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Erb Injunction Continued In Shipbuilding Dispute

Control Left in Hands of New York Man Until Case Comes To Trial in Supreme Court in Near Future.

(Special to the Daily News via Government Telegraphs.)
VANCOUVER, January 27.—The chambers application for an injunction restraining W. E. Williams, A. M. Manson, Miss Ethel Thompson, J. R. Morgan, Col. S. P. McMordie, E. C. Gibbons, F. F. Schellenberg, and J. L. Mullen from acting as directors of the Prince Rupert Drydock & Engineering Co., Ltd., and giving the temporary control in the hands of Newman Erb of New York, who claims to control 51 per cent of the stock in concern, concluded yesterday and the injunction was ordered continued until the case can come to trial. The application was heard by Mr. Justice Murphy.

Mr. Manson left last night for Prince Rupert and should arrive there Wednesday morning. Newman Erb has brought suit against the directors of the company to recover control and this will be tried in the Supreme Court in the near future.

At the conclusion of the argument S. Alexander, counsel for the Grand Trunk Pacific, announced that the minister of railways and canals at Ottawa had instructed him to support the claim of Mr. Erb. His Lordship's decision came at the end of a five-day hearing, in which E. P. Davis, K. C., counsel for the New York railway magnate, and E. C. Mayers, counsel for Mullen and Manson, filed hundreds of documents, and argued for a day and a half, and in which Alex. M. Manson had an interesting duel of wits with E. P. Davis as the latter cross-examined him on his affidavits.

His Lordship decided that the controversy between the parties was so involved that it could not be decided on the present interlocutory proceedings. The original board controlled by Erb, but in which Mullen and Manson were members, he said, had certainly acted as such with the full knowledge of both sides of the present dispute and had in fact done the whole business of the company for many months. Apparently doubt had arisen among some of the parties, continued his Lordship, as to whether the board was legally constituted or not. Tribunals existed in this country for the determination of such questions, but two people, each holding one share in the company, merely for the convenience of the corporation, had taken it upon themselves to decide that the original board was not legal. His Lordship held that the two shareholders were not justified in determining this serious legal question, at least without notice to the others who appeared to have strong legal grounds for notice of any meeting that was to be held.

"That makes the case for continuing the injunction to the trial where the whole question of the legality of the respective boards can be determined," the judge added.

Mathias Erzberger Fired at; Wilhelmstrasse Barricaded at Berlin Monday by Noske

(Special to The News via G. T. P. Telegraphs.)
BERLIN, January 27.—The Wilhelmstrasse is barricaded and under guard of numerous troops, a patrol of eighteen armored automobiles and half a dozen huge motor trucks loaded with armed troops. They took up their position in front of the Government Buildings and shut off all traffic from the thoroughfare. The precautions were taken by Minister of Defense Noske, stimulated by an assault that was made on Mathias Erzberger and by rumors that the monarchists would attempt an insurrection on the eve of the former Emperor's birth day, which occurred today.

The attack was to be primarily directed against the independent Socialists and radicals. Mathias Erzberger, minister of finance, was wounded by a shot fired at him yesterday as he was leaving the criminal courts building. He was slightly wounded in the shoulder.

DOCTOR GETS CLAIM

It was decided at last night's council meeting to grant Dr. McNeill his claim of damages against the city for damage sustained to his car when it went over the side of Sixth Ave. near the skating rink due to a loose guard rail. The city engineer reported in favor of the doctor's claim and the motion granting it was made by Alderman Perry and seconded by Alderman Kerr.

ICY WEATHER IN OUTSIDE WATERS

Two boats were in for this morning's fish sale, the "Tom and Al" and the "Convention." The former sold 65,000 pounds to the Cold Storage for 14.5c and 9.7c, while the latter disposed of 20,000 pounds to the Royal Fisheries at 14.7c and 10c. The Panama was in with 55,000 pounds but anticipating low prices cleared for Seattle early this morning.

The "Tom and Al" presented quite a picture with her rigging and winches frozen fast with a thick coating of ice telling of the cold weather prevailing on the banks and the wintry passage south. The "Senator" left at 10 o'clock for the banks.

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FISTIC FIGHT BY PLAYERS IN HOCKEY MATCH

Vancouver and Victoria Teams Drop Sticks and Mix It Amid Intense Excitement.

(Special via G. T. P. Telegraphs.)
VANCOUVER, Jan. 27.—Battling under tension shared by 6,000 spectators, the opposing players of the Vancouver and Victoria hockey teams dropped their sticks when there was but one minute to go and staged a brief but highly interesting fistic combat. It was a wild game and was won by Vancouver with a score of 7 to 5. Eddie Oatman of the Viscounts had the distinction of being assessed \$25 for smacking the referee on the nose. When 19 minutes of the third period had elapsed Dunderdale and Jack Adams, in their efforts to gain possession of the puck ran foul of each other and knocked down the referee, who replied with a blow on the jaw. This was a signal for a general mixup.

CITY OFFICIALS GRANTED RAISE

The applications of W. R. Martin, H. Smith, George Munro and six others for higher pay was decided on by the City Council last night. A report from the Board of Works recommending \$155 a month for Sanitary Inspector Martin, an increase from \$121 to \$132 for Cemetery Caretaker Smith, and a minimum of 65c an hour for outside workers was adopted on motion of Alderman Casey and Murray.

A building permit has been granted to H. C. Peyton for a \$2,200 one-storey frame dwelling on Graham Ave., Section 2.

B. C. Undertakers. Phone 41.

I. W. W. Attorney Claims That Centralia Men Fired in Self Defense; No Change in Venue

(Special to The News via G. T. P. Telegraphs.)
MONTESANO, Wash., January 27.—An attempt by George F. Vanderveer, counsel for 11 alleged I. W. W. members accused of murdering American Legion members on Armistice Day at Centralia, Washington, to introduce newspaper articles and editorials as a basis for a change of venue met defeat when the trial began yesterday before Superior Judge M. Wilson of Olympia.

Attorney Vanderveer said he would prove to the court that the I. W. W. attacked the legionnaires in defense only. "This won't be disputed when the trial is over," he said. "We'll prove it by presentation of witnesses."

Change of Venue Refused Winnipeg Strike Leaders

(Special to The News via G. T. P. Telegraphs.)
WINNIPEG, January 27.—A change of venue for the trial of the strike leaders was refused by Mr. Justice McCalfe at last evening's session of the Assize Court.

The motion had been introduced by John Queen, one of the accused, on the ground that the minds of the people of the Eastern Judicial District of Manitoba have been and are influenced and prejudiced against the accused men and that the crown counsel had prosecuted inquiries among prospective jurors to the prejudice of a fair trial.

A verdict finding that there was no misconduct on the part of the sheriff or deputy sheriff in the preparation or giving out of the jury panel was found at the afternoon session of the trial yesterday.

GOMPERS WAS TURNED DOWN BY OWN UNION

Defeated in Election for Delegate to Cigar Makers' Con- vention.

(Special via G. T. P. Telegraphs.)
NEW YORK, Jan. 27.—Samuel Gompers, president of the American Federation of Labor, was defeated in the election for delegates to the Cigar Makers' International Union's convention held by local 144, the organization to which he has belonged for more than forty years.

Gompers was a cigar maker until 1882 when he became president of the American Federation of Labor and is first vice-president of the Cigar Makers' International Union.

PILOTAGE IS NOW ADJUSTED

Salary of \$325 a Month to be Paid by Marine De- partment.

(Special via G. T. P. Telegraphs.)
VICTORIA, Jan. 27.—After the severance of negotiations between Capt. George E. Robertson, superintendent of pilotage for British Columbia, and the B. C. pilots, the grievances of the latter have been adjusted and the pilots are now working under the new pilotage regulations, which became effective at the beginning of the year. The pilots have been guaranteed a fixed salary of \$325 a month. Capt. Robertson, accompanied by Alexander Boyle, chief accountant for the Marine Department, left for Ottawa.

OFFER REWARD FOR FORMER COLLECTOR

Is Charged in Connection With Alleged Theft of Govern- ment Money.

VANCOUVER, Jan. 27.—The Provincial Government is offering a reward of \$1,000 for information leading to the apprehension of J. G. Cook, former collector of license fees here, who is charged in connection with an alleged theft of Government funds.

Engine Plowed Way Through Three Cars

Neither Engineer nor Fireman saw Section of Train in Front until Within 20 Yards; Travelling at High Speed.

(Special to The News via G. T. P. Telegraphs.)
NORTH BAY, Ont., January 27.—Individual railwaymen assert that there may be more bodies still buried under wreckage of the Winnipeg train Number 1, the second section of which telescoped the first section at a curve about one and a half miles east of Corbeil, eight miles from North Bay. The total of eight dead officially announced included two bodies recovered from the wreckage.

Wonder is expressed now that the damage to the second section was not greater. The second section, travelling between 35 and 40 miles an hour, crashed into the first section and the huge engine plowed her way through three cars practically, before the emergency brakes brought her to a standstill. Then she toppled over. The observation car crumpled almost to match-wood and the sleeper nearest was thrown to the right side of the track.

How the fireman and engineer escaped was one of the miracles of the tragedy. The fireman was seeing to his fires as the crash came. The noise of his shovel probably had something to do with his failure to hear the crash. The huge boiler of his engine prevented the engineer from seeing the first section until he was within 20 yards. Neither engineer nor fireman had time to jump.

SEAL COVE MILL WANTS MORE POWER

Proposed to Take Drydock Power Over City Transmission Lines.

A special meeting of the Council of the Board of Trade was held last night when E. F. Duby, of the Emerson Lumber Co., was heard. Mr. Duby desires to obtain further power for the use of Seal Cove sawmill which will amount to 350 horse power. Obtaining more power for the mill presents difficulties as the city plant is now taxed to capacity and cannot supply more power under present conditions, it is said. Mr. Duby's solution of the question is to get power from the drydock and transmit it over city lines. A delegation was appointed from the Board of Trade to meet the City Council on the matter.

ALICE ARM STILL TIED UP BY COLD

Chelohsin Was Unable to Force Her Way Through Ice Yester- day Afternoon.

Alice Arm is still frozen in and the "Chelohsin," which arrived at 10:30 this morning from Anyox, reports that after several attempts to get in the vessel had to turn back and return here. The last boat for the outside from Alice Arm was the local gasoline boat "Wake" which made the trip to Anyox last Tuesday.

The last time that the Arm has been tied up for such a time was the winter of 1916.

ARTHUR HENDERSON ON IRISH QUESTION

(Special via G. T. P. Telegraphs.)
LONDON, January 27.—Arthur Henderson, labor leader, declares that a speedy solution of the Irish question on constitutional lines is the only way to avoid danger.

CITY WILL HOLD CLAIM

On the recommendation of the Board of Works of the City Council a letter is to be written to J. R. Morgan, Ltd., stating that the city does not intend to relinquish any claims it may have of foreshore in the vicinity of Cow Bay. This will be in answer to the communication received from the company in the matter of obtaining a site for a lath mill on the foreshore.

DROWNED WHEN CROSSING OVER LAGOON ON ICE

John B. Hagen of Gas Boat Giffen Lost Life on Saturday Afternoon.

The drowning of a Norwegian fisherman named John B. Hagen was reported at the Provincial police office this morning by his partner, Andrew Garton. The drowning occurred on Pitt Island on Saturday afternoon last when the deceased fell through the ice of a lagoon which he had attempted to cross instead of walking around.

Garton and Hagen, who jointly owned the salmon fishing boat Giffen, were tied up at Union Pass to the south of Pitt Island. They went ashore on Saturday afternoon to take a walk, about 4:30, but before returning the two men separated, Garton proceeding at once to the beach. After a while he began to wonder what was delaying Hagen, so a search was instituted. He was easily traced as the ice of the lagoon had broken through under his feet from the shore and had gone to pieces when it got deeper till there was a large hole where the unfortunate man had drowned. His action in continuing with the ice breaking under him seems very strange.

Hagen was 33 years old and came from Regina, Sask. His body has not yet been recovered. The drowning was reported to the police by Andrew Garton.

B. C. STUDENT DIES AT OXFORD

Lieut. E. W. Berry, Graduate of B. C. University, Succumbs to Heart Failure.

(Special by G. T. P. Telegraphs.)
VANCOUVER, Jan. 27.—Word has been received of the death at Oxford University in England of Lieut. Edward Weldon Berry, a graduate in arts of the University of B. C. and Rhodes scholar from this province.

Berry succumbed to heart failure as the result of shell shock. He was a son of Mr. and Mrs. John W. Berry of Langley Prairie, and was 26 years of age.

Trades and Labor Council meets tonight.