**BLINDING SNOWSTORM** 

### Disagreement Over

### The Question of the Assignments of the Chief Justice Freely Discussed by Judges and Counsel.

(From Wednesday's Daily).

In the full court this morning the the last word on the matter question of the limits of the chief Sir Charles held that counsel were justice in the question of making as- entitled to know whom to address as signments to the other judges of the the court. supreme court came under review. The Mr. Justice Martin said: "I am here in Huntting vs. Macadam.

For the appellant defendant appear-P. Davis, K. C., and for the other side to him to sit on the case. J. Martin, K. C., appeared as counsel.

The merits of the case itself had nothing to do with the discussion which followed on the opening of the court, when four judges appeared and took 2.30 in order to consult in the matter

ed with barristers and others who had apparently expected something out of the usual. Four judges instead of three entered shortly after 11 o'clock and took places on the bench. They were Mr. Justice Irving, Mr. Justice Martin, Mr. Justice Morrison and Mr. Justice Clement. The appeal was callpreparing to proceed when Mr. Justice Irving announced that the court consisted in the case of himself, Mr. Justice Morrison and Mr. Justice Clement.

Mr. Justice Martin said he wished to state that the court was not so constituted. He said that as originally constituted he, Mr. Justice Martin, was assigned by the Chief Justice as one of the court. The court was named as Mr. Justice Irving himself and Mr. Justice Clement, and none other. He read the assignment in which he was named to sit in appeal on Hutting vs. Macadem, to have been heard in Vancouver. For some reason unknown to him, he said, and for reasons not unicated to him, the appeal was not heard in Vancouver. He received a note at a later date from the registrar stating that it had been put down for hearing at Victoria. He had received two notices from the registrar as to the date of hearing of the case in Victoria, so that it was quite evident that he was to sit on the case. He had not attended court sittings at

Sir Charles Tupper said he lamented upon him, however, and he wished in behalf of the appellants to have in-formation as to the constitution of the

Mr Justice Morrison said they had

rules set forth that only three judges should contsitute the Court of Ap-

Mar. Justice Martin objected to this cially summoned. way of putting it. He said he had been assigned to sit and had no choice fact that Mr. Justice Martin held to Chamber of Commerce to-day addressed

Memorandum for the Registrar of the Supreme Court.

Was a question how far this would go. Treat the people of Japan differently from the way the inhabitants of any Huntting v. Macadam.

Having been informed by Mr. Justice Martin by letter received to-day that he intends sitting in the above appeal by virtue of an assignment given him for the November sittings of the Full Court at Vancouver, notwithstanding the cancellation of that assignment by a direction in writing dated November 27th, to be specially assigned. There is no declaration from two of the full court. tion in writing dated November 20th, to hold the Kootenay sittings in December, and also the written notice given him by letter of January 22nd that the other four judges would hold the present special sittings commencing February 11th, and stitings commencing February 11th, and sittings commencing February 11th, and that he was assigned to hold the Nelson sittings on said date and the Rossland sittings on the 25th February. This is formally to notify you that Mr. Justice Martin is not assigned to sit on the above appeal, and that the court which will appeal, and that the court was hear the appeal is composed of Mr. Justice Irving, Mr. Justice Morrison and Mr.

You will hand a copy of this memoran- for this appeal.

Chief Justice.

document the appellants could only cognize the three judges mentioned.

assignment of the chief justice in De- hesitate to give a decision. when Mr. Justice Martin was set down to hear this appeal, contained and consult in the matter.

The Kassato Maru is equipped with the footnote "this is subject to change."

Mr. Justice Martin objected. He wireless telegraph. She belongs to the the footnote "this is subject to change." Since that instructions had been received from the chief justice. He held off the bench without hearing the merin October for Honolulu, where she that Mr. Justice Martin was not entitled to sit under these new instructions of the case. He preferred to have arrived on November 7th. Since then the the case proceed with fewer judges she has been reported at Callao, Africa

Sir Charles agreed with this, but he held that the fact could not be ignored that that judge was present and had had be would be given here.

Mr. Justice Morrison said he would

the chief justice was the party to bar

case set down for appeal was that of the bounden duty which I have to discharge." It was impossible, he con-if he were for the appellant he would tended, for the chief justice to alted not go on with the case until a decised Sir Charles Tupper, K. C., and E. the assignment which had been given

> Sir Charles said with counsel it was not a question of assignment but a matter of decision as to who constituted the court.

Mr. Justice Martin pointed out that he had hoped to have seen the matter as the first decision their places, all claiming a right to sit. referred to the supreme court of Can-For an hour the subject was debated, ada, an impartial tribunal. He had in after which the court adjourned until August suggested such a course. It was infinitely unfair to have the queswith a view to reaching a satisfactory which was not impartial, but of which wr. those interested were members. He The appeal is one from a decision of had for that reason sought to have the the chief justice. The room was crowd- subject referred to the supreme court of Canada or the Privy Council.

Sir Charles pressed still for a declara tion from the court as to the constitution of the present court. Mr. Justice Irving said: "I have already expressed my view."

Mr. Justice Morrison gave as his

ppinion that he felt he was properly assigned to that duty. Mr. Justice Clement said he also agreed with Mr. Justice Morrison.

Sir Charles said he was pressing for a declaration as to the constitution of the court only as a duty.

Mr. Justice Martin said he under

stood that. He understood also that it was a painful duty Sir Charles had. Mr. Justice Clement pointed out that if a judge should be taken sick after being assigned to a case the chief justice would surely have the right to assign another in his place. The Chief justice has the right to constitute and econstitute the court from time to

Mr. Justice Irving reiterated that he declared the three named in the order of the chief justice which was quoted, s constituting the court.

Mr. Justice Martin said he wished no isunderstanding. According to the the respon statement of Mr. Justice Morrison he understood that the latter did not express any view as to the right of him- note that I observed this morning that member of the court.

He had not attended court sittings at Nelson and Rossland because of the fact that it was necessary for him to wait in Victoria for the appeal to come

Mr. Justice Morrison agreed and said bar. This was obviously on the spur of the momen on the spur of the momen that it was necessary for him to wait in Victoria for the appeal to come own assignment being sufficient.

Mr. Justice Morrison agreed and said bar. This was obviously on the spur of the momen that it was necessary for him to wait in Victoria for the appeal to come own assignment being sufficient.

the fact that the appellants were obliged to take in this matter. He said it was a duty which devolved said it was a duty which devolved tawa. He did not understand that a "I shall now leave my learned broth-

ules called for three judges as constibeen assigned to sit, whether rightly decided how the court was constituted. or wrongly he would not say, "but I Mr. Justice Martin pointed out that tuting the court. Counsel wished it MAJORITY DO NOT have been duly assigned."

Sir Charles pointed out that the sit was attacked. These were Mr.

Mr. Davis said that according to the The appellants could only look rule a fourth judge might sit were he peal. The appeliants could only look rule a fourth judge might sit were ne upon three as constituting the court. It was necessary to have the court chief justice. Only in that way could It was necessary to have the court coner justice. Only in that way could properly constituted. He inferred a fourth judge sit. The appellants from what Mr. Justice Martin said wanted to know whether Mr. Justice Morrison was to be regarded as spe Mr. Justice Morrison alluded to the

In the matter.

Sir Charles said he was instructed in the matter and read the following letter as settling the question:

Law Courts, Victoria, B. C., Feb. 17,1908.

have been assigned to the case. He (Mr. Justice Morrison) was also assignment that the sate of the case and the following letter as settling the question:

Law Courts, Victoria, B. C., Feb. 17,1908.

have been assigned to the case. He (Mr. Justice Morrison) was also assignment that the following letter as settling the question:

Mr. Justice Martin was not to sit. It laration from the court as to the con- European country are treated. stitution of the court.

Joseph Martin pointed out that the roneous impression of the attitude of

Mr. Justice Irving pointed out that AMERICAN NERVES

tice that he would not be able to attend the sittings at Nelson and Ross Mr. Justice Morrison said to faci

dum to each of the other judges including Mr. Justice Morrison said to faciling Mr. Justice Martin, the Honorable itate matters and overcome the diffiture the Attorney-General, and the counsel culty he would decide with Mr. Justice Morrison said to facilitate matters and overcome the difficulty of the counsel culty he would decide with Mr. Justice Morrison said to facilitate matters and overcome the difficulty of the counsel culty he would decide with Mr. Justice Morrison said to facilitate matters and overcome the difficulty of the counsel culty have been decided by the counsel culty in the culty in the counsel culty in the culty in the culty in the culty in the counsel culty in the cu culty he would decide with Mr. Justice Clement. the coast of Chili of the Japanese steamer Kassato Maru has, in view of Mr. Justice Martin implored his the proximity of the American battle-

brother judge not to decide a matter ship fleet, attracted considerable atlike this without going into the merits tention here.

presented. Mr. Justice Morrison ruled that he Nothing was heard from her until two He wished a formal ruling from the did not hold that it would prejudice days ago, when she arrived at Totocourt that these were the three judges the stand taken by Mr. Justice Marassigned and were the judges constitin. He did it solely for the purpose Iquique. The fact that the vessel spent tuting the full court in this appeal.

Mr. Justice Irving said in his opinion the court was constituted as named in Martin was concerned likely to be she has been observing the progress of the document read by Sir Charles. The prejudiced by his decision he would the American fleet, or studying the

Mr. Justice Morrison thought the brought before the supreme court as She is of 3,100 tons, has twin screws erly constituted whether ordered. Then it would be disposed and was built at Newcastle in 1900.

Mr. Justice Martin was present or of by an impartial tribunal. He added that influences seemed to be exerted

being impartial. He did not think these remarks were called for. Supreme Court Rules

The language should have been used as had been. The language of Mr. Justice Martin he felt was uncalled. for and shocking.

Mr. Justice Martin: I had hoped that the Attorney General would have

been present.
Sir Charles said that speaking for the bar of the province, he lamented hearing language like that used. The bench was looked upon as impartial If the remarks used from the bench had been heard from bar, the gown would have been stripped from his

Mr. Justice Martin said he was forced to it by what had taken place. Continuing, he said that he intended continue to sit. If he did so wrongly, no harm would be done, as ne would simply be a supernumerary.

Joseph Martin thought it unfortu-nate that this should go on this way. ion as to the constitution of the court

not take that stand. If a judge were fall, subsiding towards midnight.

One of the most tragic occurrence. refuse to take questions from that

ould be decided when it arose. Finally Mr. Justice Irving suggested that an adjournment should take boat left the harbor early in the day place, and the court rose until 2:15. four judges filed in. As soon as they were seated Mr. Justice Martin read the following statement and then bow-ing gracefully retired from the bench: matter I have come to the concluthat, in view of what passed this morning, particularly the statement of my brother Morrison that his judgment was given as a matter of form (though have already sufficiently objected to that course), it will not be absolutely necessary for me to insist upon my right to continue to sit in this appeal. I am largely moved to take this course by the possible occurrences in the by the possible occurrences in the quent intervals blew with a velocity of curse of the argument suggested by 50 miles an hour, and it hurled the Mr. Martin, and also by the fact that Mr. Martin, and also by the fact that my much learned brothers have to-day blinding clouds that it was impossible undertaken to relieve me from the necessity of further attendance upon

delayed by the conflicting assignments "This matter, in view of the nature of the judgments given still remains in a very unsatisfactory position, but bility therefor is upon those

"Before retiring I think it proper to

who created it.

this court I shall now he able to ex-

pedite legal business elsewhere in this

province, which has been regrettably

self (Mr. Justice Martin) to sit as a Sir Hibbert Tupper undertook to make member of the court.

Mr. Justice Morrison agreed and said bar.' This was obviously a slip made, was not, on that occasion at least, au Mr. Justice Martin said he saw no thorized to speak here on behalf of the way of settling this without referring bar of this province, but only on be-

majority of the court had agreed as to the constitution of the court. Only two judges had done so.

Mr. Davis took the ground that the

# **FAVOR EXCLUSION**

Such is Opinion of Seattle Chamber of Commerce-Memorial to Roosevelt.

Seattle, Wash., Feb. 19.-The Seattle

## ARE AGAIN SHAKEN

Mr. Justice Martin agreed with this Suspicion This Time Directed on Japanese Tramp Steamer Off Chili.

Valparaiso, Feb. 19.-The cruise along the trains remained stalled for hours.

Sir Charles said that in view of this of the case and hearing all the facts The Kassato Maru left Iquique on January 23rd, and steamed out to sea. Chilian coast in the vicinity of Toto-

He felt that the judges might retire pilla. said that it realy meant putting him Japanese government, and left Japan

DEATH OF LADY GZOWSKI.

Mr. Justice Morrison suggested that as to the members of the bench not and married Sir Casmir in 1839.

in years. IN EASTERN STATES

Traffic on Railways Tied Up-Tragic Occurrence at Waukegan Harbor.

Chicago, Feb. 18.-Several deaths many injuries and much suffering fol-lowed to day in the wake of one of the owed to-day in the wake of one of the worst blizzards experienced in this

One of the most tragic occurrences in connection with the storm was the this city. wrecking in the harbor at Waukegan Mr. Justice Clement thought this of the fishing boat Anspach, in which two men lost their lives and six others had a narrow escape from death. The to visit nets set ten miles out in Lake Upon reassembling this afternoon the our judges filed in. As soon as they return trip, the vessel battled with the eere seated Mr. Justice Martin reau he following statement and then bownag gracefully retired from the bench. "On further consideration of this blown against a protection wall and crushed. Capt. Oliver Rubler and five men, composing the crew, were thrown the Times. Sweeney was born 'n Newark in 1847, and after a few sea-

By 4 o'clock in the afternoon, seven inches of snow had fallen, and it was were other cities in which till coming down heavily. The National League baseball. weather bureau forecasted a foot of snow by morning. The wind at frecollisions between wagons and street measure.

the roadside. Picard returned to Chicago convinced that further trave was impossible until the storm had

John Banta, driving the Chicago Auto Club pilot car, is still fighting on. He s less than five miles from where he was on Monday night. He is still west of Chesterton, in the heart of the worst olizzard that has come to these parts

NATIONAL RACQUET CHAMPIONS. Amateurs Competing for U. S. Trophy on Boston Court.

Boston, Mass., Feb. 19 .- The competion in the last preliminary round of the National Amateur Racquet chamnship had narrowed down to eight men when play was started on the courts of the tennis and racquet club to-day, leaving four matches before

the days contests, the first on the card being Quincy A. Shaw, Jr., of this city Mr. Justice Martin agreed that this section in several years. Traffic on vs. the present national champion, Regwas a proper course to take.

Sir Charles said that they had a declaration from the Court of Appeal.

Three judges out of four had made a lying districts who found themselves whitney of New York, and R. Boyldeclaration and that would be taken unable to reach their homes. The ston, of this city, H. F. McCormack, of as the first decision. Joseph Martin said that he could raged with increasing fury until night- Boston, a former champion, and L. Waterbury, of New York, another former title holder and N. D. Scott of

> FAMOUS BASEBALL PLAYER. C. J. Sweeney, an Old Time Cincinnati

Red Stocking, is Dying. New York, Feb. 19.-Suffering from rheumatism of the heart, Chas. J. Sweeney, a noted baseball player, and ing rescued. Two slid into the water and were drowned. more, St. Louis, Cleveland and Boston were other cities in which he played

REGINA'S REALTY WEALTH.

Regina Sask Feb 18 -The assess ment of the city of Regina for 1908 will show an increase over 1907 of a to see for a greater distance than to see for a greater distance that the see for a greater distance minor character were caused by the 1,000,000 feet additional floor space to is not expected there will be any ac-



A BEAUTIFUL CANADIAN GIRL.

cars. Up to 6 o'clock to-night no seri-

ous accidents had been reported, al-

been injured by wagons and by falls on the pavements. The heavy increase of snow that came in the afternoon

made desperate work for the street car

all the snowploughs were constantly

The Illionis railway experienced great

difficulty during the evening in moving

its suburban trains. In some instances

The Illinois Central, Chicago & North

western and Chicago, Milwaukee &

St. Paul railways reported incoming

The storm centre during the even-

ing was over Springfield, Ill., and was

noving northward, with a probability

that it would pass over Chicago early

general in eastern Iowa and Nebraska,

Illinois and Indiana and Wisconsin.

o-morrow morning. The snow fall was

orthern Missouri, central and northern

Omaha reported the heaviest fall in twenty years, nearly fourteen inches,

The weather forecast announced late

Autos Fighting Elements.

Chicago, Ill., Feb. 19.-A dispatch to

with falling temperature.

trains three to seven hours late.

at work in keeping the tracks clea

ompanies. Every available man and

Miss Violet Hood, daughter of Mayor Hood, of Yarmouth, N. S., has een selected as winner in a beauty quest. Miss Hood's candidature for the title of the most beautiful woman living has been put forward in the great international beauty contest now going on in Chicago.

# cars. Up to 6 o'clock to-night no serious accidents had been reported, although quite a number of persons had

POLITICAL SITUATION IN CENTRAL EUROPE

Undesirable Element of Disquietude in Austria's Balkan Policy.

Vienna, Feb. 19.-While semi-official assurances are given here that the tion of the organization of prospects are brighter for an amicable live stock en route to eastern markets. Several trains are said to be through mutual concessions both the stance dismissed, and then on the first insettlement of the difficulties arising out kets. Several trains are said to be more than fifteen hours overdue.

The weather forcess are said to be Austrian and Russian governments are judgment was entered in favor of the seriously anxious that there shall be no to-night that there is little relief in sight, more snow being the prospect, disturbance of the Muerszteg agreement, it is declared in Anglo-Russian diplomatic circles that a satisfactory

agreement is still far distant. A prominent member of the Austrian the Tribune from Michigan City, Ind., parliament, speaking of the political says: Paul Picard, in the pilot car. situation, said: "Influential circles here says: Paul Picard, in the pilot car. situation, said: "Influential circles here sent out by the Chicago Motor Club to accuse Baron Von Arenthal of having meet the New York to Paris racers, brought an undesirable element of dis-Sir Charles agreed with this, but he held that the fact could not be ignored that the fact could not be ignored that that fudge was present and had intimated that he intended to sit. It might be embarrassing for counsel to know whom to address as the court. A decision should be given.

Toronto, Feb. 18.—Lady Mary Bebee Gzowski, widow of the late Sir Casmir funding that the fact could not be given here.

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Toronto, Feb. 18.—Lady Mary Bebee Gzowski, widow of the late Sir Casmir in 1889.

Toronto, Feb. 18.—Lady Mary Bebee Gzowski, widow of the late Sir Casmir funding that the fact could not be ignored that the fact could not be given here.

Toronto, Feb. 18.—Lady Mary Bebee Gzowski, widow of the late Sir Casmir in 1889.

Toronto, Feb. 18.—Lady Mary Bebee Gzowski, widow of the late Sir Casmir funding the terrible roads in northern Indiana. The last seven miles were made through drifts in the northern Indiana. The last seven made through drifts in the northern Indiana. The last seven made through drifts in the face of a blizzard which almost shut to the remarks of Mr. Justice Morrison said he would grow days and a night prefer to proceed with four judges or cannot find the face of a divorce from the face of a divorce from the face of a blizzard which almost shut the face of a blizzard which almost shut to the remarks of Mr. Justice Morrison and had not a night to the face of a divorce from the face of a blizzard which almost shut the face of a blizzard which al quietude into Austria's Balkan policy. from view the trees and fences along tions.

ongshoremen Suffer Through Action of Shipping Companies in Mon-

REDUCTION IN WAGES.

Montreal, Feb. 18.-An important conference of representatives of shipping mpanies was held here to-day, at which it was decided, in view of the depressed condition of business, to make an attempt to place the expense of conducting business on the wharves a corresponding level. The meeting was partly in response

to a notification given by the long-shoremen of Quebec that it was their intention to apply for an increase of five cents per hour in the rate of wages, already the highest paid at any port in Canada. The meeting decided on a cut of 2½ cents per hour in the rate of wages on the Montreal wharves, making the rate for day work 25 cents and for night work 30 cents per hour, with bonus of 21/2 cents per hour to men who work throughout the season navigation, payable at the end of the

season. In regard to Quebec it was decided that the rate to be paid should be the same as that in Montreal, the cut thus representing ten cents per hour for day work.

PROBING ANOTHER TRUST. New York Governor Hughes Orders Investigation into American Ice Company.

New York, Feb. 18.-It will probably be at least two weeks before the investigation of the American Ice Company, which Attorney-General Jackson istration of the inshore fisheries on will make by direction of Governor Hughes, is taken up by the grand jury. This announcement was made by James Osborne, who has been ap-

pointed a special deputy to conduct been no actual clashing of interests, the investigation. Mr. Osborne had but the Federal Government, believspent about an hour with the jury today before he made his announce He said he had obtained much valu able evidence from the district attor-ney, but that it will be necessary to gather much more before he will be satisfied to present the case to the jury. This will necessitate visits to Maine and New Jersey for the proofs he desires of the formation of the companies of which the American Ice Company is composed.

RECIPROCITY TREATIES.

Washington, Feb. 18.-The French eciprocity treaty will be taken up tomorrow in the United States senate mmittee on foreign relations, but it tion. Secretary Root, who is anxious that a general Canadian treaty be negotiated at this session, will be invited to appear before the members of the committee. However, there is no general sentiment in the country for the ratification at this time of any reciprocity treaties Canada.

FIND BODIES AMID PITTSBURG RUINS

Men Killed in Attempting Escape from Collapse Caused

by Floods.

Pittsburg, Pa., Feb. 19.-The bodies painted, so as to make the provision of David Reed, aged 45, a river boat fireman, and Edward Hobbs, aged 44, way Act. The provincial secretary sec his friend, were removed last night through. from the ruins of the two houses on Pennsylvania avenue which collapsed sider a clause which gives the department authority to enter private prop-

undermined the foundations. Reed had a room in one of the ouses and Hobbs was spending the night with him. They were caught under a stairway while attempting to scape when the crash came.

WILL STOESSEL BE CONDEMNED TO DIE?

Judges Now Considering Sentence on Port Arthur's Defender.

St. Petersburg, Feb. 19.-The court which has been trying Lieut.-Gen. Stoessel for the surrender of Port Arthur to the Japanese, retired for de- hibited from saying what he thought liberation at noon to-day, ordering in committee Gen. Stoessel and other defendants in the court martial proceedings, Generals like that. Fock and Reiss, to appear on Feb. 20 at

pronounced Sentries have been stationed at the doors leading to the judges' room which has been provided with beds, etc., indicating that the judges anticipate a ed down. considerable struggle in reaching

MAYOR MUST PAY. Chief Magistrate of Halifax Owes City Four Hundred Dollars

Halifax, Feb. 18.-By a decision of

the Supreme court of Canada, rendered to-day, Mayor McIlreith will have to refund to the city of Halifax the sum of \$400 paid by the city for his traveling expenses in attending the con-Canadian municipalities in Winnipeg in 1905. The suit for the restitution noney was instituted by the late R. I.

the decision against him. KILLED WIFE, THEN HIMSELF. Seattle Woman Threatened Divorce-Result. Dual Tragedy.

himself and sent a bullet through his

PROPERTY RIGHTS IN FISHERIES

DOMINION TO SETTLE VEXED QUESTION

S. T. Bastedo to Determine Modus Vivendi Between Powers.

Ottawa, Feb. 18-S. T. B formerly Commissioner of for Ontario, had been appoint the Federal Government to acc special commissioner to conduct ne gotiations with the various provinces looking to a permanent adjustment of the respective provincial and federal jurisdictions in regard to the control of the fisheries.

The Judicial Committee of the Privy Council having decided that the provinces possess their original property rights in the fisheries which they possessed prior to confederation, there has arisen a conflict of jurisdiction, chiefly as regards the adminthe sea coast, and as to the international waters in the provinces of Ontario and Quebec. 30 far there has ing that a full and frank conference with the provinces may result in a modus vivendi, has decided to appoint a commissioner to negotiate with the Governments of Nova Scotia, New Brunswick, Prince Edward Island,

Quebec, Ontario and British Columbia. The provinces of Manitoba, Saskatchewan and Alberta having been acquired by the Government, are in a different position from the other provinces, and so do not possess the sovereign rights which the Privy Counci has decided appertain to the original members of confederation.

AUTOCRATIC PHASE OF MANITOBA'S PREMIER

Objects to Motion in Committee of His Own Provincial Secretary.

Winnipeg, Feb. 19 .- An incident in the railway committee yesterday seems o indicate that the premier is inclined o grant very little freedom of expression of opinion to members of his cabnet. It was Hon. G. R. Coldwell who

incurred his displeasure. The difference began over a clause of a bill constituting a department of telephones and telegraphs. J. A. Campbell of Dauphin, moved that telephone poles in towns and villages should be conform with one in the Dominion Railonded, but the clause was railroaded

The committee then went on to conerty and put up its lines, providing that compensation is subsequently allowed on a request being made by the

Mr. Campbell said he certainly jected to this clause. He thought the powers proposed to be conferred on the epartment were too extensive, before entering on private property, reasonable compensation sho given to the owners. He said that porations had been too ready in the past to expropriate private pro The settlement of claims was often delayed until the owners were tired out, and if they ever received compensa it was unsatisfactory. Compensation should be made before, and not after the property was entered upon and

The premier objected to this motion going forward. The provincial secretary replied that he did not know that any one was pro-

The premier said he should not talk The provincial secretary held his a. m. when sentence is expected to ground. He declared that he would not withdraw the amendment, but they could vote it down if they choose. It embodied his opinions. The amendment was accordingly vot-

> MAN SMOTHERED IN BIN OF FLAX

Terrible Death After Being Sucked Into Chute on Elevator.

(Special to the Times.) Fort William, Ont., Feb. 19 .- J. smothered yesterday morning in a bim

plaintiff. Mayor McIlreith carried the case to the Supreme court of Canada, out the bottom of the bins. Jamieson out the bottom of the bins. Jamieson The men have to descend to clean which heard the appeal last November, was performing on steel supports ten and to-day gave judgment confirming feet from the bottom and fell into the grain and was sucked into a Some six or seven tons of flax were still in the bin. The chute was too small to allow the passage of his body through, and drew him in as far as

> the weight. FOUND DEAD IN BED.

Port Arthur, Feb. 19.-Dr. Pringle, a C. P. R. doctor at Schreiber, has been found dead in his bed.

BELIRIOUS THE DRINKING

How Wrecked Sh Broke Up At

Seattle, Wn., Feb. the Post-Intelligen says: The crew sloop Teckla, lyin was startled last hail from a steel slowly in the light were the forms of ing and one dea American ship Er off the mouth of the the coast of Oreg

The men in the bo Fred Zube, Seaman Seaman Arthur Jak name unknown. The ship's cook. The three survivo ful condition. Their t len from thirst, so could scarcely speak since last Sunday Mr. Zube said: "Al Reed struck the b break up. In a twinl of the lifeboats was

wave, and the deck the boiling water t chance to get aft and his wife with members of the cre We jumped into the and cut the lashing completed the job a the wreck and carri decks. "A strong curren

the stern of the wre see Capt. Kessel an ship's crew clinging aft house. We yelled us a line as we wen short of our boat. broken when the v only one good oar, been broken and th ed away. We did or to the wreck, but the "We tried to hea us. When morning were standing far ou it best to keep the b ing to fall into the northward along th "The second night but it was too dar There was neither

we suffered terribly Saturday. Toward decided he could stan took a drink of sea v came delirious. "At about 2 o'clo we saw a big ste near us, and we all be saved. But the way again and left up the fight then. H water and in a few

"About 2 o'clock ing we made out were all too tired very well, but alon afternoon I got her wards Neah Bay. S worst day we were forth, but none of

our hails. We were ANARCHIST OU

Rumor Got Abr Alfonso Had sina

Madrid, Feb. 18.-in the report that been assassinated bably was an outg explosions at Ba which now appear work of anarchi those killed, one w a mother and a cl caused much dama buildings.

The precise object has not been made teresting to note ti the parliamentary cently united in a ernment to resto guarantees in Barc normal conditions King Alfonso is a GRANBY

Smeller Estimated

Grand Forks, Fel certained that the the month of Janu thing like one mil eighty thousand po means a handso treasury. The abo on the assumption

C. P. R. HOTEI Duncan, Feb. ♠ Victoria, superir tion work for th Duncan during week. He visited reported that his tel for tourists

to carry.

templated across ormyon.