

ANOTHER DIVIDEND

Granby's Seventh Dividend
Bringing Total Paid
up to \$2,563,630

Shares Now on Regular 8 Per Cent Dividend Basis, Plus Quarterly Dividend of 1 Per Cent, Making 12 p.c.

Phoenix, June 5.—At yesterday's regular monthly meeting of the directors of the Granby Consolidated Mining, Smelting and Power Company, Ltd., held at the New York office of the company, a regular quarterly dividend of 2 per cent and an extra dividend of 1 per cent was declared out of the net earnings of the company, payable June 30. This is the seventh dividend of the company, and amounts, like the last six dividends, to \$406,000, making a total of \$2,563,630 in dividends thus declared by the company. The shares are now on a regular 8 per cent dividend paying basis, with extra dividends recently of 1 per cent quarterly, which brings it to 12 per cent per annum. Granby dividends, and the shares thereon in the past, have been as follows:—

No. 1—December, 1903	..... \$ 133,630
No. 2—January, 1904	..... 406,000
No. 3—May, 1904	..... 406,000
No. 4—September, 1904	..... 406,000
No. 5—December, 1904	..... 406,000
No. 6—March, 1905	..... 406,000
No. 7—June, 1905	..... 406,000
Total to date	..... \$2,563,630

NOTICES

NOTICE is hereby given that the regular annual shareholders' meeting of the Lucky Boy Mining and Development Co., Ltd., of Erie, B.C., will be held at the Company's office in Erie on the 27th day of May, 1906, at the hour of 7 p.m. for the purpose of electing directors for the ensuing year and such other business as may come before the meeting.

S. L. MEYERS, President.

March 27, 1907.

NOTICE is hereby given that three months after date application will be made to the Lieutenant-Governor in Council, by the "Yale-Kootenay Ice, Fruit, Fuel and Poultry Company, Limited," to change the name of the Company to the "Kootenay Ice and Fuel Company, Limited."

Dated this 27th day of April, A.D. 1907.

ARCHIE MAINWARING-JOHNSON,
Solicitor for the Company, Nelson, B.C.

CERTIFICATE OF IMPROVEMENTS
The Eke, Ell and Eya Fraction mineral Claims: Situated in the Slovan District of West Kootenay District—Located as follows:—

TAKE NOTICE that I, J. Murray McGregor, Free Miner's Certificate No. 1818, intend, sixty days from the date hereof to apply to the Mining Recorder for Certificates of Improvements for the purpose of obtaining Crown Grants of the above claims.

And further take notice, that action under section 27, must be commenced before the issuance of such Certificates of Improvements.

Dated this 2nd day of April, 1907.

J. M. MCGREGOR

M. J. HENRY'S

NURSERIES AND SEED HOUSES

Headquarters for Pacific Coast grown Garden, Field and Flower Seeds
Large stock of HOME-GROWN Fruit and Ornamental Trees now matured for future planting.

No expense, loss or delay of fumigation or inspection.
BEE SUPPLIES, Spray Pumps, Spraying Material, Greenhouse Plants, Cut Flowers.

We do business on our own grounds—no rent to pay and are prepared to meet all competition.
Catalogue free.

M. J. HENRY FOR SALE

Hotel Hume, 2 lots and furniture, \$60,000	..... 750
Block V, Balfour 12 lots, each 750	..... 750
Lot 3 and E 1/2 of block 1, with buildings, partly rented, \$45 month	..... 2,000
7 lots block 4D, bearing fruit trees	..... 2,000
Lots 7 and 8, w half 9, block 14, with 8-room dwelling	..... 4,000
4 lots, town of Silverton	..... 1,500
Half interest 200 acres Slovan Lake	..... 750
Quarter interest Trout Lake City	..... 2,500
Lot Atlin City	..... 250
Half interest 160 acres near Kamlo	..... 250
Half interest 70 acres, 3 miles up Cottonwood Creek	..... 250

J. FRED HUME

FREE FOR ROYAL CROWN SOAP WRAPPERS

500 Westminster Road, Vancouver, B. C.
Drop us a post card asking for a catalogue.

VOL. 8

NOT OUT OF THE WOODS

School Trustees May Not Get Money for New Building.

Have Ignored City Council's Committee in Accepting Plans—Contractors Propose Closing Down Power Plant.

(From Tuesday's Daily)

At the regular council meeting last night a lot of routine business was transacted during a two and a half hour session. A long discussion ensued over the tangle between the Allis-Chalmers-Bullock, Ltd., over the completion of the power plant. The company wants a 30 day close down about the end of August to inspect the generators of the turbines. This would cost the city \$200 and the council declined to consent to this and notified the contractors that they must put in a new governor at once. The council found grave fault with the school board for going ahead with the plans for the new building without any notice to the council's committee. There will be trouble in selling the \$60,000 debentures if the school board do not act differently in the future.

Ald. Annable was the only absentee. In answer to the mayor, Mr. Ferguson said that the library board submitted a note that there were 111 subscribers to the library and last year 18,000 visits were made to the free reading room. The total income last year was \$278, including the city grant of \$60, and the \$180 raised by Klrmess. The total expenditure was \$124, including \$62 for salaries, \$20 for rent, fuel, \$23, books \$24, and incidentals \$12. Mr. Ferguson said he had asked for \$50 but the board could not pay more than \$25.

In answer to the mayor, Mr. Ferguson said that last year about 600 individuals used the free reading room. This year the number had increased.

In answer to the mayor, Mr. Ferguson said that if \$50 were granted it might suffice. The Klrmess was a great success last year, but it rather exhausted local efforts.

Ald. Selous moved, seconded by Ald. Irving, that a grant of \$50 be made, \$15 for the library and the balance in three months.

Mr. Ferguson expressed his thanks and those of the library board and withdrew. The finance committee recommended the payments of sundry account, including the pay roll for the past fortnight. The report was adopted and the checks ordered to be made out.

The 30.00 club asked for the city's contribution of \$200 to the general funds of the club as promised, the specific amount being wanted for the club's funds. On motion a grant of \$200 was made.

The Allis-Chalmers-Bullock, company, through Mr. Zavitz, the local representative, wrote the council regarding the apparent great delay in completing the city's power plant; the writer states that the company intended installing an entirely new governor, but on making a further examination came to the conclusion that friction with the gates of the turbine was the main cause of the trouble. This can only be remedied when the level of the water goes down, some time in August. The writer asks that the plant be shut down in August so as to allow of the change being made.

The clerk also read a telegram from the company, dated May 27, saying that the new governor would be installed in six months' time.

The mayor said the new move might be a move to delay the installing of the new governor.

Superintendent Smith said the close down asked for by the company should only be for a few days. The mayor said the company asked for a close down of thirty days.

Ald. Irving—We must wait until low water to find out if the fault is with the turbine gates and if not we have to fall back on the governor. We should not pay them a cent in the meantime.

The mayor—I think we should insist on a completion of the contract. This council should close up the whole matter. The delay has been unreasonable and the matter should not be allowed to drift along. No payment has been made to the company.

Ald. Rose—The cost to the city of closing down for 30 days, would be what?

Ald. Irving—In round figures, \$200.

Ald. Selous—Don't hunt trouble; we cannot find out what is the trouble until the water drops.

The mayor—Shall we consent to the close down; that is what the company wants to know?

Ald. Selous—It is most unsatisfactory. We don't care to close down. What is wanted is a new governor. Closing down will cost us too much money.

The company will be written to saying that the council decidedly object to the close down proposed and to the continued delay in finishing the contract.

The mayor brought up the question of paying the company \$400 a month towards the operating of the plant. Mr. Neas has gone east and only a single shift is maintained. The council agreed that under the existing conditions a change should be made and his worship will take up this feature with the company right away. If a single shift is continued the amount will be reduced.

Superintendent Smith wrote re complaints made about the light service in Fairview. A new transformer was wanted.

H. and M. Bird, C.P.R. land agents, wrote offering the lots on which the court house now stands for \$200, the option to stand for 30 days. The council decided that the lots were not wanted at the present at the figure mentioned. The city is paying \$10 a year rent for the lots. The letter was filed.

The chief of the fire brigade asked by letter that the duties of building inspector be defined so as to make it clear that it was quite fall upon the city engineer. Ald. McMorris moved that the city engineer be appointed building inspector; Ald. Irving seconded and the motion carried.

The mayor had a letter written by him to Dr. Arthur, read, asking if the school board had designedly ignored the special committee of the council in dealing upon plans for the new building, as the committee had never been notified of the board's meeting at which the plans had been selected.

Dr. Arthur replied that the board had been pressed for time and had acted as they did. The plans were available and could be seen.

The mayor said he and the other members of the special committee had been in question. His worship added, very significantly: "Let me say, gentlemen, that the \$60,000 debentures have not been sold yet and they won't be until we know what is going to be done by the school board. We have a good deal to say in this matter."

Ald. McMorris introduced a mild resolution, protesting against the action of the school board and asking what the board was doing.

Ald. Selous pointed out that the mayor's letter and the secretary's reply covered the ground.

Ald. Rose—No; Dr. Arthur's letter ignores the whole question raised by his worship.

The mayor—I don't think you will get any satisfactory reply. I have fully made up my mind as to the correct course for me to pursue under the circumstances, and I shall certainly follow it.

The resolution was passed and will be sent to the school board.

Superintendent Smith said in answer to Ald. Hume that passengers on the street cars were only charged for parking, when they were only charged for parking, when they were only charged for parking.

The city engineer complained of some repairs being made to a Baker street light, which was clearly against the city's interest.

A discussion was held with regard to the public portion of the city cemetery, which was in a bad condition.

According to the bylaw, the careaker is responsible for the keep of the whole cemetery. He gets a private allowance as well. His attention will be called to the present state of the graveyard.

At 10:45 the council adjourned until Wednesday, July 3.

MASTERSON LEAVING YMR

Pioneer Resident Sells out to Pat Day and Jim Bremner.

Ymir, June 19.—J. W. Masterston of the Ymir hotel has sold his business to Pat Day and Jim Bremner, both of Ymir. Mr. Masterston, who is a pioneer of Ymir, came here in 1871 and has always been closely related with Ymir's growth.

During the time that he was in business he was a handsome and competent man, and is now retiring from business. Mr. Masterston will probably make Spokane his home.

Isabel Reith of Waneta was married on June 12 to Mr. Robert Greaves. The ceremony was performed by an elder of the Seventh Day Adventist church at Walla Walla. Only the immediate relatives of the bride and groom were present.

The bride is a well known young lady in this district having the honor of being the first teacher at Waneta.

The night service on the Nelson and Port Sheppard railway was held on Tuesday night which is away ahead of staying over at Nelson for a night.

Passengers for Spokane and that in the sleeper here and wake up in Spokane, doing away with the previous tireless day journey. The car situation along the line is becoming desperate, and cars are harder to secure than ever.

Compensating placing the matter before the railway commission at Ottawa to see if a remedy cannot be found.

W. D. MATTHEWS AT PHOENIX
Phoenix, June 2.—W. D. Matthews, president of the Consolidated Mining and Smelting company, accompanied by Mrs. Matthews, their two daughters and a son, arrived here on Thursday's train, accompanied by W. H. Aldridge, managing director of the company and R. H. Sewart, the company's mine manager.

After a thorough inspection of the Snowshoe mine, which is now shipping heavily once more, several of the party also took a trip to the Granby mines and his morning they drove to Grangeville and returned for the purpose of visiting the smelter of the B. C. Copper company, where most of the Snowshoe ore is now treated.

BANQUET TO WALTER SCOTT
Regina, June 18.—The liberals of Saskatchewan, banqueted provincial premier Scott this evening. The gathering was a large and representative one and cordially congratulated him on his recovery from his severe illness of the past winter.

MOTION FOR ACQUITTAL WAS OVERRULED

State Closed Its Case Against Haywood Yesterday, Whereupon Counsel for Defense Moved for His Discharge on Grounds That State Had Failed to Prove His Connection With the Murder of Steunenberg or to Establish Proof of Conspiracy—Judge Wood Overruled Motion, Expressing Opinion Case Should go Before Jury.

(Special to The Daily News)

Boise, Idaho, June 21.—In the Haywood murder trial the state rested its case in chief this morning. At the afternoon session the defense submitted a motion that the court instruct the jury to bring in a verdict of acquittal. This was argued at length by Mr. Richardson and briefly by Mr. Borah and Mr. Darrow. The court overruled the motion and an adjournment was taken until Monday morning, when the defense will outline its case.

When court opened yesterday Borah announced that he had received telegraphic information from the First National Bank in Denver, filling in the dates on one of the drafts, which have been introduced as evidence against Haywood. The decision of the court had been introduced in evidence by the state and had been read at the previous date by Mr. Borah.

Mr. Borah objected to the reading on the ground that it was a discreditable opinion and not the real decision handed down by the court. He made a formal objection to the reading of the opinion.

Judge Wood examined the opinion. He said there was no reason for denying the jurors with the reading of it and sustained Mr. Borah's objection.

On the opening of the afternoon session the jury was dismissed and the motion for an instructed verdict was read as follows: Now on this 21st day of June, 1907, comes defendant, William Haywood in accordance with section 7871 of the revised statutes of the state of Idaho, to show the jury that he is not guilty of the murder of Frank Steunenberg.

First, because the only testimony which tends to connect the defendant, William D. Haywood with the homicide charged in the indictment herein is that of Harry Orchard, who testified he was an accomplice in the commission of said offense.

Second, because the testimony of the alleged accomplices in this case is uncorroborated by any other evidence, which in itself and without the aid of the testimony of the accomplices, tends to connect the defendant with the commission of the offense charged.

Third, because the corroboration of the accomplices in this case is not sufficient, since it fails to show the commission of the offense or the circumstances thereof in any way, which either connects or tends to connect this defendant herewith.

Fourth, because testimony in this case is wholly insufficient to warrant the jury to find a verdict of guilty, and the court is hereby requested to set aside the verdict of guilty and to enter a verdict of acquittal.

Fifth, because the evidence received in this case is immaterial, irrelevant and insufficient upon which to found a verdict, or to sustain one if found.

Sixth, because the evidence wholly fails to disclose that the defendant is guilty of the offense charged, and that he was personally present, and did commit the crime therein charged upon the body of one Frank Steunenberg on or about the 30th day of December, 1906, or that he was present at the murder of Steunenberg, in this way, that the evidence which tends to connect the defendant on trial herewith is given solely and wholly by one Harry Orchard, who admits that he was himself guilty of the actual perpetration thereof and except for the aid of the testimony of the said Orchard, the self-confessed perpetrator of the said offense, there is no testimony or evidence which in anywise tends to connect the defendant with the commission of the said offense and the said testimony and evidence of the said Harry Orchard is wholly uncorroborated within the meaning and intent of section 7871 of the revised statutes of the state of Idaho.

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Signed: E. F. Richardson, John Edgar Wilson, Peter Breen, Fred Miller, Edgar Wilson.

Richardson made the principal argument in support of the motion. He reasoned that Haywood had not been connected at any point with the murder of Steunenberg and that there was no ground for the jury to believe that he was connected with the crime. He went over the evidence of all the witnesses, pointing out that without Orchard there was nothing to connect Haywood with the crime. The following paragraphs from his argument will show his tenor throughout, there being no variation from the line of reasoning or in the deductions drawn.

"Eliminate the testimony of Harry Orchard in that connection and you

only have the testimony that somebody sent a registered letter or package from Denver to San Francisco and you have got to eliminate Orchard's story. If it has been shown that Haywood sent the money to Orchard even then there would be no evidence that Mr. Haywood was in any way connected with the murder of Frank Steunenberg.

"What is true of the two officials of the San Francisco postoffice is true regarding the testimony of Mrs. Moore of the Denver postoffice.

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STATE STRENGTHENING ITS CASE AGAINST HAYWOOD

Evidence Adduced at Yesterday's Proceedings Corroborates in Minor Details Many of Orchard's Statements—Trial Adjourned Until Tuesday.

(Special to The Daily News)

Boise, Idaho, June 15.—In the Haywood murder case today the prosecution put a number of witnesses on the stand to corroborate other portions of Orchard's story. One of these was W. S. Vaughan, the man who was with Orchard in Canyon City, Colorado, in the spring of 1906, and who Orchard said was the man who was with him in the room where the clock ticking in his suit case was heard.

For that reason, Orchard declared, Vaughan became suspicious of him and the plan to blow up Peabody was abandoned. Vaughan corroborated Orchard's story very fully. He said he was a member of the order of railway conductors. The bomb was traced fully, its manufacture in Denver and its finding in Wallace.

Former governor Peabody testified to seeing Orchard in Canyon City at the time of the alleged effort to blow up him up and his daughter testified to two men appearing at their carriage in Denver when she and her mother were returning from the theater.

At the close of the day adjournment was taken until Tuesday morning as Judge Wood has to go to Caldwell to continue the Orchard case.

When court opened detective Pendar was recalled.

Mr. Borah stated that under the contention that Steve Adams was one of the co-conspirators in the case, it would be admissible to show the contents of the telegram sent by Adams from Canyon City to Haywood. He said at this time he was not endeavoring to show that the telegram ever reached Mr. Haywood.

"Later," said Borah, "we shall show that Haywood did not get the telegram and acted upon it."

Richardson replied that the testimony could not regularly be introduced unless it could be shown that the telegram was received and that it proved something regarding the conspiracy.

Pendar was asked if he saw the telegram. He said he did not see it.

The court overruled the objection and ruled that the contents could be divulged merely as a declaration of an alleged co-conspirator.

Pendar was asked to state the contents of the telegram, and without hesitation he repeated the following: "I, Haywood, Denver, Colo., am in trouble, send me \$75 at once. Steve Adams. No cross examination."

J. C. Houston, assistant cashier of the First National bank of Denver was next called. He stated that the Western Federation of Miners did business with his bank, he knew the signature of W. L. Haywood, and he signed the check for \$100,000, dated November 20, 1905, \$100,000, January 24, 1906, \$319.50; October 20, 1905, \$114.50; November 20, 1905, \$100; January 24, 1906, \$168.35.

Over an objection by the defense the drafts were admitted in evidence. The witness was shown 21 of the drafts but their introduction was withheld.

Major Naylor, of Victor, Colorado, assistant secretary of the mine owners' association there, was next called. He said he knew Orchard, Adams, Sherman Parker and W. F. Davis. At the time of the Victor mine explosion he was in the Colorado National Guards.

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to operate the machine which had exploded the power. The depot end of the wire was wound around a chair leg.

"The explosion was on June 6, 1904, at about 2:30 in the morning. It was in connection with the explosion here that I first heard of Haywood. He was suspected of having caused the explosion."

Naylor said that at 2:30 in the afternoon on the day of the explosion the militia was called out. He heard Clarence Hall talk from a wagon that afternoon at about 2 o'clock. He had talked about three minutes when someone fired a shot at one side of the wagon.

"Then the troops were called out." "Not immediately."

"And when they came out the first thing they did was to go down and shoot the militia's machine gun."

"No, not the first thing."

"What did they do first?"

"I heard the people off the streets, attempting to preserve order."

"Then they began bombarding the union hall."

"Both sides were bombarding. Both sides had firearms."

"Yes, they were in union hall bombarding us and we on the outside bombarding them."

"Oh, we were?"

"How many soldiers were there?"

"Only a few, 30 or 100."

"You helped with the bombarding; you did some shooting?"

"Well, I had a gun."

Major Naylor said there were a number of disorderly characters besides strikers who were at that time deported from the district under military law. Major Naylor was excused.

Freeman Shoenberg, of Spokane, told of finding the Peabody bomb in the river at Wallace in March, 1906. He was cutting ice and his friend's axe struck it. He identified the lead casing.

Agnes Sutherland, former sheriff of Stearns county, told of removing the powder from the bomb. Deputy Hicks assisted him. Later he took the bomb to Pinkerton headquarters in Denver.

W. L. Haywood, Wallace, and finally brought it here.

A. J. Dunn, postmaster at Wallace, testified to seeing the bomb unloaded.

The next witness called was Charles L. Roach, a plumber of Glenwood Springs, Colorado. In 1906 he was in business in Denver. His place of business was number 1051, Court Place. In May or April he said he had been solicited to make a lead sheet bucket for plants.

"In May, 1906, a man came into my office and asked me to make a sort of sheet lead bucket. I asked him what he wanted it for and he said to plant a cactus. I went ahead and made it."

The witness identified the leaden case on the table as the one he had made at that time.

Miss Mary Peabody, daughter of ex-governor Peabody, was next called. She told of living on Great avenue in Denver. He had known a man in Denver who went by the name of Thos. Hogan. Witness formerly worked on beat 22, where the Haywood residence was. In 1904 he said he had seen the man Elmer Pettibone and Haywood on a number of occasions together in that vicinity, mostly in the evening.

"You may examine the witness," announced Pettibone, whose name Haywood said he had been on one beat in Denver for four years. He said he had seen Haywood, Pettibone and the man Hogan together quite a number of times between the spring and fall of 1905 not less than half a dozen times.

"It may have been a dozen times."

He said he had seen all three together at least four or five times. He said in particular he saw Haywood and Hogan go into Pettibone's house together. He remembered another occasion of seeing Pettibone, Hogan, who was Haywood and Hogan were on the front porch together.

W. J. Vaughan, yardmaster of the Soo line of railway in Minneapolis, was next called. He had followed mining since his life. In the year 1903 he told Borah he was in Colorado and met a man by the name of Dempsey at the Belmont house.

"I first met Dempsey in the fall of 1903 said the witness."

Dempsey was the man who testified

to operate the machine which had exploded the power. The depot end of the wire was wound around a chair leg.

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After Judge Wood had temporarily disposed of the magazine articles, John L. Stearns, general agent of the Mutual Life Insurance Company, Denver, was called. He was the man who made a contract appointing Orchard under the name of Thomas Hogan as life insurance agent.

Stearns said that the contract with Hogan was made in April, 1936. He met Hogan in the company's office in Denver.

He applied for the position of agent and he told him he must furnish references. He furnished references from Harry Cohen, George A. Pettibone, J. C. Sullivan and Horace N. Hawkins. Witness wrote to each of these asking information respecting Thomas Hogan, and the answers received were identical and admitted in evidence. Mr. Hawkins is the law partner of B. F. Richardson, counsel for the defense, and this reply created both sensation and amusement. Richardson himself being obliged to smile at the good character given by his partner to Harry Orchard. The Hawkins letter follows:

"RICHARDSON, HAWKINS.

"Denver, Colorado, April 8, 1935.

"John L. Stearns, manager Mutual Life Insurance Company, Denver: Dear Sir.—With reference to Thomas Hogan, will say that I have known him for a considerable period of time and esteem him in every way as a man of integrity. His habits, so far as I have had occasion to observe, are of the best and I know of nothing whatever detrimental to his character and am glad to recommend him for the position. Yours truly,

"HORAEO N. HAWKINS."

Pettibone's answer caused a ripple of laughter in the courtroom.

The letter follows:

"John L. Stearns, city: Dear Sir.—

In reply to your letter of 7th in relation to Thomas Hogan. Yes, I am acquainted with him and I am also getting acquainted with you. If any more agents apply to you for positions you would do me a favor by showing them the nearest way to the side with which I can use these fellows very handy myself. Yours truly,

"G. A. PETTIBONE."

Richardson moved to strike out of this testimony. Overruled.

Mrs. A. E. Soward of Berkeley, California, was next called.

In the fall of 1934 she lived in San Francisco four weeks above the Luitford flats where Fred W. Bradley resided. She remembered a man by the name of Bartie who applied for and hired a room at her house in October.

"He remained at my house five or six weeks. I have seen him here in the room and he is the same man known here as Harry Orchard. I had a little flat and he had a small outside room about the middle of the flat. I found shavings of lead and wood in the center of the room. There were also shavings of wood wrapped in a newspaper in the closet."

She said she found some suspicious bottles in the bureau drawers. One of finding cork fastened to a screw-eye in the closet door, it was a sort of fish line and attached to it was a cork.

"How about his suit case?"

"I noticed that it was very heavy."

"Did you know of an explosion at the Bradley house?"

"Yes."

The witness said she found the things in his room a day or two before the explosion.

"When did he leave your house?"

"The morning of the explosion."

"When did he settle with you for his room?"

"The night before."

The witness said on cross examination that she was induced to come to Boise by a Pinkerton detective by the name of Wilson. Another detective by the name of Hever also called on her. She said Wilson had probably called a dozen times and Reeves called about three times.

"Then you had about fifteen calls from Pinkerton before you finally consented to come?"

She testified that she had only received \$30 before starting for Boise and her railroad fare.

Reilly Harris, of Greeley, Colorado, a plumber, was next called.

In 1935 he was located across from Pettibone's store in Denver.

He worked for Mr. Roach. Harris testified that he was in the plumbing shop when the lead casing which Orchard ordered was made. He was in the shop when the casing was made. He said he delivered the casing to Orchard at the Pettibone store in May, 1935, and collected \$15.00 for it.

A motion to strike this out was overruled.

Judge Luther M. Goddard then took the stand. He said that both he and Judge Gabbert were on the supreme bench in 1934.

"I will ask you if you were present at the recovering of a bomb at your gate a year ago last spring?"

After objection by the defense had been overruled, the witness answered "yes."

Judge Goddard then told the story of the uncovering of the bomb.

"On February 14, 1936, I noticed for the first time a screw eye in the bottom of the gate. I spoke of the matter to general Wells, who was my house. He examined it and found a depression in the ground near the gate. He dug down and recovered a rough box, about 18 inches long. The top of the box was about three inches below the level of the ground. There was a strap above the box. We found a rusted wire attached to a cork partly drawn from a tilted vial in the bottom of which was a brownish sediment."

Judge Goddard told of how the box was removed, placed in a grip and taken by himself and Burke Wells to the office of detective McParland here. He said the box was wrapped up and the package sealed. He told about how the arm and other small parts were wrapped up, sealed and marked for identification.

Mr. Borah handed the Judge a sealed envelope, the witness (Goddard) signed it to him. He was asked to tear open the envelope. He did so and

(Continued on Page Four)

LAND NOTICES

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the following described lands in West Kootenay district, British Columbia: Commencing at a post marked "S. Leary's N.E. corner," said post being at a point two miles west of a point three miles up the Columbia river, up Mosquito creek, thence south 40 chains; thence west 40 chains; thence south 20 chains; thence east 40 chains to place of commencement, containing 320 acres, more or less.

Dated this 23rd day of April, 1937.

CHARLES SIDNEY LEARY.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the following described lands in West Kootenay district, on the S.E. side of Lower Arrow lake, adjacent to Octopus creek, commencing at a post on the north line of J. T. Battie's application to purchase, thence running east 20 chains; thence 40 chains north; thence 20 chains west; thence 40 chains south to place of commencement, containing 40 acres, more or less.

Dated at Nelson, B.C. this 28th day of May, 1937.

T. M. FOOTE.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the following described lands, situate in West Kootenay District: Commencing at a post marked "R. W. Gladstone," thence running east 20 chains; thence 40 chains north; thence 20 chains west; thence 40 chains south to place of commencement, containing 120 acres, more or less.

Dated at Nelson, B.C. this 28th day of May, 1937.

R. W. GLADSTONE.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the following described lands, situate in West Kootenay District: Commencing at a post marked "R. W. Gladstone," thence running east 20 chains; thence 40 chains north; thence 20 chains west; thence 40 chains south to place of commencement, containing 120 acres, more or less.

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the Chief Commissioner of Lands and Works for permission to purchase the following described lands situate in Fire Valley, West Kootenay district: Commencing at a post planted 20 chains west from N. E. corner of L. C. Morrison's pre-emption and marked "D. J. A. purchase, S.E. corner," running 80 chains north; thence 40 chains west; thence 80 chains south; thence 40 chains east to place of commencement, containing 640 acres, more or less.

D. JOHNSTON.

L. C. MORRISON, Agent.

Dated, April 25, 1937.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the following described lands situate on the S.E. side of Trout creek, Burton valley, province of British Columbia: Commencing at a post planted on the S.E. side of Trout creek, three miles south of W. Lovett's S.W. corner post, and marked "W. S. Fisher's S.W. corner post," thence north 30 chains; thence east 30 chains; thence south 30 chains; thence west 30 chains to place of commencement, containing 640 acres, more or less.

Dated April 20, 1937.

A. L. MCCULLOCH.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the following described lands situate in West Kootenay district: Commencing at a post marked "A. L. McCulloch's N.W. corner post," being also the N.E. corner of P. M. Schonberger's pre-emption, thence north 10 chains east; thence 30 chains south; thence 30 chains west; thence 40 chains north; thence 20 chains east; thence 40 chains to place of beginning, containing 160 acres, more or less.

Dated April 20, 1937.

A. L. MCCULLOCH.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the following described lands situate in West Kootenay district: Commencing at a post marked "C. G. Sapinowski's S.W. corner post," being on the north line of J. T. Battie's application to purchase, thence running east 20 chains; thence 40 chains north; thence 20 chains west; thence 40 chains south to place of commencement, containing 120 acres, more or less.

Dated April 20, 1937.

C. G. SAPINOWSKI.

EFFIE H. STEVENS, Agent.

Burton City, B.C., May 6, 1937.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the following described lands situate on the south side of Lemon creek, West Kootenay district: Commencing at a post marked "Jno. M. Lyons' northwest corner post," being on the west boundary of block 382, thence north 60 chains; thence 105 chains east; thence 60 chains north; thence 105 chains west to the point of commencement, containing 640 acres, more or less.

Dated this 23rd day of April, 1937.

JNO. M. LYON.

Nelson, B.C., April 27, 1937.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the following described lands situate on the east side of the Arrow lake, on Bates creek, and described as follows: Commencing at a post marked "W.W. S.W. corner," and planted at the S.W. corner of lot 386, thence north 30 chains; thence east 30 chains; thence south 30 chains; thence west 30 chains to place of commencement, containing 640 acres, more or less.

Dated this 23rd day of April, 1937.

STATE STRENGTHENING ITS CASE AGAINST HAYWOOD

Evidence Adduced at Yesterday's Proceedings Corroborates in Minor Details Many of Orchard's Statements—Trial Adjourned Until Tuesday.

(Continued from Page Two.)
took through a small viaduct which he identified as the one found buried near his gate with the bomb.

The trial was offered in evidence. Another sealed envelope bearing the judge's signature contained the screw eye taken from the gate post, another held a dozen giant caps taken from the bomb, and another the wrapper found enclosing the powder. These were all identified and admitted in evidence.

Judge Goddard said there were forty sticks altogether in the bomb, 37 full sticks and three sticks with the ends cut off to make room for the giant caps and the viaduct.

"In the summer of 1906 the box containing the powder was taken a mile and a half or so out of Denver. The giant powder sticks were taken out and were exploded all but three sticks."

Mr. Darrow conducted the cross examination, apparently aiming to learn whether some one might not have placed the bomb shortly before the judge found it for the purpose of its being found.

Court then adjourned.

(Special to The Daily News)
Boise, Idaho, June 20.—When court opened this morning the judge, with the jury absent, rendered his decision on the offer on the part of the state to introduce certain articles in evidence from the Miners' Magazine the official organ of the Western Federation.

He admitted all but three articles, which were written after the assassination of governor Steunenberg. The decision of the Colorado Supreme court refusing habeas corpus to Meyer in 1904 was also admitted and that on the 8-hour law the defense insisted that Borah read these details to the jury.

Both of them were admitted for the purpose of showing such decisions had been rendered, having been testified to by Orchard and the other witnesses.

In ruling on the magazine articles the judge said: "The evidence in the case on trial shows considerable difference to the case cited yesterday by counsel for the defense and known generally as the anarchists' case. In that instance the state relied upon a chain of circumstances and many of the publications there admitted were published by the defendants themselves and were admitted for the specific purpose of showing the intention of the defendants who were charged with the crime and their animus toward the police."

"In the case on trial the evidence of the state purports to come in part from one of the parties of the defense. That witness has stated that not only has he committed the crime he is charged with but several others as well, and he is relied upon to show that the crimes were committed at the instance of the defendant and other defendants said to be the managing officers of the Western Federation of Miners."

The magazine offered in evidence appears to have been under the control of those officers. The court is convinced that as showing the attitude of the organization and the attitude of the magazine officers, their animus and feeling toward those against whom crimes were committed or attempted, certain publications cited by the state are admissible.

"The court will admit the articles bearing on former governor Steunenberg, governor Peabody, judges Gabbert and Goddard and several others. As to the articles following the committing of any crime the court has some doubt and will resolve that doubt in favor of the defendant."

"To which ruling," interposed attorney Richardson, "we desire to take exception."

"It will be noted," said the court. Senator Borah read from a copy of the first issue of the magazine, articles written by Ed. Boyce, in which he outlined the policy of the magazine. The second exhibit, a letter from Eugene Debs and published in the issue of February, was also read by senator Borah.

He also read, from the issue of the magazine of February, 1900, an editorial entitled, "Another Outrage," and dealing with the alleged circumstances of a petition to governor Steunenberg for a continuance of the federal troops to the mining districts of Idaho. The next exhibit was a long extract from a speech by Ed. Boyce, under the heading, "Eight-hour Law."

Senator Borah read an editorial calling upon the miners of Colorado to defeat judge Goddard at the polls. Another article read from the magazine included a resolution adopted by the Western Federation of Miners and signed by Haywood and others, denouncing governor Steunenberg for requiring all

persons seeking work in the Cour d'Alone to renounce affiliation with any union.

From the issue of June, 1900, senator Borah read a comment upon a speech by Mr. Sovereign at the convention of the Western Federation of Miners. The editorial declared that Mr. Sovereign "spoke of the persecuted Steunenberg, the inhuman persecutor of working men."

In the January issue of 1900 was an article signed by Ed. Boyce, urging all working men to support Eugene V. Debs and Job Harriman for president and vice-president, respectively, and denouncing McKinley and Roosevelt and Bryan and Stevens as representatives of the capital classes. In an editorial in the Miners' Magazine for January, 1901, entitled, "The Passing of Steunenberg," epithets are applied without stint to Steunenberg who is charged with getting rich on the money of the Standard Oil Company and of the mine owners, whose servant he has always been.

Condemning Steunenberg as a vile thing deserving only contempt, hatred and political death, the article bids farewell to Steunenberg as a creature over whose political tombstone should be inscribed the words, "Here Lies a Hireling and a Traitor."

The article also referred to Steunenberg as a Hessian, a villain and the mine owners' lackey, whose name should be uttered with loathing by every honest man.

The state called to the witness chair James H. Kirwan, who is now acting secretary of the Western Federation of Miners in the absence of W. D. Haywood. In answer to Borah's question as to the duties of the secretary-treasurer, Kirwan said he had looked after all records of business transactions and minutes of meetings and financial statements.

"Can any one but the secretary-treasurer pay out any money for the federation?" asked Borah.

"No one but the secretary-treasurer and the president."

Kirwan said each member of the executive board had jurisdiction over a certain district. Jack Shipkins' district covered Washington, Oregon and Idaho. The officers of the Western Federation of Miners are all ex-officio members of the executive board. There was no cross examination and Kirwan was instructed he might go back to Denver. He would not be recalled by the state.

The next witness was E. M. Stuart, of Lake City, Oregon. He said he was a machinist and formerly lived in Silver Lake, Idaho. He knew Haywood and had talked with him about Steunenberg. The witness said:

"In 1899 Haywood said he considered Steunenberg a tyrant and a monster and that he should be exterminated."

Richardson cross examined.

"You did not complain to the authorities when Haywood made that statement, did you?"

"No sir."

"You didn't think his statement meant that Steunenberg was in any particular or immediate danger, did you? You heard hundreds of other miners speak along the same lines."

"No, not many; some did, perhaps," Stuart said.

"I had before regarded Haywood as above the common rabble. I was surprised when he made a statement of the kind. That is what impressed his statement upon me. I was not a member of the W. B. McCarthy, of Cheyenne, Wyoming, a bookkeeper, was next called. In answer to Mr. Borah the witness said he was cashier of the Postal Telegraph Company in Denver in the fall of 1901.

Here Borah handed the witness two states' exhibits, one an application to the postal company to transfer a sum of money from the instance of the company, the other an order transferring the sum of money. McCarthy said the company had a rule whereby the payee could be waived and in this particular case the identity of the payee was waived. He said from the exhibits the lack of the word "cancelled" in red ink, showed it had been paid. The words of the telegram were in code and Borah asked the witness to translate them.

Judge Wood personally examined the exhibits and overruled the objection. The usual exception was taken. The telegram was read by Borah as follows:

Denver, Colorado, September 1, 1904.

—Pay to H. Green, care of Peter L. Huff, \$97.50 at 211 Taylor street, San Francisco, California.

Attached to the telegram was an order from Wolff to pay the money to the payee without identification, the sender taking the risk. The witness identified papers recording a transfer of money between Denver and San Francisco on October 15, 1904. This was practically the same as the former order except the amount was \$48 and the signature was "P. Bone," instead of Wolff.

"There was no cross examination of this witness, but the defense made its usual motion to strike out all of McCarthy's testimony."

Orchard said he used the name H. Green in getting the money.

The reading of the Colorado habeas corpus decision was the last work of the day. The defense insisted that a dissenting opinion of the court should also be read.

Judge Wood granted the defense permission to read the opinion but said senator Borah would not be required to do the task. It was finally agreed to let

WEEK'S ORE SHIPMENTS

BOUNDARY 100 TONS BETTER THAN PREVIOUS WEEK

RAMBLER-CARIBOO ONCE MORE ON THE LIST

The output this past week has jumped up to nearly normal conditions, the receipts in the Boundary being over 700 tons in excess of the previous week, while from the other districts the returns are fairly good.

In the Shocan-Kootenay output the Rambler-Cariboo appears for the first time this year.

Appended will be found the ore shipments and smelter receipts in detail for the past week and year to date in tonnage.

BOUNDARY SHIPMENTS

MINE	Year	Week
Genby	14,737	235,290
Mother Lode	4,897	90,554
Idaho	940	26,355
Rahway	960	2,799
Sunset	1,225	33,261
Mountain Rose	60	1,740
Snowshoe	256	2,968
Other mines	2,130	50,565
Total	27,835	434,831

ROSSLAND SHIPMENTS

Centre Star <th>Year</th> <th>Week</th>	Year	Week
Centre Star	2,673	61,445
Le Roi	2,737	91,414
Le Roi No. 3	438	10,490
Other mines	438	7,095
Total	6,286	119,819

KOOTENAY-SLOCAN SHIPMENTS

Shocan <th>Year</th> <th>Week</th>	Year	Week
Shocan	600	14,400
La Plata, milled	425	10,300
Second Relief, milled	145	3,200
Queen, milled	250	4,400
Whitewater, milled	250	1,300
Eve, milled	230	1,300
Hunter V.	75	2,300
Vancouver	25	300
St. Eugene	447	6,900
Empress	3	5
La Plata	132	1,127
Arlington, Slocan	68	301
Orchard	24	189
Other mines	189	42
Total	4,768	50,000

The total shipments from the mines in the above districts for the past week were 30 tons and for the year to date 610,175 tons.

GRANBY RECEIPTS

Granby <th>Year</th> <th>Week</th>	Year	Week
Granby	14,737	235,290
Other mines	438	10,490
Total	14,737	235,290

B. C. COPPER CO. RECEIPTS

Mother Lode	Year	Week
Mother Lode	4,897	90,554
Snowshoe	256	2,968
Other mines	2,130	50,565
Total	7,283	121,353

DOMINION COPPER CO. RECEIPTS

Boundary Falls, B.C.	Year	Week
Brooklyn	940	26,355
Idaho	960	2,799
Rahway	1,225	33,261
Sunset	60	1,740
Mountain Rose	256	2,968
Total	4,021	64,534

TRAIL SMELTER RECEIPTS

Centre Star	Year	Week
Centre Star	2,673	61,445
Queen Victoria	133	1,127
St. Eugene	186	4,170
Arlington, Slocan	68	301
Orchard	24	189
Other mines	189	42
Total	3,866	56,363

HALL MINES SMELTER RECEIPTS

Hunter V.	Year	Week
Hunter V.	75	2,300
Whitewater Deep	25	300
St. Eugene	270	2,832
Empress	3	5
Other mines	438	10,490
Total	771	15,927

LE ROI SMELTER RECEIPTS

Le Roi	Year	Week
Le Roi	2,737	61,445
Hunter V.	55	899
First Thought	54	1,136
Other mines	438	10,490
Total	3,284	44,560

MARYSVILLE SMELTER RECEIPTS

Sullivan	Year	Week
Sullivan	600	14,400
Total	600	14,400

The total amount of receipts reported from the local and foreign mines for the past week were 5,330 tons and for the year to date 588,000 tons.

Roseland, June 18.—Mining matters here are shaping themselves better than for a long period. Ever since September last operations have been handicapped by a shortage of fuel, which kept smelters from putting through the ore to the limit of their capacity, while the mines on the coast were prohibited at times from shipping, as the bins at the smelters were clogged. Fuel is now coming in more freely and smelters can operate to the limit of their capacity, and coal is being stored so that in case of another fuel shortage it can be advanced. There has been general complaint of shortage of men. A great deal of advance work has been done in the mines during the last six months and many surface improvements made and now that smelters have plenty of fuel considerable increase in output is confidently looked for in the immediate future.

Yet another thermal condition is worth noting, especially to fruit raisers along the Columbia itself. That is that as warm air is higher than cold it will flow above it even if in the same current. Hence the temperature along the banks of the Columbia is often colder than on the coast, on the benches above. At Robson, as the confluence of the Columbia and Kootenay rivers, the height above sea level being 1,548 feet, the temperature was dropped to several degrees below zero at its lowest whereas at Roseland, 3,400 feet above sea level, the temperature, despite its far greater altitude, only sank a few degrees below zero. At 1,760 feet had only three degrees below zero at its lowest.

But the Japan current has a double effect, not only moderates the climate in the winter but in the same manner does so in the summer. When the land, heated by the sun's rays during the warm months, heats the air, the air, being lighter, rises and pours in to replace it according to the well known meteorological law. Hence the summer heat does not approach that of the country to the west and to the east, therefore, present that tendency

SCHMITZ DEPOSED.

San Francisco, June 17.—Former mayor of San Francisco, George W. Schmitz, was deposed from office in San Francisco today by a vote of 10-9.

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DEATH OF EX-WINNIEPEGGER.

Winnipeg, June 20.—John J. Corny, ex-Winnipeg, who succumbed to a heart attack received while bathing yesterday at Portage la Prairie, has been buried in the St. Mary's cemetery.

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ABUNDANT FRUIT LANDS

SURVEY OF COUNTRY FROM THE MOIST TO THE DRY BELT.

EXCEPTIONAL VALUE OF CLIMATIC CONDITIONS OF KOOTENAY.

A journey along the valley of the lower Kootenay river, west from this city, upon the Canadian Pacific to Robson, thence by steamer to Fire valley, the oldest portion of the Arrow lake country, situated towards the head of the lower lake, on the opposite shore from Burton valley, between 60 and 70 miles from Nelson, thence on horseback over the divide separating the Kootenay from the Okanagan country, from the mouth of the latter, a journey of some 150 miles, taking the traveler from the thickly clothed foot hills, benches and valley bottoms winding about the slopes of the mountains to the dry belt of the Okanagan, implying upon the dry belt of central and southern British Columbia, discloses the fact that there are acres upon acres of land, now surrendered to the confusers and to alder and beech and cottonwood, which can and will be transformed into fruit land of the very best description in all of broad Canada.

There is far more land available than is generally dreamt of at present. Cultivation is at present almost wholly direct to the land, and the fruit is lower benches almost immediately behind. Nor is the cultivation of the apple, pear, plum, cherry and peach alone possible. There is much of the valley bottom which is excellent grazing country and the upland pasturage, especially to the east of the Gold range, the divide between Kootenay and the Okanagan, is of the highest quality.

There is a peculiarity in the climatic conditions of the Kootenay country which is not generally known and the range of its temperate conditions. Last winter Nelson, advantageously situated, had a warmer temperature than Victoria, surrounded by the warm Japan current. Its minimum temperature was three degrees below zero, a record for the Dominion, with the exception of Victoria, already noted. But this meteorological condition prevails only within a comparatively narrow strip of country, from the east to the west, although it stretches north from the international boundary line to the big bend of the Columbia, far to the north, the mountains immediately east of the Kootenay lake to the watershed west of the Arrow lakes, flowing north to south in the whole range, registered a temperature close to 50 below zero. West of the mountains 40 below was recorded at Vernon, and the peculiarity, a peculiarity which has much to do with the success of West Kootenay as a fruit raising country, for the absence of severe cold and late and frost has to be taken into account in successful agriculture every bit as much as the presence of the right kind of soil, are not far to seek in the Kootenay valley.

The latter, rising in East Kootenay, flows to the south and bends back into Canada. At the point of turning the water-shed to the south-west is low, the considerable elevations lie between it and the Pacific ocean. The Columbia river flows down directly south from West Kootenay to the Pacific. Along these natural features the south-west wind, coming from the Japan current on the coast, sweep over the country in the winter. It is known as the Chinook. Because of the Nelson river, except over years, show that a period of three weeks frost, even in mid-winter, counting as frost even 32 degrees above zero, has occurred, but two or three times in the whole season. The usual continuous frost period seldom exceeding five or six days, when milder weather again prevails. In the prairie country, east of the coast, on the benches above, the Chinook is known as a mischievous wind but only because its warm breath is chilled as it has passed over the mountains of the coast. To the east and to the west of the West Kootenay district an examination of the chart will show that there are no such continuous openings to the south leading directly to the ocean, and the severity of the temperature is in consequence much greater than is the case in the districts immediately subsidiary to the capital of the Kootenays.

Yet another thermal condition is worth noting, especially to fruit raisers along the Columbia itself. That is that as warm air is higher than cold it will flow above it even if in the same current. Hence the temperature along the banks of the Columbia is often colder than on the coast, on the benches above. At Robson, as the confluence of the Columbia and Kootenay rivers, the height above sea level being 1,548 feet, the temperature was dropped to several degrees below zero at its lowest whereas at Roseland, 3,400 feet above sea level, the temperature, despite its far greater altitude, only sank a few degrees below zero. At 1,760 feet had only three degrees below zero at its lowest.

But the Japan current has a double effect, not only moderates the climate in the winter but in the same manner does so in the summer. When the land, heated by the sun's rays during the warm months, heats the air, the air, being lighter, rises and pours in to replace it according to the well known meteorological law. Hence the summer heat does not approach that of the country to the west and to the east, therefore, present that tendency

TO TRY UP VEGETATION CAUSING THE NECESSITY OF IRRIGATION IN THE FRUITFUL OKANAGAN VALLEY. This is further ameliorated by the presence of snow on the higher mountain ranges, piercing into the continuous snow level. The sun's heat gives rise to continual evaporation from these snow beds and glaciers and the cooler wind from the south coming into contact with it causes precipitation. Hence the south wind brings the rain in the summer as well as in winter. Hence there is no month in the year when rain does not fall and irrigation is unnecessary.

Here again the soil helps out. The benches and valleys of the Kootenay country are usually of a deep gravel and though the surface may dry out between summer showers yet the roots can always find moisture below the surface and the older the tree the more is its moisture. Thus irrigation, enhancing the size but impairing the quality of the fruit, is never needed for its harvest.

Climbing from the shores of the Columbia up the slopes of the divide into the Okanagan yet another significant indication is broadly marked everywhere by mother nature; on the first slope at every turn can be seen hazel, cherry, plum, and apple growing wild upon the mountain slopes, the undergrowth is choked by a profusion of wild berries. Descending on the other side into the grassy uplands of the Okanagan, these are infinitely more rare, often conspicuous by their absence but wild clover and vetch, forming the best of all kinds of feed for horses and cattle, are to be observed in profusion. In the Kootenay, taking as an extreme instance the slope up Trail creek to Roseland, wild cherries, plums and apples are to be seen all along the old Deneby trail, while the ground is carpeted with the wild strawberry and the bush thick with black and red raspberries. Where such bottom which is excellent grazing country and the upland pasturage, especially to the east of the Gold range, the divide between Kootenay and the Okanagan, is of the highest quality.

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WORK GOLCONDA GROUP

FORCE OF MEN PUT ON BY ALEX. ROBINSON

NEW ORE CRUSHER ARRIVED FOR NAPOLEON MINE

(Special to The Daily News)
Greenwood, June 20.—Alex. Robinson has started work on the old-fashioned group of claims in South Deadwood camp. He is starting in with five men and will increase the force later on. This is a promising property and with a little more money expended on it may prove to be valuable. When the men were finishing the last contract they encountered a good body of iron ore.

The B.C.