

WILL APPEAR IN COURT SOON

Prisoners Accused of Dynamiting Los Angeles Times Bldg. Likely to be Arraigned Early This Week.

FURTHER ARRESTS ARE EXPECTED

Defence Will Elaborate Theory That Explosion Was Caused by Gas—J. B. McNamara as Bryce.

LOS ANGELES, April 29.—Attorneys for both sides in the dynamiting case completed arrangements today for the early arraignment of John and James McNamara and Orrie E. McManis. The appearance of the prisoners in court will not be deferred later than next Wednesday, by which time it is expected Clarence Barron and assistant district-attorney W. J. Ford will have arrived in the city. Detective William J. Burns is also supposed to be on his way here, and there are reports that his appearance here will be the signal for further arrests in connection with the Times explosion.

Job Harriman had a three hour conference with the two McNamara brothers today, following which he issued a statement in which he declared that the two accused men had been informed of the condition alleged to have been made by McNamara, but that there was nothing in it which the defence would hinge the fate of the McNamaras on the question of whether the wrecking of the Times building and the consequent death of 21 men, were caused by gas or dynamite. Mr. Burns said that Dr. J. A. Holmes, director of the United States Bureau of Mines, would be one of the chief witnesses called to uphold the contention that gas and not an infernal machine caused the explosion in the newspaper plant on the morning of October 1, last. The contention of the defence, according to Harriman, will be based on these grounds:

First—That the dynamite made by the factory from which the dynamite is alleged to have caused the explosion was purchased, was tested in the government bureau of mines and would not set fire to gas.

Second—That the dynamite will not set fire to inks and oils, and explosion of dynamite of the kind said to have been used would not have been followed by sheets of flame, but on the contrary, would extinguish flame.

Third—A gas explosion, on the other hand, would set fire to inks and oils and would be followed by sheets of flame.

One of the most important developments of the day from the view point of the prosecution was the identification of James B. McNamara as James B. Bryce, by Trebor McCashen, a bell-boy who was employed in the Argonaut hotel in San Francisco last September. J. B. Bryce, the man who is alleged to have purchased the dynamite that destroyed the Times building, lived at that hotel. James B. McNamara was led into the jail office today with a number of other prisoners, and, according to officials of the district-attorney's office, the lad quickly picked out McNamara a man he had known as Bryce.

BANK CLEARINGS RECORD FIGURE

Total for First Four Months of Year Far in Excess of Any Previous Similar Period's Figures.

All records for growth in local bank clearings for the first four months of the year were broken during the period from January 1 to April 30 this year, when an increase of fifty per cent was registered over the corresponding period a year ago. As compared with the four months in 1909 the increase in aggregate no less than 122 per cent, indicating that in the two years clearing here have more than doubled.

The continued activity in business circles, the increase in building and the recent active operations in the local realty market contribute to swell the returns which bear testimony to the increasing importance of Victoria as a business centre.

The April figures showed a slight falling off from March, but it is a significant thing that in other cities of the Dominion the rate of increase established has fallen off considerably in short periods though the aggregate for the month shows a very large increase over the same month last year.

The monthly totals for the year to date compared with the same period in the two previous years were as follows:

Month	1911	1910	1909
Jan.	9,013,716	8,739,787	8,235,476
Feb.	9,078,831	6,404,570	4,231,397
Mar.	12,358,320	7,170,988	4,940,369
April	11,693,894	7,239,388	5,529,870

\$49,144,921 28,104,808 19,027,012

WATER BOARD

Personnel of Provincial Commission to be Increased in Near Future

A special meeting of the board of provincial water commissioners is to be held at the offices here tomorrow for the purpose of considering questions of priority in record affecting the municipality of Penticton. The composition of the board remains unchanged as yet, attention not yet having been taken toward increasing its numerical strength under the authority of the legislation in this respect adopted during the last session of the legislature. It is understood that Hon. Mr. Ross has under consideration the names of a number of gentlemen who are looked upon as likely to prove valuable members of the board, which at present is composed of Mr. W. S. Drewry, chief water commissioner for the province, and Messrs. J. T. and J. M. Robinson. Augmentation of the numerical strength of the board will probably be brought about soon after the return of the Lands Minister from the Dominion government.

Suffocated in Well

ODESSA, Sask., April 29.—A young man named John Frankish, of Sintaluta, Sask., was suffocated by gas in a well, which he was boring on the farm of George Rungta. He was down sixty feet when something broke on the boring machine, and by the time the men on top could get down into the well Frankish was smothered.

LIVE WIRE KILLS

Three Dead and One Mortally Injured in New York Working Crew Through Wire Fall

NEW YORK, April 29.—One man was burned to crisp, two were hurled ten feet and killed, a fourth was mortally injured and four others badly hurt this afternoon on the New York Central railroad, near Spuyten Duyvil, in the upper part of the city, when a falling telegraph pole threw a steel wire they grasped, across the third rail.

A current of 15,000 volts spouted out a blinding flash at the contact, and splashed and sizzled as the men lay stunned.

John Triambulo, foreman of the crew, was standing on a rail and received the full force of the shock. His clothing was burned from his body, and his flesh roasted and charred beyond recognition.

John Casey and Dan Sully were thrown down by the side of the tracks, where they died as flames consumed their clothing.

Three fingers were burned from the right hand of James Caffay, whose body was so badly seared he probably will die.

The four other men were stunned.

STATE OUT OF DEBT

OLYMPIA, Wash., April 29.—A warrant was drawn today by the state treasurer to pay the last outstanding obligation of the state, which is not only clear of debt for the first time, but has \$300,000 in the treasury.

TRIAL OF MR. WAPPENSTEIN

SEATTLE, April 29.—The trial of Charles W. Wappenstein, former chief of police, on a charge of receiving a bribe from Clarence Gerald and Gleason Tupper for permitting them to operate a gambling house, was set today for May 21. There are three other indictments against Wappenstein.

INSURANCE MAN ARRESTED

TACOMA, April 29.—Clark Veath, superintendent of agents for the First National Life Insurance company, of this city, was arrested tonight, charged with embezzling \$2,000 from the Empire Insurance Company of Chicago, Tacoma, Wyoming, insurance company. He will be taken to this city tomorrow. Accompanied by his young wife, he came to this city six months ago. She is ill, and for that reason was not apprised of his arrest.

ANOTHER FIGHT AT BORDER TOWN

Mexican Rebels Begin Long Expected Attack on Federal Garrison of Ojinaga, With a Strong Force.

ARTILLERY CLOSE TO ENTRENCHMENTS

Many Federal Soldiers Flee to American Side of Boundary—Twelve Men of Reinforcements Killed.

PRESIDIO, Tex., April 29.—Via Marfa, Texas.—The rebel forces besieging Ojinaga began their long anticipated attack on the federal garrison early today.

The rebels under command of Colonel Villareal opened the fight in the early hours of the morning on the north and south positions of the federal forces entrenched in the villages of San Francisco and La Garita. At daybreak the Cananahua position on the west began an attack, and at this point the fighting appears to have been the strongest. The rebel artillery is posted here, and the rebel forces apparently have determined to make their advance into Ojinaga from this point.

The artillery of the rebels is under Captain A. W. Lewis, an American.

Captain Lewis pushed his artillery into position only one hundred and fifty yards from the federal entrenchments just before the battle opened. A considerable number of the soldiers of the federal forces have fled from Ojinaga to the American side of the river, and it is predicted that if defeat becomes imminent General Luque, who is in command, will bring his entire equipment to the American side to surrender. In order to prevent his artillery falling into the hands of the rebels.

It is expected that Col. Villareal will attempt to capture the town.

United States troops are patrolling the river bank to prevent neutrality violations.

At Cuchillo Parado federal reinforcements of fifty men under Colonel Gordillo, marching to the relief of Ojinaga, have been driven back to Polomochi. Twelve soldiers were killed. Cuchillo Parado was garrisoned by sixty rebels commanded by Esteban Cadenas.

MANITOBA GOVERNORSHIP

WINNIPEG, April 29.—On May 12th, the term of Sir Daniel McMillan, the Lieut.-Governor of Manitoba, expires, he having held the position for ten years and nine months. At the request of the Dominion government he continues to hold the position until October, when his successor is to be appointed. A number of names are mentioned as his successor, the most prominent being William Whyte, John Galt, Kenneth McKenzie and D. C. Cameron. No previous lieutenant-governor has held office as long as Sir Daniel.

GOVERNOR OF QUEBEC DEAD

Sir Charles A. Pelletier Passes Away After Long Illness—Held Many Political Positions.

QUEBEC, April 29.—Sir C. A. Pelletier, lieutenant-governor of Quebec province, died this evening, after a long illness. The members of his family were at his bedside when he passed away.

Sir Charles Alphonse Pantaleon Pelletier, K. C. M. G. (created 1908); L.L.D., K. C., P. C. lieutenant-governor of Quebec since 1908, was born at Riviers Ouelle, January 22, 1837. He was the youngest son of the late J. M. Pelletier and Julie Fainehaud. He was educated at the college of St. Anne and at Laval University, where he graduated in law, being called to the bar in 1860, made Q. C. in 1879 and Batonnier of the Quebec bar in 1892. He was twice elected president of the Society of St. Jean Baptiste (National Society of French Canadians) and was for several years major of the Ninth battalion or "Volunteers of Quebec," which battalion he commanded during the Fenian raid in 1866. He sat for the constituencies of Kamouraska, 1869-77; for Quebec East in the Quebec legislature assembly, 1873-74; privy councillor of Canada, 1877; senator, 1877-1905; was sometimes honorary president of the Dominion Board of Agriculture and president of the Canadian commission of the Paris Universal Exhibition of 1878; speaker of the senate of Canada, 1896-1901; Quebec city solicitor for forty years and judge of the superior court of the Province of Quebec from 1905-8. He was decorated C. M. G. for eminent services as Canadian commissioner for the Paris Exhibition of 1878; and K. C. M. G., 1898, for a long and important political career. He resigned as judge in 1905, and was appointed lieutenant-governor of the Province of Quebec. He married, first the daughter of the late Hon. C. E. Casgrain, and second the daughter of the late Hon. M. P. de Sales.

AMBASSADOR TO VISIT CAPITAL

Earl Grey Returns to Ottawa for Purpose of Receiving Mr. Bryce, Who is to Arrive on Tuesday.

TO-HOLD CONFERENCE WITH MINISTERS

OTTAWA, April 29.—Earl Grey's departure from Winnipeg understood to be in accordance with his plans, made several weeks ago, to return here in time to receive Mr. James Bryce, the British ambassador at Washington, who will arrive on Tuesday. Earl Grey will also open the Ottawa horse show on Tuesday night.

Mr. Bryce's visit is for the purpose of maintaining touch with Canadian affairs, but will have nothing to do with reciprocity. The western coast will be interested in his conference with Sir Wilfrid Laurier and Minister Brodeur on the sealing question.

Mr. Bryce will represent British and Canadian interests at the international conference for the regulation of sealing, which will be held at Washington beginning May 12. Japan, the United States and Russia will participate. Britain and the United States are already agreed to the principle of suspension of pelagic sealing for a period of years, the United States to give Canada an equity in the catch from the Prityloff islands.

UNIONIST GAIN

Cheltenham Captured from Liberals in Bye-Election on Friday by Majority of Four

LONDON, April 29.—At the bye-election held yesterday in Cheltenham, the seat won in the last election by Richard Mathias (Liberal), who was unseated for alleged illegal practices on the part of his agents during the campaign, J. T. Agge-Gardner (Conservative) was returned by a majority of four.

At the general election Mr. Mathias won the seat from Viscount Duncannon by a majority of 93.

DIAMONDS STOLEN

Traveling Jeweler Loses Gem Valued at \$10,000 on Train Between Montreal and Calgary

WINNIPEG, April 29.—Diamonds to the value of ten thousand dollars were stolen on board the C. P. R. train from Montreal which arrived in Calgary today. J. P. Macdonald, a traveling jeweler, was found that during the night, while he was asleep in his berth, someone had rifled his pockets and escaped with a case containing diamonds which are estimated at the above value.

THREE MISSING THOUGHT TO BE BURNED

Train Carrying New York State Teachers to Washington is Derailed on Pennsylvania Road and Cars Take Fire.

EASTON, PA., April 29.—Three persons lost their lives, eight are missing and are believed to be dead and half a hundred others were injured this afternoon at Martin's Creek, N. J., in a wreck of an excursion train carrying one hundred and seventy school teachers and friends from Utica, N. J., and vicinity, to Washington for a week's outing. The train was one furnished by the Delaware, Lackawanna and Western Railroad, and the accident occurred while it was travelling at high speed over tracks controlled by the Pennsylvania railroad. The locomotive jumped the track, the cars toppled over and were set on fire by exploding oil in the wrecked coaches having side-swiped an oil tank along the track when they left the rails.

The entire train was quickly enveloped in flames and completely consumed by the fire.

The eight missing persons, seven of whom were women, and lived in Utica, are believed to have been burned to death in the wreckage. The findings of charred bones led the railroad wrecking crew to the conclusion that they are dead.

The most seriously injured were removed to the Easton hospital, where three of them, Miss Eleanor E. Rutherford, a Utica teacher, Charles M. Pearson of Stroudsburg, Pa., a Pennsylvania railroad conductor, and William Vaney, Trenton, N. J., engineer, died tonight.

The physicians at the hospital said late tonight that most of those in the hospital will recover.

The cause of the wreck has not yet been determined.

The place where the accident occurred had been undergoing repairs, and unfinished work may have been responsible for the train leaving the track. There was a terrific explosion at the scene of the wreck tonight. There is no communication with the wrecking party but local railroad men say either the boiler of the wrecked locomotive or a gas tank exploded.

Tonight the Delaware, Lackawanna and Western Railroad ran a special train from Stroudsburg to the wreck and started back to Utica, with all those who were able to make the journey. The missing are: Miss Bessie Waller, (Continued on Page 2, Column 2.)

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PORTLAND SHAKE-UP

Chief of Police and Others Indicted by Grand Jury for Various Offences—Chief Resigns

PORTLAND, April 29.—A. M. Cox, chief of police, was this afternoon indicted by a grand jury for failure to perform his duty in closing the immoral resorts of the city.

After a conference with Mayor Joseph Simon, Chief Cox stated that he would tender his resignation to the board of police commissioners on Monday.

J. W. Bailey, dairy and food commissioner, was indicted for malfeasance in office, and C. A. Rowland, Charles Cleveland, J. H. McCarthy and Charles O'Connor were indicted in connection with alleged frauds in the matter of circulating petitions in connection with a movement for the establishment of a municipal paving plant to be voted upon at the forthcoming municipal election.

The indictment of Chief of Police Cox is the result of his alleged failure to suppress disorderly houses as provided by law.

For several months the municipal association has been seeking the enforcement of the law, but with no apparent success until ten days ago, when a number of questionable resorts were ordered closed by the chief of police. His action, however, came too late to forestall an investigation by the grand jury. Indictment followed. Cox, in a statement issued late today declared that he was not guilty of the charge and made the assertion that he is being made a scapegoat.

CONSTRUCTION OF ISLAND RAILROAD

Building Operations Advancing on Canadian Northern Pacific's Local Section—Working Forces to be Doubled.

With the advent of summer a very considerable augmentation of the forces engaged in construction of the Vancouver Island sections of the Canadian Northern Pacific railway is looked for, it being the expectation of the contractors and of the railway heads that the end of the present year will see the first section at least, providing communication as far as Metchoin, completed and in operation, although the location of the line directly out of Victoria cannot yet be decided upon—presumably as plans have not yet been matured with respect to terminals on the reverted Songhees reserve, or elsewhere in this city.

The work of construction is now thoroughly opened up from a point one and a half miles east of Parson's bridge to a point on the Sooke river, approximately thirty-four miles distant from Victoria. The right-of-way has all been cleared from mile 28 to mile 34, and actual construction is proceeding rapidly between these two points, the contractors, Mr. M. B. Carlin and Grant Smith & Co., having assembled a thoroughly modern and extensive plant.

Considerable heavy rock work here presents itself, as well as a fair amount of medium earthwork. Construction of the line around Sooke Harbor involves practically continuous and very heavy rockwork, this condition presenting itself from mile 18 almost all the way through to mile 40.

Force at Work.

The work at present furthest advanced lies between mile 18 and mile 20, the latter point being just beyond Padder Bay. A force of about 550 men is now engaged in actual construction, apart altogether from the activities of the surveyors, and this number will be materially increased in the near future. Indeed, it is hoped to double the working force before mid-June.

In the surveyors' department, four large and well-equipped parties are now engaged in checking and where necessary, slightly altering the location line through to the West Coast, the one of these parties being at present quartering its headquarters at the Nitinat river; Mr. Crenshaw's party making its base on the Cowichan river; Mr. McSary, slightly altering the location line north shore of Cowichan lake, and Mr. Bartlett's force being at present quartered at Shawangin.

Only minor deviations are being made from the location line already announced and described.

Work along the Nitinat and the shores of Alberni canal is of necessity proceeding slowly in consequence of the rocky character of the country, having its headquarters at present quartered at Shawangin.

Construction work on the Kettle River Valley railway, recently inaugurated under governmental assistance, ratified by legislation coincident with the bond guarantee of the Canadian Northern Pacific, is to be commenced east and west out of Penticton before Dominion Day, and by the end of the present year it is confidently expected that twenty-five miles, or about half the distance between Merritt and Midway, will be spanned with steel. This definite announcement has just been made by President J. J. Warren of the K. R. V., in reply to questions from the Penticton Board of Trade, as to when this construction would be initiated. Mr. Warren states that it is the intention to make Penticton the base of operations this summer for construction work.

WATER RIGHTS IN RAILWAY BELT

Provincial Ministers Reach a Satisfactory Agreement in Re-opening Question with Dominion Government.

The completion of a most satisfactory understanding with the Dominion government in respect to the equitable adjustment of water rights within and contiguous to the Dominion railway belt lands in this province, as such rights and records may have been affected by the recent decision of the privy council asserting the exclusive jurisdiction of the Dominion therein, is briefly reported in a telegram from Attorney General Bower received by the premier yesterday just prior to the departure of the first minister en route to London.

It will be remembered that Hon. Mr. Ross left a fortnight or more ago for the federal capital, to take up with the authorities at Ottawa the question of adjusting conflicting records in the affected territory and also to secure some recognition of long existing provincial records within the railway belt, over which the courts have affirmed an exclusively federal jurisdiction.

The minister for lands was recently joined at Ottawa by Hon. Mr. Bower, and their joint representations appear to have already produced most desirable results, the attorney general telegraphing that Hon. Frank Oliver has agreed that when the legislation in respect to water titles obtains enactment, it is his intention to bring down a simultaneous order-in-council acknowledging all old records "as of their date," so as to give them whatever legal status they should have had as originally granted.

Afterwards it will be necessary to investigate their respective positions as between themselves, it being proposed that such investigation shall be made by a joint board of commissioners.

Equitable Understanding

This equitable understanding will be received with the greatest appreciation by all old record holders who cannot recognize the equitable and efficient efforts in their behalf that have been put forward by the provincial ministers.

The ruling of the judicial committee of the privy council which has been referred to, together with the more recent judgment of Mr. Justice Gregory denying the existence of any right with the territory in question under provincial record, have brought about a situation of very great hardship and injustice to a considerable number of old record holders.

(Continued on Page 2, Column 4.)

MAY BE PLANS OF G. T. PACIFIC

System of Extensive Wharves and Warehouses to be Constructed on Waterfront of North Vancouver.

WORK TO BEGIN AT EARLY DATE

VANCOUVER, April 29.—A system of extensive wharves and warehouses for the North Vancouver waterfront is being planned by the owners of the Lonsdale estate, which holds about two miles of the foreshore of D. L. 265. The property is just east of the Indian reserve, and is all cleared and partly graded.

Detailed plans have been under way for some time, and it is stated that on Monday tenders will be called for privately for a large portion of the work. Plans for one long pier and nearly half a mile of wharves have already been approved.

It will not be surprising if some important announcements in regard to this property are made in the near future.

Already there have been persistent rumors of its probable acquisition by the Grand Trunk Pacific Company, in connection with the control of the Howe Sound and Northern Railway, but up to date all such rumors are denied by the officials of both companies.

RIGHT OF WAY ALREADY CLEARED

Before Summer is Well Advanced Over a Thousand Men Will be Engaged—The Question of Terminals.

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MEASLES IN CALGARY BARRACKS

Well Known Winnipegger Dead

CALGARY, April 29.—Owing to an outbreak of measles in the Calgary barracks, the mounted police detachment of this city will be unable to go to the Coronation.

Winnipeg Building Record

WINNIPEG, April 29.—The building permits for April are two million dollars, and for this year to date three and a half millions. This is two millions behind last year.

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The minister for lands was recently joined at Ottawa by Hon. Mr. Bower, and their joint representations appear to have already produced most desirable results, the attorney general telegraphing that Hon. Frank Oliver has agreed that when the legislation in respect to water titles obtains enactment, it is his intention to bring down a simultaneous order-in-council acknowledging all old records "as of their date," so as to give them whatever legal status they should have had as originally granted.

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The ruling of the judicial committee of the privy council which has been referred to, together with the more recent judgment of Mr. Justice Gregory denying the existence of any right with the territory in question under provincial record, have brought about a situation of very great hardship and injustice to a considerable number of old record holders.

(Continued on Page 2, Column 4.)

WATER RIGHTS IN RAILWAY BELT

Provincial Ministers Reach a Satisfactory Agreement in Re-opening Question with Dominion Government.

The completion of a most satisfactory understanding with the Dominion government in respect to the equitable adjustment of water rights within and contiguous to the Dominion railway belt lands in this province, as such rights and records may have been affected by the recent decision of the privy council asserting the exclusive jurisdiction of the Dominion therein, is briefly reported in a telegram from Attorney General Bower received by the premier yesterday just prior to the departure of the first minister en route to London.

It will be remembered that Hon. Mr. Ross left a fortnight or more ago for the federal capital, to take up with the authorities at Ottawa the question of adjusting conflicting records in the affected territory and also to secure some recognition of long existing provincial records within the railway belt, over which the courts have affirmed an exclusively federal jurisdiction.

The minister for lands was recently joined at Ottawa by Hon. Mr. Bower, and their joint representations appear to have already produced most desirable results, the attorney general telegraphing that Hon. Frank Oliver has agreed that when the legislation in respect to water titles obtains enactment, it is his intention to bring down a simultaneous order-in-council acknowledging all old records "as of their date," so as to give them whatever legal status they should have had as originally granted.

Afterwards it will be necessary to investigate their respective positions as between themselves, it being proposed that such investigation shall be made by a joint board of commissioners.

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