

SMALL DEBTS ACT.

Full Text of Mr. Justice Walkem's Decision as to Its Constitutionality.

The Extensive Powers of the Lieutenant-Governor of the Province Defined.

Yesterday Mr. Justice Walkem handed down his written reasons for concurring in the verbal judgment given by the Full Court some weeks ago, upholding the constitutionality of the Small Debts Act. The decision is a highly important one, defining, as it does, some of the extensive powers possessed by the provinces.

The full text of the judgment is as follows:

"The Small Debts Act 1885," appears to me to be constitutional. Opinions to the contrary are based on the notion which, for some years, prevailed, even in very high legal quarters, that the B. N. A. Act, in effect, transferred all the prerogatives of the crown which, before its passage, were vested in the governors of the several provinces which now constitute the Dominion, to the governor general, as the head of the newly created central government, and as sole representative in the Dominion of the Sovereign—the Lieutenant-Governor of the Province—being regarded as mere ministerial heads of their respective governments and as appointees of the governor general, and not of the Queen. The provinces, it was contended, occupied a position subordinate to the central authority and analogous to that of a municipality; and such in effect is the contention now. The best answer to all this is to be found in the following passages from Lord Watson's judgment in the case of the Liquidators of the Maritime Bank of Canada v. Receiver General of New Brunswick (1892) A.C. 437: "Their lordships do not think it necessary to examine in minute detail the provisions of the act of 1867, which nowhere profess to curtail in any respect the rights and privileges of the crown, or to disturb the relations then subsisting between the Sovereign and the provinces. The object of the act was neither to weld the provinces into one, nor to subordinate provincial governments to a central authority, but to create a federal government—in which they should all be represented—entrusted with the exclusive administration of affairs in which they had a common interest, each province retaining its independence and autonomy. That object was accomplished by distributing, between the Dominion and the Provinces, all the powers, executive and legislative, and all public property and property rights which had previously belonged to the provinces; so that the Dominion government should be vested with such of those powers, property and revenues as are necessary for the performance of its constitutional functions, and the remainder should be retained by the provinces for the purposes of provincial government. But in so far as regards those matters which by section 92 are specially reserved for provincial legislation, the Dominion government continues to be free from the control of the Dominion, and as supreme as it was before the passing of the act.

"It is clear, therefore, that the provincial legislature does not occupy the subordinate position which is ascribed to it in the argument of the appellants. It derives no authority from the government of Canada, and its status is in no way analogous to that of a municipal institution, which is an authority constituted for purposes of local administration. It possesses powers, not of administration merely, but of legislation, in the strictest sense of that word; and, within the limits assigned by section 92 of the act of 1867, these powers are exclusive and supreme."

Further on, the same eminent Judge makes the following observations with respect to the status of a Lieutenant-Governor: "By section 58 of the act of 1867, the appointment of provincial governor is made by the Governor-General in Council, and the instrument appointing the Governor-General, or, in other words, by the executive government of the Dominion, which is, by section 9, expressly declared to continue and be vested in the Queen. There is no constitutional anomaly in the executive officer of the crown receiving his appointment at the hands of a governing body who have no powers and no functions except as representatives of the crown. The act of the Governor-General and his council in making the appointment is, within the meaning of the statute, the act of the crown; and a lieutenant-governor, when appointed, is as much a representative of Her Majesty for all purposes of provincial government as the governor-general is for all purposes of Dominion government."

From this clear and forcible exposition of the statute, the inference is irresistible that in respect of matters assigned to the province by section 92, amongst which is "the administration of justice, including the constitution, maintenance and organization of Provincial courts of civil and criminal jurisdiction," the provincial legislature has a jurisdiction as plenary as that of the Imperial Parliament (Hodge v. The Queen, 9 App. Cas. 117), and the Lieutenant-Governor, as representative of the Sovereign for the purposes of provincial government, has, and may exercise, all requisite prerogatives of the crown.

Where, therefore, the legislature constitutes a court, whether of superior or inferior jurisdiction, the power to appoint the judge rests, exclusively, if section 96 does not interfere with it, with the Lieutenant-Governor. Moreover, the appointment being one of the incidents of the administration of justice, and of the constitution of a court, the same would be the result in view of the maxim that "whenever a power is given by a statute," as, for instance, in section 92, to constitute courts, "everything necessary to the making of it effectual is given by implication." (Potter v. Dwar, on statutes, 123.)

Section 96 is as follows: "The Governor-General shall appoint the judges of the Superior, District and County courts in each province, except those of the Courts of Probate of Nova Scotia and New Brunswick."

The section, obviously, has the effect of divesting the Lieutenant-Governor of

the appointing powers specified, and vesting them in the Governor-General. It must, therefore, be construed strictly, in accordance with the rule with respect to statutes, that the crown is not deprived of any of its prerogatives except by explicit or unambiguous language; and where the language of the statute is general, and its wide and natural sense would divest or take away any prerogative or right from the crown, it is construed so as to exclude that effect." (Max. on statutes, 3rd ed., p. 101).

The Small Debts court is not one of the courts mentioned in the section, either in name or nature. It is not a Superior court; nor is it a District court; for that court, within the meaning of the section, is a court peculiar to the province of Quebec; nor is it a County court, as that court is constituted here, or in Ontario. Its jurisdiction is limited to claims for debt, not exceeding \$100; and although it may trench upon the jurisdiction of the county court, that is no reason, to my mind, for condemning the act which creates it. It is, certainly, no reason for holding, that section 96 deprives the Lieutenant-Governor of the power to appoint the judge of it. Where the specific language to that effect, or, indeed, any language, to use Maxwell's words, which, "makes the inference irresistible" that the Imperial legislature intended to extend the operation of the section to all courts other than those specified in the section? The section must be restricted to its proper limits; and, in my opinion, the courts it refers to are of a high class, as appears by sections 97 to 101; for the judges are to be selected from the bar and paid, and, when necessary, pensioned, by the Dominion. The Small Debts court is, admittedly, not of that class. The dividing line between courts of the class referred to and those of lower degree, must depend on the circumstances of each case, and be determined by the legislature; and that that body may act wisely, or exceed its powers, as was suggested, by increasing the jurisdiction of the court so as to make it, in effect, a Superior, or County court, is not to be assumed. (See the observations, on this point, of the Privy Council in the case of Toronto v. Lamb, 12 App. Cas. 575.)

All that section 96 does is to curtail or abridge the Lieutenant-Governor's prerogative to the extent I have mentioned. It does not divest him of the power to appoint judges to the Superior and County courts or to courts of that high class, and vest it in the Governor-General. The section, moreover, would, obviously, have been superfluous if the Governor-General had vested in the Governor-General as an incident of his office.

The act in question directly assigns the jurisdiction of the Small Debts court to the Lieutenant-Governor, and officers appointed to preside over the respective criminal courts by the Lieutenant-Governor. The increase of jurisdiction manifestly involves, in an indirect way, the power of appointment to the extent that increases, hence the question as to the constitutionality of the act. The Lieutenant-Governor's power to appoint the officers mentioned as well as justices of the peace has never been questioned here, and in some of the other provinces it has been held to be undeniable, as being incident to the administration of justice—a matter, as I have observed, assigned by section 92 to the exclusive control of the province.

It is well settled that the legislature may, either in respect of a particular matter or area, increase, curtail, or even extinguish the jurisdiction of any provincial court. Consequently, may impose additional duties of a judicial character on any of the judges of the province, including those of the Supreme court, as, indeed, practically does in nearly every instance in which it sanctions any new statute, or amends an old one. The objection, therefore, that there be giving the magistrates mentioned in the civil jurisdiction created by the new act? A question of debt of \$100, or less, seems to me to be of far less importance than many of the criminal matters that often come before them.

The magistrates' courts, certainly, do not become Superior courts, or courts of the high class referred to in section 96, merely because of the additional civil jurisdiction given to them. Hence, from the constitutional point of view, the act is unobjectionable.

(Sd.) "GEO. A. WALKER, J."

ELECTION CONTESTATIONS.

MONTREAL, Dec. 23.—Judgment was rendered at Three Rivers by Justice Casault and Judge Bourgeois, dismissing the petition against Mr. Caron's election. Judgment was also rendered dismissing the election petition against Mr. Legris, member of parliament for Maskinonge. Both members were confirmed in their seats.

BARRIE, Dec. 23.—The East Simcoe election trial was concluded this morning, the judges declaring the election void on account of corrupt practices on the part of Bennett's agents. Each side pays its own costs.

WINNIPEG, Dec. 23.—The Supreme court gave its decision to-day dismissing the Marquette election protest and confirming Roche, Conservative, in his seat. The Macdonald appeal was dismissed, and the charge against Boyd will be proceeded with.

M'LEOD HIMSELF AGAIN.

The many friends, both here and in Nanaimo, of Dan S. McLeod, champion wrestler of this province and of California, and the coming champion of the world, will learn with pleasure that his injuries in the recent match with "The Giant Gripper" are much less serious than at first reported. In fact, he has so quickly recovered his health and strength that a Chicago dispatch of yesterday announces "if arrangements can be perfected he will attempt a unique feat here late in January, and will be divided share and share alike between the five men if he fails to accomplish the task. This has never before been attempted in this part of the country. McLeod has almost disappeared of a match with 'Farm' Burns."

If you once try Carter's Little Liver Pills or sick headache, biliousness or constipation, you will never be without them. They are purely vegetable, small and easy to take, don't forget this.

THE MERCHANT MARINE.

High Tides Threaten Damage to Freight on the Wharves—The "Oak Branch's" Experience.

Modern Freighters of the O. R. & N.'s Australian Line—The Damage to the "Wild Swan."

Owing to high tides looked for to-day, to-morrow and Saturday, the C. P. N. Company and other transportation companies doing business here have notified their customers that goods must be removed promptly to avoid damage, otherwise the companies will not accept responsibility for damages occasioned by the excessive high water. Yesterday saw an unusually high water in or near Victoria, but to-night and to-morrow a rise of five feet above normal high water is looked for, and business men having consignments of damageable goods on wharves will do well to heed the reminder of the transportation companies.

PORTLAND-AUSTRALIAN LINERS. Mr. F. C. Davidge, general agent of the O. R. & N. steamship line, arrived from Portland yesterday, and reports that the big steamer Aswanley, which is to be the pioneer of the Portland-Australian line, reached that port on Sunday noon. The steamer is of the modern type of cargo steamers, which are fast and reliable, and the sailing vessels to the rear, and while she can carry an immense cargo with a very light coal consumption, she also shows very good speed for a freighter. The vessel is on a "round-the-world" voyage, having sailed from Tyne, England, on the 18th of July in ballast for New York. Mr. Davidge expects the Monmouthshire, of the O. R. & N. line this evening, to spend Christmas in port. As previously stated the steamer will have a very heavy cargo from Victoria, the bulk of it being lime.

REPAIRING IN MID-OCEAN. The British turbot whaleback steamer Oak Branch, which excited interest in New York harbor because of her peculiar construction, had a remarkable experience recently on a voyage from Shanghai to Sydney in water ballast. It appears that the steamer lost her propeller and shaft in mid-ocean, and lay helpless in not the best of weather. The job required eight days, during which the weather was bad and the sharks were. The steamer proceeded on her voyage, arriving safely at Sydney.

THE "WILD SWAN'S" INJURIES.

H.M.S. Wild Swan, which struck a rock in Callao harbor some months ago, is now in the dock receiving repairs. She has been on the blocks since the 8th inst., and will not be floated until Saturday next. About twenty feet of the foremast end of the bilge keel of the ship was broken away or damaged through her accident, and a large number of inner timbers were touched. Apart from this the ship sustained no other injury.

THE LOWEST CHARTER.

The British bark Midas was chartered last week by the port of Victoria, and paid for a grain ship in that port. There is not very much money in carrying grain 16,000 miles for 20 shillings per ton, but it is probable that quite a number of disengaged vessels on the coast would take that in preference to laying up.

THE SUGAR INDUSTRY.

Within the past ten or fifteen years sugar has become so much cheaper and better that it will surprise many to hear that the planters in the British West India Islands, in Guiana and British Honduras, are doing heavily every year, and that if some remedies are not adopted they will in a short time be ruined. They have appealed to the Home Government, and an Imperial Commission has been appointed "to proceed to the West India Islands, to inquire into the conditions of the sugar industry, with a view to ascertaining whether any effective measures can be devised for its development and relief."

Among the causes given for the losses of the planters is the immense increase in the production of beet-root sugar and the great cost of production of the West India article. The beet-root sugar industry in France, Germany and Austria is fostered by a bounty, and foreign competition in the home markets is shut out by heavy duties.

The only part of the British Empire where the raising of cane sugar pays is, according to the London Times, Queensland, Australia, the reason given being that the planters have small plantations and large central mills. It is said that on the small plantations the labor does not cost nearly so much as on the large ones. The Times says:

"In evidence given before the commission held in British Guiana, it was stated that a ton of sugar cost almost £14 to produce, and that one-half the cost—that is £7—might be put down to labor. It has also been estimated that a well-equipped estate in British Guiana, producing about 3,000 tons of sugar, will employ about 1,500 laborers, besides mechanics and a management staff. Under the new system of organization in Queensland an estate of similar capacity will employ about 212 whites, including mechanics, and 420 colored laborers, giving a total of 632 hands. Throughout the plantations it has been found that the system of small proprietors has had for one of its effects the general reduction of the labor bill by one-half."

"To assume that the conditions are exactly similar and that any exact parallel can be drawn would be unjust, and the conditions have been more fully required into. The argument indicates only possibilities which may exist, and may, for causes unknown to us, have been overlooked. The labor of the commission will result in the revival of the sugar industry, as sugar forms about 90 per cent. of the total export of the British West India Islands, Guiana and Honduras."

THE RETAIL MARKETS.

Holiday trade this week is filling up with business, the streets with animals, and, last, but not least, before this year. The Christmas turkey and goose are everywhere in evidence, for in addition to the poultry have consignments of those eating a desired plentifulness and still more desirable cheapness. Most of the consignments arrived in fairly good condition, but there were exceptions, and these went "dirt cheap." The retail quotations for the week are as follows:

Flour—Ogilvie's (Hungarian) per 50 lb.	\$5.50
Lake of the Woods (Hungarian) "	5.50
Victoria XXX "	5.00
Lion "	5.50
Portland roller "	5.75
Salem "	5.75
Rainier "	5.75
Snowflake "	5.75
Premier "	5.50
Three Star "	5.50
Superfine "	4.75
Hungarian (Armstrong) "	5.50
XXX "	5.25
Strong Bakers "	5.00
Graham, per 10 lbs. "	40.00
Wheat, per ton. "	35.00@40.00
Buckwheat, per 10 lbs. "	25.00@30.00
Oats, per ton. "	25.00@30.00
Barley, per ton. "	30.00@32.00
Feed, per ton. "	25.00@30.00
Brn, per ton. "	15.00@20.00
Ground feed, per ton. "	25.00
California per ton. "	25.00@30.00
" cracked, per ton. "	30.00@35.00
Rolls, per 10 lbs. "	40.00
Potatoes, per lb. "	1 1/2
" sweet, per lb. "	4
Cabbages, per lb. "	15.00
Hay, baled, per lb. "	50@75
Straw, per bale. "	25
Turnips, per lb. "	15
Cheese, per lb. "	50@55
Eggs, Island, per doz. "	30
" imported, per doz. "	30
Butter, per lb. "	30
" Creamery, per lb. "	25
" Dairy, per lb. "	25
" Delta, per lb. "	35
" Hams, American, per lb. "	16@18
" Canadian, " "	16
" Canned, " "	18@20
" Glasgow beef, per lb. "	16@18
" Bacon, American, per lb. "	16@18
" Rolled, " "	14@16
" Lard, clear, " "	14@16
" Canadian, " "	14@16
Shoulders, per lb. "	12 1/2
" Corned, per lb. "	12 1/2
Golden Cotten, per lb. "	5@12 1/2
Meats—Beef, per lb. "	7@12 1/2
Sides, per lb. "	10@15
" Eastern apples, per lb. "	25@30
Mutton, " "	25@30
Pork, fresh, per lb. "	12@15
Turkeys, per lb. "	18@22
" Geese, per lb. "	18@22
Chickens, each. "	50@75
Greens, per brace. "	50@60
Grains, per brace. "	75@100
Duck, Mallard, per brace. "	75@100
Fruit—California apples, per lb. "	5
" Eastern, " " "	5
Lemons, California, per doz. "	25@30
Bananas, per doz. "	20@25
Pears, per lb. "	5@6
Grapes, per lb. "	12@15
Cranberries, per lb. "	10@15
Oranges, Australian, per doz. "	40@50
" Japanese oranges, per doz. "	65
Figs—Salmon, spring, per lb. "	10@12
Halibut, per lb. "	10@12
Rock Cod, per lb. "	8@10
" King Salmon, per lb. "	12@15
Herring, per lb. "	12@15
Haddock, Minnan, per lb. "	15
Bothers, per lb. "	10
Eastern crabs, per lb. "	75

LUMBER CONVENTION.

A Convention of American lumbermen met in Cincinnati, Ohio, on the 14th of this month. There were one hundred and fifty delegates present, representing twenty-seven States. The Convention was called for the purpose of securing a tariff on lumber. One of the speakers, J. E. Deffenbaugh, editor of the Chicago Lumberman, spoke against the free importation of Canadian lumber, and showed that the trade had increased and is increasing rapidly. Referring to the Convention the San Francisco Mail says:

"It is estimated that about 1,000,000,000 feet of coarse Canadian lumber is pouring in upon our markets in competition with the home product, and the ruinous effect is felt in all the lumber districts of the Union. South as well as North and West as well as East, the results of this condition of affairs we now see the lumbermen of all sections of the Union joining in the demand for a tariff on lumber sufficiently high to afford protection to the home industry."

While the evil of the Canadian competition has been felt in the South, it has been even more disastrous on the Pacific Coast. The facilities of transportation between British Columbia and California enable the lumbermen of Canada to gain admission to our markets with ease, and the competition is the more unfair to the lumbermen of Washington, Oregon and California because of the different conditions under which the industry is conducted in British Columbia and in this country."

The Montreal Star, writing upon the same subject, says:

"The Northern mills at least must have Canadian saw logs or they cannot produce the lumber for export to the States. American demand the awful Canadians are now filling. A stiff Canadian export duty on these logs would prevent their flow into the Michigan and other mills, and it would be very easy for the Canadian government to neatly offset any export duty and thus leave the competition between the mills on the opposite sides of the boundary exactly where it is to-day."

CENTRAL AMERICAN REPUBLICS.

WASHINGTON, Dec. 23.—After several weeks of consideration on the status of Senor Rodriguez, first minister of the greater republic of Central America, President Cleveland to-day received him and accepted his credentials in a short speech, which while formal in its tone, was thoroughly earnest in its evidence of good will towards the new American union. The President emphasized the purpose of the United States government to hold the individual states of the new union to the responsibility for past claims, and indicated an expectation that Guatemala and Costa Rica, which have so far refrained from joining with the others in the new republic, would soon give in their adhesion.

NEWS OF THE PROVINCE.

Christmas Business Largely at Vancouver—Japanese Christmas Endeavor—Hon. Mr. Blair.

Westminster's Mayor Gives a Surpriser—Mining Developments of Some Importance.

(Special to the Colonist.)

VANCOUVER.

On the Christmas season is simply evidenced by the displays made by local merchants, and reports indicate a larger volume of business this year than last. The interior of Christ church has been undergoing a re-decoration during the season, and will present a really handsome appearance at the Christmas service. An organ recital and sacred concert will be given in the church to-night.

A conscription service was held on Sunday night on the premises occupied by the Japanese Christian Endeavor Society on Fender street. Six Japanese were baptised, and a sermon preached by Rev. W. B. Baer. This society, under the management of the Methodist church, is doing good work.

Hon. Mr. Blair and party left Vancouver for New Westminster yesterday morning. Quite a number of citizens turned out to wish the Minister of Railways and Canals good-bye.

The remains of the late Mr. George M. Black were removed to-day from Hastings and interred at New Westminster. The annual report of the health and plumbing inspector, just published, is considered a very satisfactory one. Reference is made to the improved sanitary condition of Dupont street and the satisfaction given by the crematory. No cases of infectious diseases have been reported during the year.

WESTMINSTER.

WESTMINSTER, Dec. 23.—Hon. A. G. Blair arrived from the terminal city, and was met by a number of leading citizens. An address was read at the board of trade rooms, on behalf of the city and the board of trade, to both of which Mr. Blair replied in felicitous terms. An address was presented by the Liberal Association, Mr. Anlay Morrison stating that it was desired to avoid anything of a party nature.

After the adjournment of the city council meeting a supper was given to the members and the newspapermen by His Worship the Mayor, which proved a very successful function. This supper has assumed the dignity of an annual affair, and is much appreciated by the retiring members of the council.

A recount of the ballots in the late municipal election was made yesterday under the supervision of Mr. Justice Bole at the request of Ald. Woods, owing to a doubt on a part of that gentleman's agent as to the accuracy of the count. The result was to increase the official majority against Mr. Woods by one vote, so that the result of the election was confirmed.

The machinery for the Automatic Can Factory arrived yesterday, and is being discharged to-day at Sapperton. The steamers Lakme, Captain Anderson, and the machinery direct from San Francisco, also bring the skilled mechanics to whom is to be entrusted the installation of the plant.

A session of the Supreme court was held yesterday. Mr. Justice Bole presided. Several cases of minor interest were dealt with. His Lordship afterwards held a session of the County court.

KASLO.

(From the Kootenian.)

A strike of rich ore is reported upon the B. N. A., a claim on the South Fork of Kaslo creek. The B. N. A. is owned by Tim Cronin, Lauchey McLean and Green brothers, who also hold two adjacent claims. The new strike was made at the foot of the hill, and is a fine wash, and running 24 feet on the ledge. An attempt was then made to cross cut from the foot wall, but at 17 feet the hanging wall had not been reached. Rich ore was struck, however, showing that the strike is a good one. Assays have not yet been obtained, but the ore looks very rich.

Ed. Baum reports a valuable find on the Yuba Dam group, of which he and Mike Walsh are the owners. The group is located about two and a half miles north of Bear lake, in the dry ore belt, between the Wellington and London. They have a five foot lead on the property. They have run three tunnels, in one of which they tapped the lead and got ore in paying quantities at twenty-five feet. They also have the Bullion lead on the property.

The sampling works of the Kootenay Ore Company started work on Wednesday and ran through thirty tons of ore from the Whitewater mine. There are further quantities on the ground, and now that the works are in active operation, there is little doubt that the consignments will be ample.

TRAIL CREEK.

(From the Trail Creek News.)

Mr. R. E. Hasbrouck has his new concentrator nearly completed. He claims it revolutionizes the concentration of ores, as it works automatically and separates the different minerals from their gangue by their specific gravity. The cost of the concentrator and its operation is very small as compared with present methods. Mr. Hasbrouck has interested E. S. Topping in the invention, and as soon as it has proved what the inventor claims for it it will be pushed to the front.

The Heather Bell Mining Company, operating on Sullivan creek, has just taken in ten tons of supplies for the winter working, which will consist of a shaft and tunnel. This property lies a mile and a quarter from the Columbia river. The buildings are all up for the winter quarters and an assay office will be put in a short time, right at the mine.

J. D. Anderson has just finished surveying the Marquise. He is familiar with all the claims on Lookout mountain and has made several surveys on it. Fred Kaiser, of the Kaiser Hotel, is the owner of a two-third interest in the Copper Belt, on Beaver creek, a half mile north-west from the Nelson and

North Sheppard railroad. The purchase was made from A. Walker. It runs \$16 in gold and 18 per cent. copper. Mr. Kaiser has just stocked the Goettengberg, a quarter of a mile north of Forcupine creek and one mile from the Nelson and North Sheppard railroad. Surface showings run from \$2 to \$5 in gold and 57 ounces in silver. Mr. Kaiser proposes to open up in January.

Four men are at work on the Stem-winder.

A quarter interest in the Red Bird mineral claim at Salmon siding was sold this week to H. J. Scott, of Victoria. This is one of the promising prospects on Salmo, a mountain, two miles and a half from Salmo.

The Do. L. L. Addie L. and Gold Plate group, on Salmo river, between Sheep creek and Lost creek, are to be incorporated. J. Fleishman left for the East to perfect arrangements. J. Lakov is also interested in the group.

Another contract for 75 or 100 feet of tunnel will be let on the Imperial next week. Seventy-four feet of work have just been completed.

The owners of the Finance and four other claims at Waterloo, have given an option to a strong English syndicate. The gentlemen interested are H. Robbins, Tom Coran, L. O. Crawford, A. T. Monteith and W. de V. le Maistre. George Fredericks, of Rossland, has been negotiating for the purchase of a property upon the Columbia river. The deal will in all probability be closed.

The Red Horse and Salmon River Mining Company are getting in shape to let a contract for 100 feet of work next week.

The Wisconsin mine at Lookout mountain is receiving attention. Calumet and general quarters have been erected and four men will be at work next week. The Wisconsin joins the Magnolia and the Sovereign.

NELSON.

(From the Nelson Miner.)

For some time the Le Roi management has been endeavoring to trace two blocks of stocks, in fact ever since the famous mine became a dividend payer. One block has come to light among the effects of V. M. Massey, of Spokane. He had given it to the Citizens' National Bank as collateral for a loan of \$800. They put it up as security to the Chamberburg Bank of Pennsylvania. When the Citizens' bank went into the hands of a receiver the note was sent back to Spokane any it, but came to light afterward and was forwarded. The value is about \$3,250, with accrued dividends, placing the stock at \$6.50 per share. The claim of the bank is \$1,000, so \$2,250 will be left for the children of Massey. The stock will be sold in Spokane at public auction on December 28th.

A cablegram received from London states that the meeting of the shareholders of the Hall Mines, Ltd., resulted in the re-election of the majority of the old board of directors, and said further that there would be no change in the general management of the company. The machinery at the mines is now all in place and is sufficient to admit of the mining of over 200 tons of ore per day, the lower tunnel is in 600 feet and it is expected the first large body of ore will be reached in a few days, the tunnel (which is a double-tracked 24 working tunnel) will be continued about 500 feet more when the main body of ore is expected to be reached, it is being pushed forward at the rate of four feet per day. At present between 70 and 80 miners are employed stopping and prospecting the mine and about the same number on the outside. The electric light plant is now being installed in the mine and is expected to be in full working order early next week.

Rover Creek is getting quite a camp established along its banks and work on a number of claims will be carried on all winter. The Leap Year on the west fork of the creek, under the management of Joseph Brown, will work all the winter, and during the past week Mr. Brown was in town buying a big bill of goods. There is a fine showing of ore in which assays \$12 in gold, \$16 in silver and 11 per cent. copper. The mine is operated by a company recently formed in Toronto. The Big Four, also on the west fork of Rover creek, took out a supply of winter supplies from Nelson this week. The mine is owned by a Toronto company.

The following returns of shipments of bullion, ore and matte from the mines and smelters in Southern Kootenay since last week's report, were obtained from the custom house at Nelson, and from data furnished by the secretary of the Columbia & Kootenay Steam Navigation Company:

	BULLION AND MATTE.	Pounds.
Hall mines smelter, matte	188,945	
Trail smelter	330,220	
	ORE.	
Payne mine, Slokan	100	Tons.
Whitewater mine, Slokan	185,945	
Wonderful mine	30	
Goedenoogh mine, Slokan	17	
Wellington mine, Slokan	15	
Surprise mine, Slokan	17	
Rambler mine, Slokan	16	
Ruth	20	
Total for week	524	
The value of this mineral was \$73,064, while the total for 1896 was 27,724 tons, worth \$3,124,571.		

THE SHADY SULTAN.

LONDON, Dec. 23.—A Constantinople despatch to the