and he spoke for a little over an hour, painstakingly reviewing all the evidence, specially, of course, from the accused's point of view. He dwelt lightly on the murder aspect of the case claiming that there was no evidence upon which the jury could convict the accused of that most serious offence, and directing his attention more particularly to asking an acquittal of manslaughter.

C. W. McAnn for the prosecution made a scholarly and comparatively brief ad-

C. W. McAnn for the prosecution made a scholarly and comparatively brief address, in summing up the salient features of the case as they appeared to him. He told the jury that the crown was not interested in persecuting the prisoner, that he personally was not a party knowingly to anything approaching an unfair presentation of the case for the crown and that the jury must find the facts wholly upon the evidence presented to them. The learned crown counsel spoke judicially and without heat, evidently well weighing his utterances.

At a little after 9 o'clock Mr. justice At a little after 9 o'clock Mr. justice Morrison commenced his charge to the jury, prefacing his remarks with a kindly reference to the ability and absolute impartiality displayed throughout Mr. McAnn's presentation of the case for the crown, adding that the prisoner had been skillfully and ably defended and had no ground of complaint for the manner in which the trial had been conducted by his own, and counsel for the grown.

crown.

Then after explaining that the jury could find a verdict of (1) murder, (2) manslaughter, or (3) not guilty, he explained the legal definition of the first two crimes and distinguished between

them and then proceeded to review the evidence at considerable length.

Learned judges sometimes complain that in the published reports of their charges to juries they are credited with favoring one side or the other. This has been stated to be an incorrect view. What judges do is to sum up the evidence pro and con, and if their charge appear to favor one view more than the other it is because of the trend of the evidence, or of the absence of convincing testimony. Taking that view of the question it can be said that his lord-ship's view of the evidence as expressed question it can be said that his love-ship's view of the evidence as expressed in his charge to the jury was against the prisoner's acquittal and in favor of either murder or manslaughter. In concluding his charge the learned judge said: "I do not think there is any evi-dence which would amount to justifi-able homicide in this case."

dence which would amount to justifiable homicide in this case."

The jury retired at 10.02 to consider their verdict and for nearly two hours the crowd in the court room waited patiently to hear the result. At 11.15 the jury came in and stated that they had not agreed on their verdict. They asked the judge to again read them the definitions of murder and manslaughter. This Mr. justice Morrison did quoting from the criminal code, and adding some findings there recorded in the text book. The jury then retired and at 11.53 again came into court. This time foreman Wells stated that their verdict was for manslaughter.

There was dead silence for a moment and then the court asked the interpreter to explain to the prisoner what the verdict was. This done, his lord-ship, again through the interpreter, clause by clause, proceeded to give sentence. The prisoner, his lordship said had been found guilty of a very serious crime, the extreme penalty for which was imprisonment for life. The sentence of the joourt lwas imprisonment in the provincial penitentiary for 20 years.

The prisoner seemed dazed when the sentence was conveyed to him, but took it quietly enough, putting out his hands for the irons when the guards came for him and walking stolidly down stairs. The sentence was regarded by people

in court as a severe one, and it came as in court as a severe one, and it came as a surprise to possibly every one who heard it. Amandia is 24 years of age now. By good conduct he can shorten his term of imprisonment, but he will be over 40 before he is a free man or can see his wife and child again. The child has been born since the shooting, whilst the prisoner has been under arrest.

For 20 year Amandia will be a cipher, just a registered number in the provincial penitentiary. Doubtless the severity of the sentence will have the effect of discouraging the carrying of deadly weapons amongst the foreign element at the coal mines for the future.

RECOMMENDEDTOMERCY

ANDERSON IS SENTENCED EIGHTREN MONTHS.

ORIMINAL LIST AT ASSIZES IS ENDED.

The last case on the criminal list at

the assizes yesterday disclosed some case. George Anderson whose nickname is "Skin-the-Goat," did not apname is "Skin-the-Goat," did not appear in the proceedings yesterday, was charged with wounding with intent to murder Charles Street, at the pool just below Slocan junction on Monday May 14 last. Both men are boatmen and fishermen, and the story of how Anderson attacked Street with an axe, severely wounding him is fresh in the minds of all readers of The Daily News. The somewhat unusual features of the case which appear in the evidence given hereunce: the that the mai charged with committing the serious offence was shown to unce: the that the mail claiged with committing the serious offence was shown to be an epileptic, suffering at times frequent lapses of memory owing to the attacks of epilepsy, and the man assaulted was shown to have done several things after the attack was made on him of which he had no subsequent resolication, his mind being a blank on the subject from the moment he received the most crushing and serious of the axe wounds until he found himself coming up on the train to Nelson on his way to the hospital ten hours after the occurrence.

up on the train to Nelson on his way to the hospital ten hours after the occurrence.

Whiskey appears to have crept into the whole matter and to have befuddled the brains, temporarily of the chief actors. But for the intervention of two young Englishmen—non-drinking men—at the time of the assault, their prompt actions later and their subsequent appearance in the witness box yesterday, the assault would have undoubtedly ended more seriously than it did, and what happened, so far as the court and jury were concerned would have been conjecture inright.

As it was the sane and wholly intelligent statements made by F. C. and L. J. Jones made everything fairly clear as to what was actually done, including the fact that after Street had been conveyed to his cabin some 150 yards from where he was assaulted he recovered sufficiently to march back the first factor Anderson's cabin while he endeavored to locate his assaulant, ending with his second collapse and removal back again to his cabin, of all of which later details Street declared himself yesterday as heige totally ignorant.

second comapse and removal back again to his cabin, of all of which later details Street declared himself yesterday as heing totally ignorant.

Anderson, who was cleverly defended by A. M. Johnson, under the direction of the court looked ill and frail, in the dock. He complained of not being able to hear what was going on and had the appearance of being feeble minded.

When a jury was called there were no challenges and the following were quickly selected: E. W. Widdowson, (foreman); W. G. Thomson, A. W. Hyndman, A. Wright, S. H. Noian, F. W. Arundel, C. T. Partington, J. L. Porter, D. A. Munro, B. Isaac, Anthony Turner and C. F. Hutton.

Mr. McAnn, for the crown, called Charlie Street, the man assaulted. Street heard with difficulty, had his arm in a sling and his head swathed in bandages, mute testimony of the sorious injuries he had undergone. He said he was a miner but had gone in for fishing and boating this summer in company with George Clark the two living in the same

he had undergone. He said he was a miner but had gone in for fishing and boating this summer in company with George Clark, the two living in the same cabin at the pool below the second fall on the Kootenay river just to the west of the ci y. On Sunday, May 13, he had spent the afternoon, all night and part of the following early morning at Smith's hotel, Slocan junction, drinking beer and playing poker. He admitted a fairly generous consumption of beer up to the time he had a row with Anderson, then some whiskey and said he took a bottle of "Club" down with him when he and Clark went home Monday morning about 5 o'clock. About midnight Anderson and he had some words over the card games, Anderson reached over and plucked him by his beard and he promptly knocked Anderson down with his fists. Then Anderson went off and later he and Clark went down to their cabin. The two called on Kelly, a neighbor, to offer him a friendly drink and then went on to the cabin occupied by the Jones brothers and Anderson. "I had been there about 20 minutes in the inner room," continued the witness, "talking to F. C. Jones when I saw Anderson coming at me with an axe. He hit me three times. I tried to ward off the blows but fell down and don't remember anything more, until I found myself on the train on my way to the hospital."

To Mr. Johnson, the witness denied all knowledge of being in the front room or of offering Anderson a drink, or of subsequently marching the Jones boys from his cabin back to theirs at the point of his rifle to look for Anderson. His mind was a blank until he was on the train several hour later. He admitted

his rifle to look for Anderson. His mind was a biank until he was on the train several hour later. He admitted taking beer and subsequently whiskey, "after the trouble" at Smith's hotel, and of bringing a bottle of Club whiskey back with him and of taking some of the contents while at the cabin. He recollected asking Anderson to have a drink when he came with the axe.

Dr. Hawkey testified to being called to Slocan junction to look after Street on May 14 and of dressing his wounds and bringing him up to the hospital here. He described the wounds at length—three severe ones on the head,

one on the hand and a badly bruised

one on the hand and a badly bruised shoulder.

To Mr. Johnson he said the blows were evidently glancing ones, had some of them been direct they would have proved fatal. Street's long and heavy head of hair also saved him from still more serious injury.

James Kelly, a nelghbor, testified to seeing Street march the two Jones boys past his cabin on the Monday morning at the point of a rifle. He went back and shut the door so as to keep out of trouble. Anderson was often in a very peculiar state; he had known him well for several years, and frequently had seen him sitting and shaking in a queer way and then all of a sudden wake up and ask what had happened.

George C. Clark, fisherman and chum of Street, told the story of how the Sunday afternoon had been passed and up to 5 o'clock Monday morning when he and Street were sitting in the Jones brothers cabin. Street was in the inner room when Anderson suddenly came in. Street came out with the bottle in his hand and asked Anderson to have a drink. Anderson said, "What are you doing in my cabin?" and struck at Street with an axe. Street fell and Anderson hit him twice more. Jones interfered

Street came out with the bottle in his than and sakes daid. "What are you doing if any cability" and struck at Street as with an axe. Street fell and Anderson hit him trole more. Jones interfered and pushed Anderson ande. Someone said." Anderson, don't kill him."

F. C. Jones, who is company with his line of the pool, detailed minutely at that took place when Street, Clark and later of Anderson came into the cabin on the Monday morning. When Anderson arrived and saw Street be had that he her outside. Street got off witness bunk where he had been editing and when the control of the door but fell in the outer room.

To Mr. Johnson—Both Street and Clark were more or less drunk when they came to the cabin. Consider Anderson admit the white of the same than the came to the cabin. Consider Anderson and the same than the same than the prisoner was raving after the assaut. During Monday he was "terrorised" it., giraid of what Street would do to him. Ordinarily the accused was always quiet and harmies.

L. J. Jone, prother of the previous hand to be a survey and the same than the same t

the axe with which the slashing was done having been produced and identified. Just an ordinary woodman's axe with a sharp edge.

For the defence Mr. Johnson called Fred Addie, of Waneta, and Wm. Stubbs, rancher, of Thrums, who testified to the general mental condition of the accused during the last few years. He was constantly subject to epileptic fits and had seven or eight on some days.

Dr. Hawkey said the prisoner suffered undoubtedly from a mild form of epilepsy. The numerous fits described might lead up to a very serious fit. The accused might have had one of these more serious seizures on the Monday morning in question, such a thing was possible. The prisoner had delusions possibly but he considered him sane ordinarily.

Mr. Johnson made a brief address to the jury laying stress on the prisoner's affliction and asking if he were in possession of his mental faculties at the time of the occurrence or if he were crazed with fear at Street's approaching him with the bottle, believing that he was about to be attacked again. Counsel also read several quotat ons f om medical authorities on the effects of epileptic attacks, at the time and subsequently.

Mr. McAnn contented himself with a very brief review of the facts and then his lordship charged the jury leaning strongly, under all the circumstances, in favor of the evidence supporting a conviction for wounding, without the serious addition of "with intent to murder." The jury then retired and after being out a little over an hour brought in a verdict of guilty on the second count in the indictment, "wounding with intent to do grievous bodily harm," adding a strong recommendation to mercy on account of the prisoner's admitted infirmity.

His lordship then sentenced the prisoner to eighteen months in the provincial jail, and the criminal part of the assizes came to an end.

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IN TUNNEL

Main Ledge of Kootenay Belle Struck at 150 **Foot Level**

Sheep Creeek Property Abandoned by Patsy Clark Realizes Hopes of its Owners -Ore Averages \$75 a Ton

leveloped mining fields of Kootenay

by the 40 or more claim owners in Sheep ereek valley, who, without machinery and without capital are doing their best to develop properties which all mining men who know the district thor oughty believe in, and expect to prove rich beyond the expectation of their owners. The veins are all fissures, and except in the Ore Hill mine, which contains galena, all the values are in free milling gold. tains galena, all the values are in free milling gold.

PRESTON AGAIN EXAMINED

Tells of Stolen Letters and Jury's
Part in the Transaction.
(Special to The Daily News)
Ottawa, May 23.—Preston was again
examined today before the public accounts committee and the stolen letters
were again the subject of discussion.
Preston read a memorandum giving the
story of how Jury got the Ennis letters
from Ennis' office and took them to
Griffiths, who after making copies returned them to Ennis' office unknown to
Ennis.

Barker said today that Ennis would
admit giving the letters to Jury.

Barker said today that manis would admit giving the letters to Jury. Preston in reply to this read a letter from Ennis saying it was untrue to say that he ever gave Jury the letters. Preston also gave details of what purported to be a letter from Jury to Griffiths stating how he took the letters in the manner stated by Preston. This letter was on motion of the liberals cabled for to lord Strathcona. led for to lord Strathcona.

PROGRESSIVE RANCHERS Will Build Combined School House and Church at Kokanee

Will Build Combined School House and Church at Kokanse.

Ranchers along Kooteney take in general and at Kokanse in particular resent the instruction sometimes made that they are not progressive and up to date. A move was started some months ago to erect a church at Kokanse but it has finally been decided that as a school house is also wanted, to build forthwith a school house which can also be used for holding divine service in whenever a clergyman is available. W Brooks, C W Busk and Al. Grey have taken hold of the project and it is said the building will be proceeded with at once. The ranchers will not wait for the government, but will put up the school house by private effort.