

# NEW VENIRE ON HAND

But no Progress Was Made  
Yesterday in Filing  
Jury Box.

Looks as Though Task of Securing Jury  
Will Be Extended Into Next Week—  
Counsel Engage in Altercation.

(Special to The Daily News)  
Boise, Idaho, May 23.—There was no progress made today in filling the seat made vacant in the jury box in the Haywood case when Orris Cole was excused on account of sickness just before the court adjourned Tuesday.

Sheriff Hodgins returned the names of 60 men summoned as jurors and all but one answered when the roll was called, a bench warrant being issued for the missing man. Six were excused on statutory excuses and the cases of five others were taken under consideration until tomorrow morning.

Six jurors were called into the box during the afternoon, five of whom were excused because of having formed an opinion. The sixth was passed by the state and was under examination by the defense when adjournment was taken.

A sharp passage occurred during the examination of Lee Egbert. The juror said he had formed an opinion and was asked by Hawley whether he was in the habit of forming opinions on important subjects from loose talk about the neighborhood.

Darrow objected and explained he thought the line of examination was for the purpose of intimidating other jurors. Though the objection was overruled, the attorneys continued the exchange for a few moments, Hawley having been nettled by Darrow's remarks.

The prospects for getting the jury filled this week seem to have gone glimmering, but they may strike a better gait tomorrow.

It is thought the state does not propose to exercise all its peremptory challenges but even though it should not exercise another, the work would be likely to continue until Saturday night if the defense should exercise the four more which it has the right to.

**GOES TO MEDICINE HAT**

TRANSFER OF J. S. LAWRENCE IS  
CONFIRMED

ALLEN PURVIS MAY BE MOVED TO  
WINNIPEG

(Special to The Daily News)  
Vancouver, May 23.—As a result of Mr. Purvis' recent trip over the lines, it is announced a new district of the western division of the C.P.R. will be created, extending from Medicine Hat to Swift Current, on the main line, and west to Lethbridge, on the Crow's Nest. J. S. Lawrence, superintendent of the Kootenay division, is to be transferred to Medicine Hat and D. C. Coleman, present assistant to Purvis at Winnipeg, to the Nelson post. A. Purvis, now chief clerk to Bustard here, may succeed Coleman. Official notification of the changes is expected next week. The appointments are to take effect on June 1st.

## NOTICES

NOTICE is hereby given that the Canadian Pacific Railway Company, as lessee of the British Columbia Southern railway, has this day deposited in the District Land Registry office at Nelson, in the Province of British Columbia, a plan, profile and book of reference showing the proposed spur to the A. E. Watts sawmill, situate on the shore of the west arm of Kootenay lake and distant about 20 miles east of Nelson, in the Province of British Columbia, and that 30 days after the date of the said Canadian Pacific railway company intends to apply to the Board of Railway Commissioners for Canada for approval of the said spur in accordance with the provisions of section 175 of the Railway Act, 1903.

Dated at Vancouver, this 18th day of April, 1907.

R. MARPOLE,  
General Executive Assistant.

NOTICE is hereby given that the Canadian Pacific Railway Company, as lessee of the British Columbia Southern railway, has this day deposited in the District Land Registry office at Nelson, in the Province of British Columbia, a plan, profile and book of reference showing the proposed spur to the Canada Zinc Company's works, situate on the shore of the west arm of Kootenay lake, near the City of Nelson, in the Province of British Columbia, and that 30 days after the date of the said Canadian Pacific railway company intends to apply to the Board of Railway Commissioners for Canada for approval of the said spur, in accordance with the provisions of section 175 of the Railway Act, 1903.

Dated at Vancouver, this 18th day of April, 1907.

R. MARPOLE,  
General Executive Assistant.

NOTICE is hereby given that three months after date application will be made to the Lieutenant-Governor in Council, by the "Vale-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 10th day of April, A.D., 1907. ARCHIE MAINWARING-JOHNSON,  
Solicitor for the Company, Nelson, B.C.

VOL. 6

## JURY ABOUT COMPLETED

Only Two More Required  
to Make up Panel for  
Haywood Trial

Juror Tourtelot Has Been Finally  
Excused—Expect Panel Will Be  
Completed Today.

(Special to The Daily News)

Boise, Idaho, May 31.—Gratifying progress was made today in filling the jury in the Haywood murder case, and tonight, as matters stand, it will be necessary to qualify only two more men, one less than qualified today. The defense and the state each expect to peremptory challenge today, and one man, Tourtelot, was excused for cause. There is one man waiting to be examined to fill the place made vacant by the last challenge by the state. The defense has one more peremptory challenge, and when the place vacant is filled the jury will be completed. There is every reason to believe that this will be accomplished before the close tomorrow, and on Monday morning the actual trial of the great case will begin.

Of those examined today only seven were excused for cause, while three were passed, the defense releasing Herman Cox, who tried so hard to get off on Monday. The state exercised its last peremptory, excusing Nelson Freeland, who had just been passed for cause, but was not entirely satisfactory to the attorneys for the prosecution.

Shortly before the noon adjournment, at Richardson's request, the court allowed Darrow, Richardson and Nugent, of the defense, and Hawley, Borah and Van Dusen, of the prosecution, to retire to the judge's private office for a short consultation. They retired, and in a few moments Hawley and Nugent came out, held a whispered consultation with the judge and then all six attorneys resumed their seats. It was then 12 o'clock, and, after instruction, the jurors in the box were taken out by the bailiffs, who were instructed to bring them back into court at 1:30 o'clock. Haywood was remained and court adjourned at 1:30 o'clock. Immediately after court convened for the afternoon session it became evident what the attorneys had in mind. The consultation about the jury before adjournment Richardson suggested that if any jurors in the panel were to be excused on account of sickness or otherwise, it would be better for both sides to excuse them and fill their places before the last peremptory for each side was exercised. Richardson, of course, had in mind J. A. Tourtelot, whom it was expected would refuse to take the oath as a juror, because of his prejudice against capital punishment, and also the case of Daniel Clark, the fourth chair, who wished to be excused on account of the illness of one of his children. As soon as the roll was called Mr. Tourtelot's name was called. He wished to modify an answer he had made to a question by an attorney for the defense. He said he would like to do so. He was given permission to explain. He said that in his answer he now had said he was not prejudiced against the Western Federation of Miners, but he now wished to state that if that organization was to blame for the troubles in northern Idaho, he would be prejudiced and that prejudice would be extended to any man who upheld such an organization. Darrow said that Haywood was not an officer of the Western Federation of Miners at the time these troubles and that the defense was satisfied. He was questioned to some extent by Borah, and finally said he would not take the oath as a juror, without qualifying as to capital punishment, so as to show he would not find a capital verdict, if it were not shown that defendant had been a party to a murder in pursuance of plans of some organization determined to rule by force and murder.

Judge Wood plainly indicated to the attorneys that he thought Tourtelot should be excused. The defense refused to act and then Borah challenged and the defense noted an exception.

Boise, Idaho, May 31.—Carl H. Dunsen, the man who was arrested on Tuesday as a suspicious character at the Inland Empire hotel, was arraigned before Judge Wood today for the charge of carrying concealed weapons. He pleaded not guilty, declined an attorney and conducted his own defense.

The evidence showed that he carried a revolver and a dagger in his satchel. His defense was that he came to Boise to work on a ranch as a cattle man and that it was customary to carry the weapons. He was sentenced to pay a fine of \$100, or in default, go to jail for 60 days. He went to jail.

One of the features of the case was the number of threatening letters received by the mayor since the arrest. Not much attention is paid to them, however, and none of the socialists in the city appeared in court to espouse the cause of the defendant. All of them say that he has no connection with the socialist cause, although it is known that he has

at different times been connected with a number of organizations.

Ogden, Utah, May 31.—The drag net thrown out by the authorities of the state of Idaho in the case of Haywood, Moyer and Pettibone was felt in Ogden this afternoon when detective Thiels of the Thiele agency, subpoenaed detective Jess Bender, officer Tom Burke and Jailer Henry Snyder, all of the local police force and informed them that their services might be needed at a moment's notice in the famous case. The subpoenas are made returnable June 6.

Detective Thiels left tonight for Idaho. At the jail he went over the records and discovered that a man and a woman had been used against the trio on trial, in particular Haywood, whom it is alleged, was involved in a transaction more than a year ago, which will furnish the state with damaging evidence. Bender, Snyder and Burke will be notified by telegram when to prepare to journey to Boise.

Steve Adams, upon whose confession the case against the labor leaders in part depends, was arrested in Ogden by detective Bender more than 12 months ago. He requested at that time that he be given an opportunity to secure his release by securing bail money. Accompanied by detective Thiels he went to the Western Union office and sent a message direct to Haywood, whom he urged to send \$75. It is alleged that this sum was forwarded to Adams who was able to leave the state and return to his home in Montreal. Detective Thiels is of the opinion that he has secured a valuable bit of evidence in the attempt which is now being made to associate Adams with Pettibone, Haywood and Moyer.

## POINTER FOR SHIPPERS

TARIFF FREIGHT TOLLS MUST BE  
COLLECTED

NO MATTER WHAT RATE WAS QUOTED  
ED ORIGINALLY

H. E. Macdonell, C.P.R. general freight agent, for the Kootenays, has issued a circular to agents, shippers and consignees of freight, drawing particular attention to the fact that under the railway act of last year freight tariffs filed with the board of railway commissioners, are, according to law, kept by every agent, open for public inspection and that there are severe penalties provided for the non-enforcement of tariff rates.

In the future, no matter what rate has been quoted originally, the correct rate according to the tariff, will be collected, but when the goods arrive at their destination. In the past it has been the custom where an agent had quoted a figure to a shipper for the railways to stay with the quoted rate and if necessary allow a rebate, but this custom no longer obtains. If an agent quotes a wrong rate and even does so in writing, the proper rate, fixed by the tariff, will be collected. Nor has the railway any redress in the courts or otherwise, the railway act providing specially that no action shall be owing to the wrong rate having been quoted. If the original rate has been too high, according to the tariff, the proper rate will be collected. Agents are not authorized to collect partial payment on account. As the tariff is a complicated affair shippers will do well to study its provisions carefully. The act provides heavy penalties on both railways and consignees for any infractions of its provisions.

## COLEMAN TO CELEBRATE

Dominion Day Will Be Well Observed  
In the Crow's Nest Pass.

(Special to The Daily News)

Coleman, Alta., May 31.—At a meeting of the citizens of this town it was unanimously decided to celebrate here on the 1st of July. A committee was appointed to canvass the town for subscriptions for this purpose, and full arrangements will be made at an early date for the holding of what is hoped will be the best celebration and day of sports that the Crow's Nest Pass has yet seen. Full particulars of the program of the day will be given out shortly.

## LAURIER'S MOVEMENTS

Montreal, May 31.—A special cable to La Presse from Paris states that Mr. Laurier will set out on or about the 1st of June for a trip through Switzerland.

On June 8 he goes to Italy in connection with a commercial treaty between that country and Canada.

The premier's program for the last two weeks in June has not yet been arranged. On July 1, however, the premier will attend the Dominion day banquet at London. He will be back in Canada about the 1st of August.

## CAPELLE TO HANG

Pary Sound, May 31.—Marano, the Italian companion of Capelle in the Dow murder case, has been found guilty of assault on Angus McLeod, one of those who interfered against the Italians in the fatal raid at Miramichi on Christmas day. Justice Tassell today pronounced sentence of death in the case of Capelle, the execution to take place at Pary Sound on Aug. 1. Marano got three years in the penitentiary.

## EVIDENCE OF PROSPERITY

Ottawa, May 31.—Dominion customs receipts for May show the extraordinary increase of \$1,208,968 over May of 1906. The figures read \$5,353,253 for the present month, compared with \$4,144,285 for May of last year.

For the first two months of the present fiscal year, April and May, there is an increase of \$1,736,367.

## DECIDE TO WORK CLAIMS

Phoenix Amalgamated  
Copper Mines Ltd. Will  
Shortly Commence.

President Buck Has Been Out From  
Sherbrooke, Que., to Arrange Details of  
Development Work on Big Scale.

(Special to The Daily News)

Phoenix, May 31.—It is now settled that work on the group of claims in this camp owned by the Phoenix Amalgamated Copper Mines Ltd., will be taken up within the next few weeks. F. P. Buck, president of the company, was a visitor here this week, coming from the company's head office at Sherbrooke, Quebec, via New York.

This company owns a group of eight or ten copper claims adjoining the Brandy Consolidated property on the south, it being a continuation of three other companies, the most important of which was the War Eagle, which later operated a claim of the same name to some extent some six or seven years ago. A year ago the amalgamation of the several properties was carried into effect, and Mr. Buck has been arranging for development work on an extensive scale. This matter he now states is definitely settled, and within 30 days the work will be started. The company has a capital of 1,000,000 \$5 shares, most of which are held in the eastern townships of Quebec, and some of which are held by residents of the Boundary.

The War Eagle is one of the oldest locations in Phoenix camp, and the old company equipped the property with a good air compressor and other machinery. It immediately adjoins the Great Grey Eagle and Tangle properties, being surrounded on three sides by claims of the Granby.

Mr. Buck left yesterday for Sherbrooke, to hold a meeting of shareholders to attend to the final details, but expects to return here in July and arrange for immediate resumption of development.

## FAREWELL TO MR. LAWRENCE

Retiring C. P. R. Superintendent Presented  
With a Gold Watch.

J. S. Lawrence, formerly superintendent of the Kootenay division, C. P. R., who has been appointed to the superintendency of a new western division, with headquarters at Medicine Hat, and who leaves this morning for his new field of labor, was not allowed to leave Nelson without some suitable mark of the esteem and respect in which he has always been held by the citizens of Nelson.

At the Nelson club last evening there was a large and representative gathering of leading business men for the express purpose of bidding farewell to Mr. Lawrence and of presenting to him a slight token of their regard.

The presentation was made by Geo. Johnston, collector of customs, who in a few very appropriate words expressed the regret Nelson citizens feel at Mr. Lawrence's transfer to another point, while rejoicing in the recognition thus shown of his faithful services to the big railroad corporation. On behalf of members of the Nelson club and citizens of Nelson, Mr. Johnston presented Mr. Lawrence with a handsome gold watch, purchased from J. Patenaude. Mr. Lawrence replied feelingly to the kindly words of Mr. Johnston, expressing regret at leaving Nelson, where he had always experienced the greatest kindness and hospitality, and promising to remember the Kootenay country in general and Nelson in particular and to do anything in his power to promote the aims of the 20,000 club. Heartily shown from those present, evidence of the appreciation of the retiring superintendent's remarks by those assembled.

Nelson is losing a good citizen and Medicine Hat gaining a citizen who will be a valuable addition to the public spirit and enterprise of that progressive town.

## HONOLULU WANTS JAPS

Honolulu, May 31.—Japanese merchants and bankers are signing a petition to president Roosevelt asking for the rescinding of his order prohibiting the admission of Japanese to the mainland from the insular possessions.

## WEATHER DURING MAY

The records at the local branch office of the dominion meteorological bureau show that the weather prevailing during the past month has been normal. On the other hand no extremes were observed. The extreme range of the thermometer during May was 54 degrees from 52 to 51. The record for May 31 was 54 high, and 40 low. The highest temperature was observed yesterday and the day before and the low record was taken on the morning of May 1.

The maximum thermometer recorded as low as 55 on the 29th ult, and the minimum as high as 46 on May 31, showing the coldest day and the warmest night respectively. The average maximum temperature was 62.1, being two degrees above the average of the past four years. That is the days last month were slightly warmer than usual. The average minimum temperature was 43.9, or 1.5 degrees lower than the average. Thus the days were warmer and the nights colder than is usually the case in May. But the mean temperature of the month was 54, or whole 24 hours for the month was 54, or one-tenth of one degree above the May average for the past four years. The daily range of the thermometer was much greater than usual, the average being 20.2 between the heat of the day and the cool of the night, which is 3.36 degrees above the normal. The greatest daily range was observed on May 7 and was 41 degrees between 74 in the early morning and 35 in the afternoon. The smallest range was 18 in the evening of the 13th ult. It was 12 degrees below being overcast, between 55 and 43, the afternoon, with rain falling in the evening, which is 35 in the morning, and 22 in the afternoon. The rainfall was 2.5 in. though the hours in which the rain fell was only 12. The rain was only 58 or 10.5 in. only 12 normal. Rain fell on eight days in the month, four more than usual, much of the rain falling at night and falling in heavy showers.

## PROTEST IS OVERRULED

CONCILIATION BOARD APPOINTED  
FOR LETHBRIDGE

MINERS ASKED FOR IT AND REQUEST ACCED TO

Ottawa, May 31.—The labor department has received a telegram from A. M. Nanton, Winnipeg, manager of the Alberta Railway and Irrigation company, protesting against the appointment of a conciliation board as requested by the men in connection with the labor trouble at the Lethbridge mines. He says that there are no grounds of dispute to justify the appointment of a board, and he thinks the department acted hastily. He also protests against Sherman being on the board and asks for a reconsideration.

In reply Mr. Lemoine said that the statements of the men clearly show that if they do not get a board a strike will be declared, and that the board's consideration would be hours, etc., under the act. The minister says there was nothing left for him but to appoint the board.

## NELSON'S NEWS OF THE DAY

C.P.R. superintendent Beasley of Vancouver is expected to arrive in this city early this coming week.

C. P. R. superintendent D. C. Coleman has already started to inspect his division, visiting Rossland and the Boundary country.

At a meeting of the Methodist church last evening it was decided, after some discussion, not to report any special concert given on Wednesday night.

On Thursday of this coming week the first business holiday will come off. It will be the only day arranged for the day for an one innings cricket match between the Nelson club and the R.M.R.

Rev. Robert Hughes and Mrs. Hughes are spending a few days in Nelson, on their way to Cranbrook, where Mr. Hughes has been appointed by the recent conference of the Methodist church, to succeed Rev. J. P. Westman. Rev. Mr. Hughes will occupy the pulpit of the Methodist church of this city tomorrow morning.

## ANOTHER STRIKE SETTLED

Level-Headed Police Magistrate's Good Advice Aided

(Special to The Daily News)

Vancouver, May 31.—The prosecution of the Marble Bay miners on the charge of violation of the provisions of the Lemoine act was not reached by the request today. When the evidence was in, magistrate Alexander perceived that the differences resulted from a misunderstanding and suggested an amicable settlement. Under his direction a conference was held and an agreement reached after an hour's discussion. The men will return to work at once.

## CONSTABLE'S CLEVER CAPTURE

(Special to The Daily News)

Fernie, May 31.—For some time a reward has been offered for the capture of Julius C. Beasley, who is wanted on a charge of burglary at Nez Perce county, Idaho. Beasley was out on bail, which he very promptly skipped and headed for parts unknown. On Thursday provincial constable A. Sampson recognized the man in Fernie and soon had him safely behind prison bars, and wired sheriff T. S. Stratton of Nez Perce to come to this point to take of extradition papers. A local firm of lawyers has been engaged by the constable to fight extradition proceedings. The reward offered for the capture of the prisoner is \$400, which will now go to constable Sampson.

## COMOX MINE ON FIRE

Victoria, May 31.—Fire has broken out in No. 4 slope of the Comox mine. No loss of life occurred, the large staff of miners making their escape. Over 1,000 miners are employed in this mine alone, where R. Dunsmuir & Son mine the bulk of their coal product in the Comox district. The miners are endeavoring to flood out the fire, but it is reported a heavy loss has occurred.

Mr. Morgan announced that the new midnight service on the S. 7 and N. would

## REJECTED BY GRAND FORKS

Phoenix and Greenwood  
Unions Vote for New  
Wage Scale.

Sad Tragedy at Columbia—Young Girl  
Accidentally Killed by Her Sister, Who  
Is Subj. to Epileptic Fits.

(Special to The Daily News)

Grand Forks, May 31.—At the meeting of the grand forks miners' union held Wednesday night for the purpose of voting on the wage scale referred to in Tuesday's dispatch, the men rejected the scale by a vote of 75 to 49. There are 270 men in the union in good standing, and the vote was small; but many of the men are away.

John McNeil, M.P.P., brought down the vote of the Phoenix union, which stood 216 in favor of the scale and 29 against. The Greenwood union vote was also counted here, the ballots being brought down by F. Steel and R. A. Matheson, president and secretary respectively of the union. The vote stood 181 for, 33 against.

Charles Bunting, president of the Grand Forks union, and T. Benninger, secretary, were interviewed by your correspondent and stated that the position taken by the union here was that a referendum composed of the total vote might lead to the Phoenix miners, who are satisfied with the scale, forcing the union here, whose members are not satisfied in respect to the way the scale works with smelter employees. The men want the company to grant their original requests, which, according to the officers, would only mean an increase of a very small total sum per day.

"We do not want to feel that some of the men are not satisfied, although we admit that most of the demands have been met," said Mr. Bunting. Asked as to whether the differences, Mr. Bunting said the differences, although slight, were scattered throughout various departments, and it would be difficult to specify them. It was further stated that the men would stand pat, and that the Phoenix miners would not turn a hand till the smeltermen were satisfied.

Manager Hodges left for Spokane yesterday morning and was seen by the officers of the union for a few minutes previous to getting on the Great Northern train. He is expected back tomorrow or Sunday.

A reversion to the original demand of the men in reality means the adoption of an eight-hour day all round. This point, however, has not been insisted on during the latter conferences, and it is evident that the Phoenix miners by their vote are satisfied with the nine-hour day as it applies to surface men. Here the nine-hour day would apply to outside day labor and the mechanical departments. It is possible that the request for an eight-hour day all round will be eliminated from the requests now being submitted by the men. Meanwhile nothing definite can be stated until the matter has again been discussed with the Granby management.

At 8 o'clock Thursday morning Emma Donnan, of Columbia, aged about 19, was killed by her sister Bella, who is about 30 years of age. Bella Donnan is an epileptic subject, and suffers from attacks of excitement and passion some times incidental to the disease. Both girls were in the kitchen, and it is supposed some dispute arose when Bella took up a stick of stove wood and flung it at her sister, striking her just above the eye and killing her instantly.

Dr. Kingston was summoned, and with Dr. Truxter tried artificial respiration, working with the unfortunate girl for some two hours, but it was evident that death ensued within five minutes of the blow.

When she realized what had happened the elder sister was frantic with grief. Mrs. Donnan and two other daughters went into the city, arriving here at 10 o'clock. The dead girl takes place here tomorrow afternoon at 2 o'clock.

## NEW TIME TABLE

G. N. Schedule to go in Force on Sunday June 3—Midnight Service

A party of Great Northern officials went to the city, arriving here on Mr. Morgan's special car. The visitors consisted of W. P. Kenny, assistant traffic manager, G.N.R., W. C. Wilks, traveling freight agent, Spokane; superintendent Moran of the N. and P. S., and P. H. Burnham, Kootenay passenger and freight agent, Grand Forks.

In the afternoon F. A. Burke, S. S. Taylor, T. G. Brooker, R. Truxter, and H. E. Douglas took the pony for a launch trip over the lake in Mr. Travis' launch. The party got back just in time to escape the thunder storm which happened just before 8 o'clock, and which did much damage to the launch.

Mr. Morgan announced that the new midnight service on the S. 7 and N. would go into force on Sunday, June 3. He was satisfied, he said, that the people using the line approved of the change, and the service will just be "tacked" on to the Spokane-Marcus service, now in existence. The train will leave Spokane shortly after 1 p.m. and before the arrival of either the mental lines at about 2 a.m. The southbound train will leave Nelson at mid night, reaching Spokane at 9 a.m. To accommodate local traffic a passenger coach will be attached to the freight leaving here at 3:30 a.m. on Tuesdays, Thursdays and Saturdays and going as far as Northport. The freight will come north on Mondays, Wednesdays and Fridays, reaching Nelson at 4:30 p.m.

The international will leave here for Kaslo daily at 7 a.m., returning here at 8 p.m.

Under the new arrangement the eastern Canadian and coast mail which now arrives here and is distributed at 8 a.m. will be obtained the following morning. Nelson people who desire to visit or do their shopping in Spokane, but who have no time to leave Nelson at mid night, will gain by the change.

## CONTEMPT OF COURT

Turbulent Scene at Trial  
of Mayor Schmitz in  
San Francisco.

Counsel for Defense Has Angry Passage  
of Arms With Judge Dunne and Is  
Twice Sentenced for Contempt.

San Francisco, May 31.—Attorney Charles H. Fairall, of counsel for the defense, was twice within a few minutes sentenced to jail for contempt of court by superior Judge Dunne, shortly before the adjournment of the Schmitz trial today. The orders were subsequently revoked by the court at the request of the mayor's senior counsel, former Judge J. C. Campbell, joined in by assistant district attorney Henry.

The sensational incident was the culmination of a long day of bickering and quarrels between opposing counsel that more than once had threatened unpleasant results. Eleven jurors had been finally accepted and the 12th had been by both sides accepted subject to peremptory challenge, when Mr. Henry announced that he desired to further question a juror who was accepted last Wednesday, John O'Mara, a blacksmith, "who," said the prosecutor, "we have just been informed, is an employee of the city." O'Mara testified that such was not the case and then Henry produced some rapid fire questions, showing that during the fire recess the blacksmith had been followed by one of special agent Burns' men, who had seen him stop and talk with one Ed Denison, on Filmore street, after a session with him and emerge 15 minutes later, after which Denison hurried away to the office of Herbert Schmitz, brother of the mayor, "evidently in a hurry."

Under Henry's questioning O'Mara first denied that the Schmitz trial had been mentioned between him and Denison, but later admitted that the remark of his brother had been a remark of his brother, though not discussed.

At all of this Mr. Campbell, who is a section to which Henry heatedly replied that it was for the purpose of showing an attempt to tamper with a juror. Mr. Campbell, supporting the objection, got into a snarl of words with the assistant district attorney during which he warned that official to address him with care.

"Oh, yes," said Henry, "you're a fighting man. I'm scared to death of you." Mr. Fairall replied in kind and Judge Dunne ordered him to be quiet. Instead of obeying, the attorney got to his feet and launched a volley of abuse.

"Sit down Mr. Fairall," commanded Judge Dunne, "or I shall send you to jail." "I don't care anything about that," replied Fairall, waving his arms contemptuously.

So incensed was Judge Dunne at this, though he spoke quietly, he stumbled over his words: "Mr. Fairall, your conduct is boisterous, offensive, insolent and contemptuous. I judge you guilty of contempt of this court and as punishment it is ordered, adjudged and decreed that you be confined in the county jail of this city and county of San Francisco for a period of 30 days."

"I thank your honor, I think that is a distinction," rejoined Fairall.

"Mr. Fairall," said Judge Dunne, "adjudge you further guilty of boisterous, offensive, insolent and contemptuous conduct and I adjudge you guilty of contempt of court and as punishment therefore it is ordered, adjudged and decreed that you be confined in the county jail of this city and county of San Francisco for a period of 30 days. Mr. Campbell will you proceed."

Juror Bray, one of the 11 men sworn, was the next to draw the first of the prosecution's questions today, and in the information that he was related by marriage to the mayor.

Bray could not say whether or not this was a fact. He had heard that it was, Schmitz himself, though he had been refused admission earlier in the day by the court, came to the rescue. He rose and made this statement: "If your honor please the relation is this: As I can trace it down and I would not want a relative of mine sitting on my jury. The relation is that this gentleman's wife is related by fourth cousinship to a gentleman who married my wife's sister, a man by the name of Murphy."

Everybody laughed and Judge Dunne threatened to clear the court room if the offense were repeated.

Bray was excused from the jury, the court holding that no matter how distant the relationship with the defendant it disqualified him. Bray himself had asked to be discharged.

When court adjourned the jury stood in numbers just where it was at the commencement of the day, eight men in the box; four more to get.

Mayor Schmitz will be arraigned tomorrow on the 14 indictments charging him with bribing 14 supervisors in connection with the gas and Parkside trolley deals.

## U. S. STEEL DIVIDENDS

New York, May 31.—The United States Steel corporation today paid its regular preferred dividend of 13-4 per cent on preferred stock and one-half of 1 per cent on the common bill paid June 8th. The earnings for the quarter are \$35,123,436 as compared with \$41,744,964 for the December quarter and \$36,354,490 for the March quarter a year ago.

WHAT THE MINERS WANT  
Lethbridge, Alta., May 31.—The miners of Taber presented their case to the coal commission today and vigorously argued for the eight-hour day and the compensation act, taking a stand directly opposed to that of the operators as presented yesterday.



## SURPRISED ATTORNEYS

### Interesting Incident in Yesterday's Work of Securing a Jury.

Boise Architect, Who Has Qualified Objections to Capital Punishment, Is Passed for Cause by Both Sides.

(Special to The Daily News)

Boise, May 25.—The most interesting feature of the long struggle to secure a jury in the Haywood murder case occurred today. A man who declared himself opposed to capital punishment but qualified the statement by saying that he would favor it in the event of war or if the case arose in connection with the work of an organization seeking to destroy society. He did not believe in anarchists and would be willing to hang one of them if he had committed a murder in pursuit of the plans of the organization.

This man was J. E. Tourtelle, a Boise architect. When first examined by the state Tourtelle declared that he was strictly and conscientiously opposed to capital punishment as a general proposition. He could think of only two instances where he could vote to hang a man. He said that if a man was convicted of having been a member of an organization which had menaced society, an organization which had committed depredations and had taken lives, as he expressed it, "by the wholesale, like anarchists," he believed he should be hanged and the quicker the better. He also said in voir dire that if a man was found guilty of being a traitor to the cause in which he was enlisted, the death penalty would be none too severe. He said he had an opinion regarding the guilt or innocence of the accused but not an opinion that he would be willing to render a verdict upon.

There was some surprise when Borah calmly announced the state would pass the man for cause, but apparently no one was more surprised than Mr. Darrow. He looked up quickly, appeared to gasp for breath, glanced at the juror and then at Borah. The two attorneys smiled at their eyes met.

"You pass this man for cause?" asked Darrow wonderingly.

"He is up to you," replied Borah.

Tourtelle was at once began questioning the man regarding his prejudice to capital punishment and the replies were the same as had been made to Borah in answering another question. Tourtelle replied: "But I am absolutely opposed to a death penalty except in such instances as have been described."

"That looks good to our side of the case," responded Darrow with a joyful smile.

"We are satisfied with you all right on that matter but I am not sure but that some of you are not being as frank as you should be in your answers to me. I have some questions to see if you suit us in other ways as well as in this particular."

Darrow asked: "Have you thought in your mind that any man could be a member of such an organization as you have said came under your exceptions—an organization which has menaced society, as you designate?"

"I had not thought of it," replied Tourtelle, "until you spoke of it, but now I can see how he might be."

Tourtelle was very speedily passed for cause by the defense. After the noon recess and just before court convened he asked for permission to address the court. Borah was asked to ask Tourtelle a few questions to be certain he had not misapprehended his position regarding his willingness to vote the death of a person, a member of an organization which menaced society, etc. He was satisfied apparently with Tourtelle's answers, which were just the same as had been given in the foregoing and he announced that the prosecution was satisfied to keep the juror in the box.

The court refused to excuse him. The Idaho law provides that a man shall not be required to serve on a jury in a capital case if he has conscientious scruples against capital punishment. It is thought Tourtelle may invoke this law before the jury is finally sworn and that the judge will be obliged to excuse him, but on the other hand he has made the exception which, as will be claimed by the state, applies in this case.

Better progress was made today, three peremptory challenges being accepted. There remain two peremptories for each side and there are 13 men remaining in the last panel. It is probable these will be exhausted on Monday when another venire will have to be issued.

Boise, Idaho, May 27.—After getting one more jury today in the Haywood case, the panel was exhausted and a special venire for 61 more men was released by the court, which then adjourned until Friday morning.

It will take the sheriff probably two days to get the venire ready. Thursday is Memorial day, a holiday, and therefore court adjourned over until the date named.

Judge Wood remarked as he announced the adjournment that the jury would be filled during Friday and Saturday or the panel exhausted, thereby implying that he would keep them at work early and late to push the matter to a conclusion. There remains one peremptory challenge for the state and two for the defense. It is altogether probable that the peremptory challenge will be used on Saturday, will also get off.

Today he twice called the attention of the judge to his case, saying he could not take the oath. The judge said he would allow him to stand at the next session of the court.

It is understood that the juror is exempt from duty on his conscientious scruples against capital punishment, unless disqualification of his statement makes him eligible. It is thought that Judge Wood intends to look the matter up thoroughly before court meets again. If Tourtelle should be excused there would be five more men to qualify, provided the three remaining peremptories be exercised.

There is one seat vacant now on the state's peremptory challenge of Henry Curtis today.

The circumstances leave the date of the completion of the jury in doubt. It may be accomplished by Saturday night and clear the way for the actual action of the trial on Monday morning, and then again the jury may not be completed until some time next week.

During the examination of Harmon Cox today to fill the seat vacated by the last peremptory challenge Saturday, there was a remarkable sparring match between Darrow and Borah.

Darrow sought to get the juror to admit that he was prejudiced or otherwise disqualified, but failed. For Borah asked a half he kept up a running fire of questions. Borah took exception to the methods pursued, and there was constant fencing that interested the crowd in the court room. Borah was smiling and composed, while Darrow was rather flustered and apparently anxious. It was plain he wished to get off without a peremptory challenge, and he often drove well over the lines in his questioning, Borah intervening on each such occasion. The juror was finally passed for cause.

Before court adjourned, Mr. Richardson, for the defense, called attention to the fact that only one member of a labor union had been brought in by an affidavit. He said there were probably 5000 persons in the country qualified for jury duty. Of these less than 40 were bankers, the most important investigations of the mines panel and only one member of a union, though there were 1200 union men in line in the last labor day parade. Richardson said he believed the sheriff had not summoned the jurors from the "body" of the country as required by law.

Judge Wood said he had entire confidence in Sheriff Siedel and was satisfied he would discharge his duty properly.

Richardson declined any intention of making reflections upon the sheriff. When the number to be called was under consideration Richardson said they had been unlucky with the even numbers on all the previous panels. He made an appeal, he said he was a little superstitious himself and would make the number 4.

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## WEEK'S ORE SHIPMENTS

BOUNDARY OUTPUT REMAINS VERY MUCH REDUCED

SMELTER RECEIPTS IN DETAIL FOR PAST WEEK

Neither the Cranby nor the Dominion Copper company have recommenced shipping, and in consequence the output from the Boundary country is on a fraction of what it would be under ordinary circumstances.

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

BOUNDARY SHIPMENTS			
MINE	Week	Year	
Mother Lode	6,350	73,427	
Solly	25	281	
Other mines	2	267,602	
Total	6,375	278,710	

ROSSLAND SHIPMENTS			
Company	Week	Year	
Le Roi	3,012	34,534	
Le Roi No. 2	535	5,880	
White Bear, milled	259	2,900	
White Bear	116	1,261	
Other mines	116	2,370	
Total	5,440	108,785	

KOOTENAY-SLOCAN SHIPMENTS			
Company	Week	Year	
La Plata	1,407	16,561	
La Plata, milled	425	4,825	
Queen, milled	125	1,385	
Eva, milled	300	3,450	
Hunter V.	79	2,023	
Queen Victoria	125	1,400	
St. Eugene	125	1,400	
La Plata	125	1,400	
Vancouver	41	276	
Silver Cup	41	276	
Payne	19	19	
Whitewater Deep	19	19	
North Star	19	19	
Last Chance	19	19	
Other mines	19	19	
Total	2,870	47,655	

The total shipments from the mines in the above districts for the past week were 14,105 tons and for the year to date 272,324 tons.

B. C. COPPER CO. RECEIPTS			
Company	Week	Year	
Mother Lode	4,350	76,767	
Other mines	25	281	
Total	4,375	108,785	

TRAIL SMELTER RECEIPTS			
Trail, B.C.	Week	Year	
Centre Star	1,417	16,561	
Le Roi	125	1,385	
Queen Victoria	125	1,400	
White Bear	116	1,261	
St. Eugene	125	1,400	
La Plata	125	1,400	
Vancouver	41	276	
Silver Cup	41	276	
Payne	19	19	
Whitewater Deep	19	19	
North Star	19	19	
Last Chance	19	19	
Solly	25	281	
Other mines	25	281	
Total	2,740	31,255	

HALL MINES SMELTER RECEIPTS			
Hall, B.C.	Week	Year	
Centre Star	1,417	16,561	
Le Roi	125	1,385	
Queen Victoria	125	1,400	
White Bear	116	1,261	
St. Eugene	125	1,400	
La Plata	125	1,400	
Vancouver	41	276	
Silver Cup	41	276	
Payne	19	19	
Whitewater Deep	19	19	
North Star	19	19	
Last Chance	19	19	
Solly	25	281	
Other mines	25	281	
Total	2,740	31,255	

LE ROI SMELTER RECEIPTS			
Northport, Wash.	Week	Year	
Le Roi	3,012	34,534	
Hunter V.	79	2,023	
First Thought	58	1,124	
Other mines	19	19	
Total	3,158	36,641	

MARYSVILLE SMELTER RECEIPTS			
Marysville, B.C.	Week	Year	
Sullivan	600	13,600	
Total	600	13,600	

CALIFORNIA-GIANT			
Roseland, May 25—W. Yolen Williams	Week	Year	
California-Giant	1,407	16,561	
Other mines	125	1,385	
Total	1,532	17,946	

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## NEW MINES DEPARTMENT

SKETCH OF SCOPE OF WORK AND PLANS FOR FUTURE

HON. WM. TEMPLEMAN DETERMINED TO MAKE GOOD

(Special Correspondence.)

Ottawa, May 23.—The liberal administration is the intimate friend of progress. If there is one characteristic more than another of its signal career, that has served to establish that fact, it is the activity, continuing ceaselessly throughout the last ten years, with which the nation's industries have been promoted. Planned for her resources of infinite variety and magnitude, Canada has been blessed with a controlling authority whose records, open to every one of her citizens for perusal and investigation, show a policy of progress which has made her great among nations.

This fact must have been made plain by the organization of a federal department of mines. The magnificent mineral resources of the country have been placed at the disposal of the world, and no stronger evidence of the government's appreciation of this happy circumstance is needed than the allocation of the new department, and the mining men of every metalliferous region within its boundaries realize that no stone will be left unturned to assist in the development of an industry already great.

There cannot possibly be a soul in this immense country who does not understand, in a general way, the pressing importance of a separate department of mines. But if the readers of this article will take time to peruse the appended statistics they will be more strongly seized of the necessity. The estimated value of the mineral production of Canada for the year 1936 was \$30,000,000, an increase of nearly \$60,000,000 over the production of 1896. The following will show the total output of the different years since the return of the liberal government:

Year	Value
1896	\$80,000,048
1905	\$9,525,170
1904	\$10,773,877
1903	\$11,740,513
1902	\$12,101,534
1901	\$12,101,534
1900	\$12,101,534
1899	\$12,101,534
1898	\$12,101,534
1897	\$12,101,534
1896	\$12,101,534

Of this splendid total of \$30,000,000 for 1936, the mineral production was \$24,979,259, divided as follows:

Commodity	Value
Copper, lbs.	\$7,023,321
Pig iron, Canadian ore	\$4,925,932
Iron-ore, exports, tons	74,778
Lead	1,740,137
Lead, exports, tons	1,740,137
Nickel, lbs.	1,740,137
Nickel, exports, tons	1,740,137
Silver, ozs.	5,858,665
Cobalt, zinc, etc.	350,000
Other minerals	350,000

Of the total mineral production of 1936, the value of the mineral production was \$24,979,259, divided as follows:

Commodity	Value
Copper, lbs.	\$7,023,321
Gold, Yukon	\$5,000,000
Pig iron, Canadian ore	\$4,925,932
Iron-ore, exports, tons	74,778
Lead	1,740,137
Lead, exports, tons	1,740,137
Nickel, lbs.	1,740,137
Nickel, exports, tons	1,740,137
Silver, ozs.	5,858,665
Cobalt, zinc, etc.	350,000
Other minerals	350,000

The foregoing admits of but one logical conclusion. The mineral production of Canada has







## CAREFULLY SELECTED

Salvation Army's Scheme of Immigration Is Explained.

New Arrivals Kept Away From Congested Centers and Placed on Land—Brigadier Howell Here.

(From Thursday's Daily)  
The services at the Salvation army barracks last night were of a more than ordinarily interesting character owing to the presence of brigadier T. Howell of Toronto, secretary of the Army's immigration and transportation department.

In the course of an interview given, The Daily News after the meeting, Mr. Howell said: "We have been very successful so far this year with our immigration work. We have brought 10,000 persons to Canada this season and will bring 10,000 more before the winter sets in. It is just a question of securing steamship accommodation for them. The Army specially chartered six steamships, five of which and the sixth will sail on June 8. We could bring many more if we could find accommodation for them. During the rest of the season we will bring over the new comers in large parties. The larger proportion of the people have gone to Ontario but many have come to the new Northwest provinces, British Columbia and the maritime provinces.

"Let me say pointedly, that those brought over by the army were very carefully selected in the first instance and have been carefully distributed in this country. We have kept them away from the congested centers and have placed them in the country places. Out of the 10,000 already here 9,000 paid their own way and the balance only have received temporary loans to assist them in making a start.

"Wherever our work is understood clearly, both in England and in this country, I think it is fully appreciated. I can assure your readers that our scheme is managed very carefully in all its details.

"At the meeting tonight I went very fully into the army's immigration plan by some socialist at Victoria some little time ago. We received a request for 20 shipwrecks from the Victoria Employers' Association. One was sent on to the meeting in London. We were told that there was an urgent demand for these men but not being quite satisfied with the situation in Victoria, we sent a special officer there to make further enquiries. Upon receiving his report we cabled London not to send the men, but the party had already sailed. A special officer met the party at Halifax and explained the real situation at Victoria, took away their coupons for the west and, at the Army's expense, brought the whole party to Toronto, where work was found for them. Six were sent to Collingwood. The Employers' Association of Victoria, through the Toronto Employers' Association, kept asking for the men, but we declined to take part in sending them on. After about a month or so some of the men were dissatisfied and wanted to go west, charging us with misrepresentation. All were union men and we turned them over to the employers' association to make any deal they saw fit, leaving the Army department clear of the transaction. Through the employers' association ten of the men came west to Victoria. That is the whole story of the Army's connection with the matter. Neither the Army nor the government were in any way responsible for the men's arrival in Victoria. They went there on their own responsibility.

After again laying stress on the fact that the army only handled carefully selected persons and kept them away from congested centers upon their arrival in Canada, brigadier Howell went on to say that he would spend today in the city and would be very glad to meet anyone desirous of learning about the Army's immigration methods, past, present and future. He hopes to send along some of the immigrants to the Kootenays if places can be found for them.

Speaking of farm hands the brigadier said that the question of finding continuous employment for such men the year round, was well understood in the S. S. Immigration department and the problem was being successfully grappled with on all sides. He left this evening for Vancouver and will meet general Booth when he arrives at Seattle from Japan on June 6 and will accompany the general on his trip east over the C.P.R. en route to J. land.

Manager A. R. Cooper of the Second Relief mine, at Erie, stated yesterday that the difficulty encountered with water in the mine had been overcome and that work in the mine and mill would be recommenced on Saturday next, June 1.

The offices of the 20,000 club is being removed on the 1st of June to the city hall. The old office is now occupied by T. G. Procter and the mayor has placed a room in the hall for the use of the high temperature water in the lake is rising very rapidly and unusually high water is now fairly certain.

The warm spell continues and even this morning rain is warm. Yesterday the maximum temperature was 81, the same as it was on Monday, the record this season so far. On Tuesday the highest point was 83. A rain shower fell last night and the water in the lake is rising very rapidly and unusually high water is now fairly certain.

## EXCITEMENT AT BOISE

Police Arrest Spokane Socialist, Disguised and Heavily Armed.

Arrest Gives Rise to All Kinds of Rumors of Plots to Kill Orchard, the Governor and the State's Attorney.

(Special to The Daily News)  
Boise, Idaho, May 29.—By the arrest here yesterday of a man named C. H. Duncan, a member of Spokane's Police Lodge, Industrial Workers of the World, and an ardent socialist of the anarchist type, the police believe they have made an important arrest, and developments of a highly sensational character are expected in a few days. When arrested Duncan was wearing a false beard, moustache and eyebrows. In his possession were found a 32-calibre Colt's automatic pistol, an eight inch knife, sharp as a razor, a pair of brass knuckles and a bunch of skeleton keys. Duncan would not talk much. He said he came here to hear the trial now in progress and hoped to obtain work. The first impression he gave the officers was that of a man not over-intelligent who had fallen under the sway of socialism and who thought he had a mission to fulfill in this world of evils. This was dispelled when it was discovered that the man is a graduate of Ann Arbor and is possessed of a great deal more than ordinary ability. The prisoner is being held on a charge of carrying concealed weapons, pending further inquiry.

The police have sent many wires of inquiry but decline to give out any information they have acquired. Socialists here declare the man was a strong candidate for the secretary-treasury of the I. W. W. at the last national convention and denounce Duncan in unmeasured terms.

Wade R. Parks, a correspondent for eastern socialist papers, went to the police and asked that if he, Duncan, be released he be held under bonds to keep the peace, as Parks feared that Duncan would kill him.

Duncan was arrested by the police today, but he would not talk much and was very careful in his answers, and the examination was practically fruitless. Many wild rumors were affixed to the man. One was that he had been discovered a plot to kill Harry Orchard while on the way from the penitentiary to the court house, in which Duncan was implicated. Others were that he was here to blow up the Statehouse office, to kill the governor, Hawley and Borah. None of these allegations has been substantiated. He has no foundation. He is said to be an anonymous letter demanding that Duncan be released at once or serious trouble would follow. They would neither deny nor confirm the report.

## FERNIE CANADIAN CLUB

ITS ESTABLISHMENT RECEIVING FAVORABLE ATTENTION

LOCAL ITALIAN BAND WORTHY OF SUPPORT

Fernie, May 27.—The officers, non-commissioned officers and men of the Kootenay Rifles are giving a smoking concert tomorrow (Tuesday) evening, May 28th, and it is unnecessary to say that the affair will be an unqualified success, judging from past entertainments given by this popular corps. There is some talk of establishing a Canadian club in town, and it is to be hoped the project will meet with unqualified success. While there are now several lodges of the different orders, with a grand total of 100 members, not yet an organization of the above nature. The formation of such a club would undoubtedly be of advantage to the town and would attract a large membership from its inception.

There is one case of smallpox in the isolation hospital here, which is situated some distance from the town. The patient arrived here from a neighboring town, and the nature of the disease being quickly diagnosed he was immediately removed to the post house. Owing to the prompt action of the health officer there is no danger of the spread of the disease.

The Italian band, under the able conductorship of professor Pasta, gave an open air concert on the 24th, when they played a varied selection of classical and popular airs in a most efficient manner. This excellent organization which numbers 20 members, is kept up by the local Italian colony and is a credit to the town and should receive the hearty support of all lovers of music. The town, however, contributes nothing to its maintenance or state of affairs which should soon be remedied.

McDONNELL TO STAY ON  
London, May 29.—The difference between Gordon and Anthony McDonnell, which threatened to end in the retirement of the latter from the post of under secretary to the lord lieutenant of Ireland, were apparently, at least temporarily, soothed over at yesterday's cabinet meeting.

Yesterday Toys and Company put through a sale of 2000 acres of fruit lands on the upper and lower Arrow lakes, the purchase being Grant and Bowers, the well known Winnipeg real estate dealers. The purchasers will cut up the property into ten acre lots for immediate sale.

## BACK TO WORK IN BOONBY

Granby Smelter Blows in Four Furnaces—Ample Supply of Coke.

New Wage Scale Concedes Principal Demands of Men and Anticipates It Will Be Accepted by the Unions.

(Special to The Daily News)  
Grand Forks, May 29.—The delay in starting up the Boonby smelter and smelters, first from coke shortage and then from labor difficulties has been terminated and smoke is again curling from the Granby stacks. On Saturday a new scale of wages was arranged and submitted to a committee of the various unions. The scale was voted on by the Phoenix union on Monday, by Greenwood yesterday and tonight the union here will vote and the result will be given out officially by the unions. The new scale will very largely concede the men's requests.

All underground men at the mines will get a fifty cent raise. Surface men will get 10 per cent increase on present pay. The fact that many of the men have commenced work indicates the probability of the scale being accepted by the working men. About 150 men are now working at the mines.

Yesterday two furnaces were started here and two more today. There is an ample supply of coke on hand and directly a sufficient force of men return to the smelter the rest of the furnaces will be blown in. The immediate outlook is favorable for a steady and large out put from all the Boonby plants.

## TO ASSIST THE SLOCAN

BOARD OF TRADE APPOINT DELEGATION ASKED FOR

G. N. R. PROPOSED TRAIN SERVICE DISCUSSED

(From Tuesday's Daily)  
There was a fairly well attended special meeting of the board of trade in the court house last night. President Starkey was in the chair. Mr. Elliott acted as secretary and two matters were disposed of. The first was the objection to the proposed midnight schedule of the G. N. R. Mr. McPhee made a strong protest against the imposition of the tri-weekly service upon the residents along Slocan lake. In reply to questions Mr. McPhee said the steamer passed up and down the lake every day with a cargo of coal and coal every other day at way points, and in such cases always brought barges with her. The new time table would give a great advantage to all the residents and should be changed back to the old daily service in use for years previously. He referred to several specific instances in which the tri-weekly service caused great inconvenience.

A. W. Dyer told the meeting what he ascertained about the Slocan people's side of the case while going through the district last week on behalf of The Daily News. He gave several instances of the inconveniences and delays suffered by the residents. He gave a specific instance that the C.P.R. received a bonus from the government for running the Rosebery-Nacup line.

There is a second by T. G. Procter, moved that a special committee be nominated to confer with the delegation coming here on Wednesday evening from the Slocan lake district to take up the question of the tri-weekly service. The motion carried unanimously and the president nominated H. Byers, W. W. Bear, and J. G. Procter as the special committee; the president will be an ex-officio member of the committee.

The following letter was read from Leslie H. H. Procter, secretary of the Slocan lake district, to the S. P. and N. railway. The Secretary, Board of Trade, Nelson, B.C.

Dear Sir—I shall not be able to attend the special board of trade meeting on Monday.

I would urge that the question of the proposed alteration in the train service of the Slocan lake district be taken up at the meeting of the board of trade on Monday. This railway is absolutely regarded as the convenience of its passengers. The accommodation at the Mountain station is disgraceful. There is no proper place to wait for the train and on arrival at night passengers have to climb down into the snow or mud without a platform of any kind.

At Salm and Erie, although a large business is done and a considerable tonnage of ore is shipped, there are no agents. This causes great inconvenience in shipping and in ordering cars. The train is usually late, sometimes several hours late, and is a most uncomfortable passenger waiting for the train and no means of knowing when the train may be expected.

There is a heavy loss of time between Nelson and Ymir, Salm, Erie and other points. By this proposed new service this local travel will be made almost impossible. The fact that the train is so late and is so uncomfortable for passengers waiting for the train and no means of knowing when the train may be expected.

about 3 a.m., and wait there until the train happens along. Those like myself, who are obliged to make this journey, will have to put up with this, but you think that the miners and others will come into Nelson to do their business under these conditions?

It seems to me that the proposed schedule will cause a much greater hardship than the tri-weekly service on Slocan lake and will very seriously affect the business of Nelson, which the other will not do. Yours truly, LESLIE H. HILL.

Nelson, May 28, 1907.  
On motion, the meeting promptly agreed to take the matter at once.

The secretary of the 20,000 club read the following letter received from superintendent R. C. Morgan:

"To my personal knowledge, for years the people of Nelson, at least such of them as travel, have wanted night service. The new service will permit a man to take the train in the habit of traveling, and before midnight and reach Spokane at 9:45 the following morning. He can transact his business and return to Nelson the next night, losing but one hour, whereas, a trip from Nelson to Spokane and return practically takes up three business days. If this is not an advantage to the people of Nelson, I am at a loss to know what is."

Arrangements have already been made for putting on a coach on the freight run, which under the new card will be a mixed run to take care of the local travel between Nelson and Ymir, Salm, and Erie. The freight service should be kept up. People coming north would prefer coming from Spokane at night.

Mr. Procter thought that hundreds of tourists would come up to the lakes if there was a night service.

Mr. Douglas said instructions had not been received as to the new schedule. It would not go into force on June 2 as announced.

Mr. Beer protested that unless a day service to Northport was certain he would oppose any change from the present tri-weekly service. He thought that hundreds of tourists would come up to the lakes if there was a night service.

Mr. Douglas said that if business improved a daily accommodation might be added to the service.

Mr. Starkey—If the Great Northern would put in a telephone service between here and Northport, one of the tri-weekly service could be given over. The following resolution was submitted:

"That the benefit accruing to travelers between Nelson and Spokane is best served by the proposed change of passenger service, but that the inconvenience thus caused to all persons living at and doing business with all points between Nelson and Spokane be overlooked, and that this board is disposed to favorably accept the proposed change of service provided that a schedule daily accommodation passenger service be maintained between Nelson and Northport is also furnished, and that such points as Salm, Erie and others, at present not provided with rail-way agents be given telephone communication with the nearest point having a railway depot agent. This board also strongly urges that all stopping points along the railway be provided with suitable passenger shelter."

The president brought up the question of the misrepresentation regarding fruit lands for sale at present being in the east. He gave a specific instance that the misrepresentation injured the real fruit lands of the Kootenays.

Mr. Hammond gave some further details of the misrepresentation being actively circulated in the east to the injury of bona fide holders of good fruit lands. The matter will be taken up at the next meeting of the board of trade.

The resolution regarding the Great Northern's proposed midnight service was then carried and the meeting adjourned.

## FLOORING COLLAPSES

Wilkesbarre, Pa., May 30.—At the laying of a corner stone of St. Mary's Greek Catholic church today, a temporary flooring collapsed, precipitating about 50 persons into the cellar, 12 feet below.

The screams of those in the wreckage and the groans from the injured could be heard for a block away. Leaders were obtained from neighboring factories, and with the aid of the police the injured were removed from their perilous position. Some were able to walk to their homes and others were removed to hospitals in ambulances. The accident, it is said, was due to insufficient bracing beneath the new flooring. Bishop Haban, of Scranton, who went down with the wreckage, was at first reported to be seriously hurt. He was soon rescued by a crowd of men who helped him to safety. He was badly shaken up, but escaped injury.

A case was reported to the police yesterday which demonstrated that the "fool killer" season is not over. About 6 o'clock the evening previous, while there were several small boats on the water, an exceedingly foolish possessor of a rifle, who lives across the lake, commenced shooting at a number of innocent persons as to where the bullets might go. One enraged canoeist who got in line with the rifleman's aim, was nearly shot down. The man proceeded to shoot at the canoeist and was severely injured. The authorities say that a severe sentence awaits the first offender who is caught shooting at innocent persons in court. The "fool killer" should take himself seriously and be in for some other line of recreation.

The increase in net profits over the same period last year is therefore for April \$24,367 and for the ten months ended April 30 there was an increase of \$1,551,244.

## PROSPECT OF CANADA

Clearly Indicated by the Growth of Postoffice and Railway Business.

Carrying Capacity of Great Transportation Lines Tied Beyond Their Powers—Progress of Transcontinental.

(Special to The Daily News)  
Ottawa, May 30.—That Canada is growing in commercial directions can be clearly shown by figures. Two of the great departments of the government, viz., the postoffice and the railway department, reflect the condition of things in the country with a very high degree of accuracy. The necessity of establishing new postoffices, the fact that correspondence is on the increase, the additional evidence that the revenue of the postoffice is ever on the increase, all lead to the same conclusion.

The demand for new railroad lines, the fact that traffic more than keeps pace with the additional accommodation provided, and that year by year more passengers travel and more freight is handled supply the justification for saying that Canada's commercial growth is astounding. While there is proportionate increase in all departments, the two selected are more nearly in touch with the life of the people than any other, and are therefore selected as examples of the expanding character of Canadian economic affairs.

There were 10,460 postoffices in 1902; 1904, 10,460; 1905, 10,473; 1906, 11,141. Money orders issued in 1902, \$2,888,202; 1904, \$2,621,811; 1905, \$2,348,475; 1906, \$7,355,672. Post cards sent, 1902, 25,546,000; 1904, 27,173,000; 1905, 29,940,000; 1906, 33,674,000. Letters sent, 1902, 225,791,000; 1904, 238,190,000; 1905, 285,541,000; 1906, 323,944,000. Total revenue, 1902, \$5,833,104; 1904, \$5,966,420; 1905, \$6,282,000; 1906, \$7,708,142. Total expenditure, 1902, \$5,300,508; 1904, \$6,001,026; 1905, \$6,256,265; 1906, \$6,806,377.

These figures show the steady growth of the country. The population in 1902 was 5,500,000. Since that date the postoffice has increased \$47,471. Post cards increased 7,028,000. Letters have increased 8,533,000. Revenue has increased \$2,848,968. This increase has been continuous and consistent until the very satisfactory figures quoted above have been reached.

In 1903 there were 18,888 miles of steam railroad in operation; 1904, 19,431; 1905, 20,187; 1906, 21,333. Passengers carried, 1902, 2,183,742; 1904, 2,254,787; 1905, 2,588,723; 1906, 2,788,723. Freight carried, 1902, 47,373,437 tons; 1904, 48,095,519; 1905, 53,538,567; 1906, 57,966,173. Gross earnings, 1902, \$9,064,187; 1904, \$10,919,495; 1905, \$10,671,195; 1906, \$12,522,345.

Since 1903 there have been added 2365 miles to the operating mileage of Canadian roads and the gross receipts in the period have grown from \$9,064,187 to \$12,522,345, an increase of \$3,458,158.

During 1906 the railroads carried 10,563,265 tons more freight than they did in 1903. The carrying capacity of the great transportation lines being taxed beyond their powers. Even at this very hour there is a demand for better methods of moving the commerce of the country from the interior to the seaboard, all of which goes to prove that Canada has not yet reached the summit of the great wave of prosperity which arrived coincident with the assumption of office by the liberal government.

The returns of April show that Canada's total trade for the month has increased \$1,551,244 over the same month last year. The figures are \$3,773,170. The imports over the same month last year increased \$4,532,225 showing the greater purchasing power of the dominion. The duty collected during the month of April was \$4,220,018, an increase for the month over the same period of last year of \$10,157.

Great progress is being made with the construction of the national transcontinental line. Round house and shops are now under way at Portage la Prairie. About 30 men are employed in excavating, grading and securing material for the work. An emergency repair shop of large dimensions, built of brick and stone will be completed this summer. The contractors expect to start work shortly on the section between Portage and Winnipeg. It is confidently expected that before the snow falls again grading will be completed between these two points.

The increase in net profits over the same period last year is therefore for April \$24,367 and for the ten months ended April 30 there was an increase of \$1,551,244.

Montreal, May 29.—The C.P.R.'s gross earnings for April were \$6,491,561, with working expenses of \$4,024,635, leaving net profits of \$2,466,926.

In April, 1906, the net profits were \$2,242,559. For the ten months ended April 30, 1907, the figures are as follows: Gross earnings, \$58,462,880; working expenses, \$38,098,836; net profits, \$20,364,044.

For the ten months ended April 30, 1906, there was a net profit of \$18,847,800.

The increase in net profits over the same period last year is therefore for April \$24,367 and for the ten months ended April 30 there was an increase of \$1,551,244.

## MONEY FOR EXPANSION

Lindsey Returning to Fernie with a Million and a Quarter to Spend.

Output to Be Largely Increased and Big Addition to Pay Roll Will Follow—Five Hundred Skilled Miners Wanted.

Winnipeg, May 30.—G. G. S. Lindsey, of Toronto, managing director and general manager of the Crow's Nest Pass Coal company, west today to the mines at Fernie. "I am on the way back to the mines with the object of carrying out the wishes of the directors of the mine in expanding and developing the property of the company," he said. "My directors in Toronto have just given me an additional million and a quarter for the purpose of doing this work and the development will be begun as soon as the necessary arrangements can be made."

"Then you will need a larger number of men, if the product of the mine is to be greatly increased," suggested the reporter.

"We will need about 500 additional men," secured Lindsey from this city about 60 men for work, outside work. What we now require is a large force of trained miners."

## SANDON HAS GRIEVANCE

NO MAIL FROM EAST OR COAST SINCE MAY 24

DELEGATION TO ATTEND CONFERENCE WITH C.P.R. OFFICIALS

(Special to The Daily News)  
Sandon, May 29.—The largest meeting held for years of mine owners, miners and business men has taken place at city hall Monday night to protest against the mail service which Sandon is at present receiving. No mail has been received here from the coast or the east since Friday, the 24th. No newspaper has arrived here since the same date. A very strong feeling exists against the Canadian Pacific railway for the action they have taken in cutting down the train service to three trains a week at this season of the year.

O. V. White, S. J. Towgood and L. Pratt were appointed delegates to the meeting and leave today for Nelson to attend the meeting which will take up the matter with the railway officials.

## LAND NOTICE

NOTICE is hereby given that 30 days after date we 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: Commencing at a post named Verde mineral claim, and marked 'corner post No. 1, thence 1-4 mile to the northeast corner post; thence one mile to the southwest corner post, and thence one mile to the southeast corner, or place of commencement, containing 100 acres, more or less.

MARTHA DAVIS, CHAS. E. WILSON, WM. CONNOLLY, Agent.

## TIMBER NOTICE

NOTICE is hereby given that 30 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for special license to cut and carry away timber from the following described lands in West Kootenay district: Commencing 200 chains east of a post named 'Verde mineral claim, and marked 'corner post No. 1, thence 1-4 mile to the northeast corner post; thence one mile to the southwest corner post, and thence one mile to the southeast corner, or place of commencement, containing 100 acres, more or less.

Dated April 29, 1907.

I. S. SCHERMEHORN, GEORGE HUCROFT, Agent.

## NOTICE

NOTICE is hereby given that the Canadian Pacific Railway Company, as lessee of the British Columbia Southern railway, has this day deposited in the District Land Registry office at Nelson, in the Province of British Columbia, a plan, profile and book of reference showing the proposed spur to the Canada Zinc Company works situated on the shore of the west arm of Kootenay lake, near the City of Nelson, in the Province of British Columbia, and that 30 days after the date hereof the said Canadian Pacific Railway Company intends to apply to the Board of Railway Commissioners for Canada for approval of the said spur, in accordance with the provisions of Section 175, of the Railway Act, 1882.

Dated at Vancouver, this 18th day of April, 1907.

R. MARFOL, General Executive Assistant.

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 10th day of April, A.D. 1907. ARCHIE MAINWARING-JOHNSON, Solicitor for the Company, Nelson, B.C.

## EMMERSON TESTIFIES

Opening of Criminal Libel Suit Against the Gleaner at Fredericton.

Ex-Minister of Railways Tells of Incident at St. Lawrence Hall, Montreal, Upon Which Alleged Libel Was Based.

(Special to The Daily News)  
Ottawa, May 30.—Emmerson gave evidence in his own case at Fredericton today. He told of an incident which took place at the St. Lawrence Hall at 7:30 in the evening to look for Peters, a friend. Emmerson, while in the hall, noticed the name of the wife of a constituent and her friend. He went to their room, and not having had supper, invited them out to a restaurant with him. They had the supper together at the Oxford restaurant, and he afterwards returned to the hotel with them. Their room was in the front of the hotel. His was in the extreme rear. After bidding them good bye he returned to his room and smoked a short time and then went to bed. He did not know how long he had been asleep before he heard a knock on the door, and, opening it, found the ladies there. He first dressed himself, and then admitted them. One was very much agitated, and stated that they had been insulted by a porter, and were bound to leave the hotel. He tried to quiet her, but did not meet with much success. Her lady friend, whom he had known since girlhood, was not anxious to leave at that hour. He inquired into the trouble and learned from the porter that there was no occasion for the ladies to leave. The porters partly apologized for the conduct of the other porter. He drove the ladies to another hotel, as they would not remain at the hotel where they had been taken. He went to Ottawa with Lemieux and attended a cabinet meeting in the afternoon.

Emmerson said one of the ladies was a friend he had known since childhood. She was a woman of irreproachable character and moved in good society. The other lady he had known since he was at Moncton with her friend. He had no idea that the libel referred to these women being of ill-repute. He was never in the St. Lawrence Hall, and never in his life. Mr. Allen, of Montreal, whose father was a friend of the family, and Mrs. Bethune, of Lewis, were the two women who were referred to at the St. Lawrence Hall, and who he removed to the Albion hotel. Mrs. Allen's husband was a friend of his.

A collection is now being made towards the working expenses of the 20,000 club, so far with gratifying results. A meeting was held on Wednesday evening, May 23rd, at which a program was considered that, if carried out, must result in considerable benefit to the city and district. The success of the collection depends entirely upon the response of the public to the appeal for funds.

Probably the most important sale of fruit lands ever made in this city finally closed out last night, the incident being a champagne dinner at the Strathcona.

The property disposed of is Dr. Bau's well-known Cold Springs ranch on the west arm of Kootenay lake, which has been owned by Dr. Bau for many years. The deal is said to have been brought about by several parties, but Mr. Gordon, an Englishman at Portage la Prairie, was the one who played an important part. The chasers of the property are understood to be Arthur B. Francis and R. S. Francis, two Englishmen, who reside in Portage la Prairie. The deal was played on a very large scale, and the property is understood to be worth \$100,000. The deal was played on a very large scale, and the property is understood to be worth \$100,000.

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