

IS CONVICTED Harden Sentenced to Four Months Imprisonment

VON MOLTKE IS GLEARED

VOL. 6

COURT HELD THAT EDITOR NEVER, HAD GOOD GROUNDS FOR BE-LIEVING WHAT HE PUBLISHED -VON HOHENAU TO BE TRIED BY COURT OF HONOR.

Berlin, Jan. 3 .- The notorious Harren-Von Moltke libel suit came to an end this evening when the accused editor of the "Die-Zukunft" was sentenced to four months' imprisonment, and to pay the entire costs of both the present and former trials. When the court reassembled at a quarter to six court reassembled at a quarter to six this evening the scene was an impos-ing one. Ine five judges constituting the penal bench took their seats with the president of the court in the centre. Te only lawyers present, were the state attorney and the attorneys for the de-tense and the accused. Maximilien Harden and count Von Moltke, sat on opposite sides of the court room, which vas crowded to its fullest capacity. The president of the court at once delivered his judgment. Deep silence prevailed and he spoke in a sonorous voice, straight at the accused man. The president said that in spite of prisoner's assertions that the insinuations contained in the articles which appear-ed in "Die-Zukunit" referred merely. to the scientific and artistic meetings of count Von Moltke and prince Zu Elenburg and that they had nothing whatever to do with immoral or un-natural practices, it was evident that if this was the meaning it had been intended to convey, the articles were senseless and purposeless. There was senseless and purposeless. There was no doubt, the president of the court de-clared, that Harden had meant to im-ply that count Von Moltke was pos-sessed of unnatural inclinations while his reference to the intercourse be-tween count Von Moltke and Zu Elen-tween count Von Moltke and Zu Elen-tween count Von Moltke and Zu Elen-ter count Von Moltke and Zu Elen-ter count Von Moltke and Zu Elen-ter count Von Moltke and Zu Elen-

of the prisoner was to degrade count. Von Moltke and prince Zu Elenburg in the eyes of the public. The proceedings have proved that the charges made by Harden were absolutely without foun-dation. Both the count and the prince were men of artistic taste whose friendship, dating from their youth, had grown stronger with the passing of years. Harden had founded his charges primarily on statements which he as-serted had been made by the late prince Von Bismarck, who, if he really did say these things, had done so in a moof anger against certain men. Then Harden had received communica-tions from Mrs. Von Elbe, the divorced wife of count Von Moltke, a hysterical woman who was embittered against the man to whom she had been unhappily married, and assertions made by Dr. Schweninger, who was at one time physician to prince Bismarck undoubt-edly were biased. Harden, the presi-dent went on, had never attempted to obtain proofs against men occupying prominent position. Had these proofs been in existence they could easily have been had. No serious minded writer should dare, for a political object, at-tempt to injure the honor of others. All the charges had been utterly dis-proved during the trial and Harden could have disproved his charges him-self before publishing his articles. Even the notorious incident when Von Moltke was seen kissing a handker-chief which belonged to Zu Elenburg bed been chown to be netfectly harmhad been shown to be perfectly harm less and the allegation that Von Moltke used cosmetics had been equally disposed of.

'Count Von Moltke," said the president of the court in conclusion, "leaves this court with his name and his honor untarnished and nothing whatever has been proved against prince Zu Elen-burg. No fine would sufficiently punish Harden for his offence and I must therefore sentence him to imprisonment. But in consideration of the health of accused, I will sentence him to prison for only four months." t is understood that Harden has en

tered an appeal. At the morning ses-sion of the court, Harden was heard at length on his own behalf. His speech was most eloquent, but the general im₇ pression was that he had not made out a good case for himself. Maximilien Harden, editor of "Die-Zunkunft" became convinced sometime ago from certain conversations with Mrs. Von Elbe, divorced wife of count

Von Moltke, Dr. Schweninger, who was physician to the late prince Bismarck, princess Charlotte of Saxe-Meininger, a sister of emperor William, and others that the emperor was surrounded by a camarilla that exerted a great and injurious influence on his decisions in political matters and that the members of this group, particularly prince Zu Elenberg, who was at one time German ambassador at Vienna, general count Von Moltke, who was formerly military governor of Berlin, and general ed upon as to his successor to the port-

cies in his magazine. The publication of these charges attracted the greatest interest throughout Germany and in Europe because of the very high station of the persons accused and of the fam-ous scandal involved. The matter of the persons accused and of the fam-ous scandal involved. The matter quickly became notorious and Von. Moltke brought suit against Harden for defamation of character. The hearing of this suit began October 23rd. Witnesses for both sides were heard in open court and the newspapers of Germany indulged in an extraordinary degree of license in printing the details of the evidence. A vast amount of matter was spread before- the news-paper readers of all classes. Von Molt-ke denied all the charges. Previous to the suit he had challenged Harden to a duel but Harden refused to fight, Nearly fitty witnesses were subpoenaed, including prince Von Buelow, the im-perial chanceltor. The trial resulted in the acquittal of Harden and Von Moltke was condemned to bear the casts. This vindication of Harden was followed very shortly by the announce-ment that he was to be tried on the ment that he was to be tried on the charge of criminal libel, by the public prosecutor of the first provincial court. This was the trial that has just come

This was the trial that has just come to an end. The case was heard before a penal bench of five judges. Some of the proceedings were held in camera, it being desired to avoid a repetition of previous publicity given to the evi-dence bearing on abnormal practices; some of the persons who testified one way at the first trial reversed themselves at the second and the de-cision against Harden des not come cision against Harden does not come as a surprise. Harden is a Jew of Polish extraction.

Harden is a Jew of Polish extraction, His real name is Max Wilskowsky. The statement had not been made that racial antipathy entered into the bring-ing of the second suit against him. It was recently reported that prince Zu Elenburg had decided also to bring a libel charge against Harden and he may have to stand trial on this account. With researd to count Yon Hohenau With regard to count Yon Hohenau, emperor William ordered his trial be-fore a military court of honor. Exactly what charges the proceedings will be taken on, is not known, but in general they will be the counts in connection with Harden-Von Moltke and Harden's allegations in his magazine.

C. P. R. FREIGHT DITCHED

FIGHT CARS DERAILED AND BADLY SMASHED

WSHOE CLUB'S OUTING-DANCE AT THE WALDORF

(Special to The Daily News) Fernie, Dec. 3-Traffic on the C.P.R. at this point was held up for nearly ten hours yesterday owing to the wreck of a freight train which occurred at 7 o'clock in the morning about one mile west of Fernie station. A westbound freight train was travelling at a high rate of speed to each the Cokato siding in order to let the Soo-Spokane flyer pass. A flange on one of the wheels broke while rounding sharp curve with the result that the train left the rails and eight cars were ditched and badly wrecked though fortunately none of the crew were injured. Roadmaster Telfer was soon on the spot with a wreck-ing train and a large gang of men but some of the cars were loaded with rails and others with general merchandise were so badly wrecked that it took many hours to clear the line and in the meantime the flyer and C.P.R. west bound express were held here while the local from the west

While raising one of the large trusses for the new rink this afternoon a guy rops gave way and the enormous timber fell to the ground. Little damage was sustained, however, and another attempt will be made tomorrow to place it in posi-

weelky tramp last night, the members turning out in full force and though the night was dark, a most enjoyable evening was spent in the open and on the Feturn to town light refreshments were indulged

a severe attack of typhoid fever is making very satisfactory progress and it is hoped he will soon be convalescent.

neer of the Crow's Nest Pass Coal company, has severed his connection with the company to accept a position in Ottawa, nd expects to leave for that city in about two weeks.

have just returned from their wedding rip. Mrs. Campbell was long one of the trip. most popular young ladies of Fernie and will be much mised by her numerous friends, when she leaves shortly for her new home in Calgary.

FRENCH CABINET

folios

of public instruction and wor hip, after engthy conferences with premier Clemenceau, agreed today to take the portfolio of minister of justice made vacant by th death on Dec. 31 of M. Guiot-Desaige, to worship will be joined. M. Briand's ob-ject in requesting the joining of the port-folios was the carrying out of the separation law and by the agreement 'he was able to carry on the work without interruption. Nothing definite has been decidcount Wilhelm Von Hohenau, ex-com-mander of the guard corps, were men erally understood that it will be M. Douof abnormally victous tendencies and practices. In an effort, according to his own statements, to break up this ring for the good of the country, Har-den began publish a series of arti-

 wage dispite oetween cotton spin ners and mill owners, on account
of which the operatives in the Old ham mills struck several weeks
ago, reached a citisis today when
96 per cent of the masters de clared themselves in favor of a
lockout if the strikers did not
yield by January 18th. Two hun dred thousand workers will be in-**NOJAPANESE IMMIGRATION** SIR CHARLES DILKE THINKS CONSIDER THE VERDICI JAPAN CANNOT HOPE FOR UL-TIMATE VICTORY IN A CONTEST PETTIBONE JURY BEGINS ITS DELIB WITH AMERICA AND THERE-FORE WILL NOT FIGHT.

Paris, Jan. 3.-The Patrie, in this

WAR ALARMS

HAWLEY DARES PETTIBONE S COUN-SEL TO SPEAK

BIG LOCKOUT THREATENED. Manchester, Eng., Jan. 3-The

THE WEEKLY NEW

the auditing department on the comin sion has been with the Meil company for 14 years. Prior to that he was in the solicitor's department of the C.P.R. in Montreal. He came west from Montreal live years ago as the business of the system grew in the west and for the past three years has been auditor.

U. S. BANK CLEARINGS

Larger Business Shown in 1907 Over Previous Year New York, Jan. 3-Bank clearings for

the year at nearly all cities in the United States as reported by R. G. Dunn and company, reflected larger settlemints than in any preceding year, notwithstanding the restriction in payments during the last three months. Omitting New York city, where the smaller value of stock market operations reduced the volume of bank settlements very materially, the total exchanges for the year are \$57,588,711,927, an increase of 4.2 per cent as compared with is a small loss in New England and the middle Atlantic states, due almost wholly to losses at Boston and Philadelphia, but in all other sections of the country an increase is shown.

PRINCE ALBERT ELECTION

Bradshaw's Gain to Date is 31 Votes Over Turgeon Prince Albert, Jan. 3-The hear

the appealed votes was continued today. Very little interest is being taken in the proceedings and the court had to adjourn twice. Mr. McKay and Mr. Brashaw asked for an adjournment until Saturday and the request was granted. So far only 30 of the 131 protested yotes have been lealt with. Judge Johnson refused to grant subpoenas for voters whose votes were subpoenas for voters and a subpoena state and the subplex results are subplex results and the subplex results and the subplex results are subplex results and the subplex results are subplex results and the subplex results are subp subpoenas for voters whose votes were appealed. If they would not come and prove their votes he would not compel them to do so. Out of 30 votes dealt with eight appealed on behalf of Mr. Turgeon were allowed and 19 on behalf of Mr. Bradshaw. The latter's gain to date is 31 NO RENT PARADE Monster Demonstration Planned Against Nonster Demonstration Planned Against

Monster Demonstration Planned Against

New York Landlords New York, Jan. 3-Six hundred notice

New York, Jan. 3.—Ix hundred notices of digposess proceedings were obtained from the municipal courts today by the East Side landlors as a realistory move against the tenants who decimed to pay their rent until rents demands for a reduc-tion have been allowed. The strike lead-ters asserted today that 12,000 families had refused to pay their rents this month. Attorneys for the tenants propose to have the disposess cases tried sepa stely. The tenants are planning a monster parade as a demonstration against the landlords and it is estimated that fully 175,000 men, wo-men and children will more. TORONTO'S POSTMASTEDR Toronto, Jan. 3.—It is expensed that W. B. Rogers, scretary treastrer of Chae. Rogers and Sons, will succeed the ite T. C. Patterson as postmaster of Toronto.

C. Patterson as postmaster of Toronto.

expected that the Japanese will, in some formal manner register its plan to prevent further emigration of coolles to the United States and when the assurance on this point has taken sat-isfactory form the administration will see that congress is acquainted with the fact and thereby relieved from the necessity of enacting any legislation looking to the exclusion of the Japan-ses immigration as a whole. Attempts in that direction already have been made by the Pacific costs representa-tives and if the president is able to convince congress that the Japanese government is in good faith endeavor-ing to do by international regulations what it is proposed to do here by what it is proposed to do here by statutory law, namely, stop the influx of Japanese coolies, he will find it ecessary to veto any such legislation **CONTROVERSY IS RAGING** CAUSE OF RUSSIA'S FAILURE IN THE, FAR EAS

The snowshoe club held their usua

Roland W. Wood of the T ites-Wood company, who has been suffering from

Howels Frechette, C.E., assistant engi-

A very bright and jolly dance was given

which, at his request the office of pub

was stalled at Cokato.

at the Waldorf hotel last night in honor of Mr. and Mrs. Campbell of Calgary, who

Paris, Jan. 3-Aristide Briand, minister

leveloped into a discussion of count Witte's role of so-called eastern adventurer and the extent of his responsibility for the war, which his enemies persistently have endeavored to saddle upon him. General Kuropatkin, in a series of letters, has sought to prove that Witte was respon-sible for the founding of Poit Dalny, which the general declares gave the Japanese an invaluable base during the siege of Port Arthur and also interfered with the prompt despatch of heavy artillery to the fort-

Replying to these letters count Witte explicitly declares he was opposed to the es-tablishment of either a military or commercial port in Chinese territory and says

M. Aristide Briand to Assume Two Port-

thither, was adopted over his head. He ascribes the occupation of Port Dalny by the Russians to the initiative of count Muravieff, who then was foreign minister. and declares he was so indignant at the move that he immediately broke off all relations with Muravieff. Count Witte challenges general Kuro-patkin to prove that he ever called attention to Port Dalny as a strategic menace to Port Arthur before the war and says that Kuropatkin in 1903 stated that Port

that the policy of leasing the Kwangtung peninsula and extending the railroad line

Arthur was able to resist the whole Japanese army and even Kwangtung penin-

sula and Manchuria. The contest has restored count Witte's

diminishing prestige and brought his promi-

nently into the public eye. Among his

partisans is premier Stolypin, who in a recent conversation, said he was a great admirers of Witte's talents and would be

glad to have him in the cabinet were it not for the opposition to him in the highest

quarters.

COUNT WITTE CONTROVERTS KURO-PATKIN'S STATEMENTS St. Petersburg, Jan. 3-The controvers between count Witte and general Stoessel, which has been conducted at length for several days in the Novoe Vremya, has

NELSON, B. C., SATURDAY, JANUARY 4, 1908

Vancouver Whites Knifed by **Brown Men**

YET MORE JAPS POUR IN YOUTHFUL MURDERER EATS AND FIERCE GALES ON OCEAN

RACIAL FEELING AT THE COAST AGAIN STIRRED UP AND CIVIC AUTHORITIES ARE BECOMING GRAVELY DISTURBED OVE THE SITUATION.

(Special to The Daily News)

which three minutes there were doz-ens of Japanese in the fight, all trying to get at the white men. The latter were borne to the ground and cut and slashed until the sidewalk and front of the store were covered with blo

The police station is less than three blocks away, but it was a quarter of an hour before armed officers arrived at the scene of the fight. Only four arrests were made, as nearly all the Japanese scattered at sight of the

His two companions thought Ander son dead, and had been fighting over his prostrate body when the policemen came. Anderson's face was marked back of his ear to his shoulder was a slit two inches deep that had only missed the jugular vein by a fraction

Vancouver, Jan. 3.-In the po

ed hearty endorsement, and a commit-

of three was appointed to investitee of three was appointed to investi-gate the situation. A week's adjournment was granted when the prisoners were arraigned to-dar, as the men will not be able to appear for some time. Prominent Japanese are giving as-sistance in locating the perpetrators of the outrage, but it will be difficult to get other than circumstantial evidence. IS QUITE UNCONCERNED

SLEEPS NORMALLY SELF-CONFESSED MURDERER OF LE

CLAIRE A DEGENERATE

Gretna, Man., Jan. 3-James O'B. len, the oung murderer of Frederick Leclaire, considered the most remarkable prisoner

the Pembina jail has ever sheltered. Al though having confessed to the deliberate murder of his friend, he east and sleeps

ed valuation stands at sixty-one mil-lions over last year. Particulars of the stabbing affray re-ferred to above are contained in the following Vancouver despatch: Allan Anderson, a fireman, is dying, and two other young men, also mem-bers of the eity fire department, are badly wounded and in the hospital as the result of a fight in the Japanese quarter with an overwhelming number of subjects of the mikado. The fight was the worst in the city since the September riots. quarter with an overwhelming number of subjects of the mikado. The fight subjects of the fight subjects

and Leclaire

He heard O'Brien say. "Come on, Goose," Leckaire's nickname, "lef's go to the rink," "No," was the réply, "I'm sick; I'm goo'Brien said: "Come on,

"No," said Goose. "Afraid of the wolves," sneered O'B:12n. "Not afraid of anything, but I'm go.ng home to bed," replied Goose. The boy witnessed the brutal murder of

Leclaire by his friend, O'Brien, not in anger or after a quarrel, as stated in O'Brien's confession, but in cold blood. The boy ran home, told his father what he had seen and begged him, srying with terror, not to say anything, "they migh. do something to me."

The boy is thought to be the son of Joe Gladue, who runs the rink. O'Brien had a preliminary hearing to day before a magistrate and walved examination on the charge of murdering Leclaire. He was bound over to the district court to appear for trial next Tues-day. Judge Kneeshaw will conduct the court and it is understood the prisoner will plead guilty and will be sentenced

DISREGARD INJUNCTION

to life imprisonment.

Lethbridge, Jan. 3.—The News Pub-lishing company, which issued a daily paper here for a year, ceased the pub-lication of that edition today.

1.1

Two Atlantic Steamers Not Heard of

NO. 36

HOPE IS ENTERTAINED THAT AN ENCOUNTER HAS TAKEN PLACE PLACE AT SEA AND BOTH THE HUNGARIAN AND MOUNT ROY-AL ARE SAFE.

St. John, N. B., Jan. 3 .- There is no St. John, N. B., Jan. 3.—There is no word yet of the long overdue steamer, Mount Royal from Antwerp. Inquiry, at all places where the steamer might put in injured, have brought no re-sponses. C. P. R. officials, however, have not yet given up hope.

London, Jan. 3 .- The non-arrival of London, Jan. 3.—The non-arrival of the Allan line steamer Hungarian which salled from Greenock, Scotland, Decem-ber 14, and is now a week overdue at Portland, Maine, leads shipping agen-cles to believe that she has fallen in with the Canadian Pacific liner Mount Royal, which left Antwerp December 7 and is now long overdue at St. Jonn, N. B. The course of the Hungarian would naturally cross that of the Mount Royal, and underwriters would not be surprised to hear that the Mount Royal is being towed by the Hungar-tan. Acting upon this view of the Iaus of the Mount Royal, the Insurance rate on that vessel has been reduced to twenty guineas from the twenty-five

a not communicate as or with any port up as gived.

New York, which arrived off Queens-town at 10.05 p.m. today, was unable to communicate with the port and was obliged to proceed to Liverpool without, landing any passengers or despatches destined for Ireland.

Portland, Maine, Jan. 3.—The Allan line officials here say they think the steamer Hungarian will reach Portland in a few days. All incoming steamers steamer Hungarian will reach Portland in a few days. All incoming steamers report a succession of heavy gales and it is thought bolsterous weather de-layed the Hungarian. She is a slow boat and was out twenty-three days from Glasgow on one of her trips last winter. She has been out twenty days, on this trip.

BLACK HAND IN MONTREAL

Death of an Italian Montreal, Jan, 3-One Italian dead and two others seriously injured is the re suit of a shooting affray which took place tonight in a small lodging house on No 36 St. David land. A number of Italian volvers were drawn and shooling began. Several of the Italians rushed out into the lane and the shooling was kept up for some time. In the fracas one of the Ital-ians was shot through the head and fell dead. Another was shot in the head and used. Another was shot in the hack, while nother received several stabs in the back, while another received several stab wounds in the hand. The police were called to the scene where they found the Italian's body lying in the lane but those who had taken part in the shooting had made their es-

part in the shorting had made toth e-cape. The dead man has not yet been identi-fied. The police have made a number of arrests and it is believed that the Black Hand is mixed up in the affair.

POPE'S ENCYCLICAL

Berlni, Jan. 3-The recent conference of Berlin, Jan. 3-The recent conference of Catholic bishops at Cologne discussed the pope's encyclical in a letter. This letter declares that the encyclical was most op-portune and necessary in order to oppose the modernists' many and varied errors and to examine into their causes and de-nounce their pernicious effects. The let-ter conclues: "Praise be to God. Ever-lasting" thanks to thee who hast spoken lasting thanks to thee who hast spotts with so much authority and octnagt. Thou seed us ready with sincerity to ex-cute they admonitions and to co-spirate with all our force, seal and application of our minds to uproof and destroy the weeds of error which the enemy has sown in the fields of our Lord." in the fields of our Lord."

TOWN TREASURER ARRESTED

Berlin, Ont., Jan. 3-Charged with having converted to his own use \$1850 of the town's money, treasurer Henry Aletter, was today placed under arrest. Bail was refused and he will have a hearing to-

DEATH OF NED HANLAN.

Toronto, Jan. 3.—Ned Hanlan, the famous sculler and former champion of the world, died just after midnight at his home here, aged 52. During twen'y years he took part in over 35 races the world over and lost only half a dozen.

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