His lordship-You mean this turn running from 44 to 50?

Witness-Yes; I tried to point out without being impertinent in the matter that a vein could not take that circular shape and connect by any possibility on its dip with the same vein in No. 4 Silversmith, and the work that has been done since in the way of mining is convincing proof to me that that portion from 44 around to 50 is entirely outside the vein.

His lordship-You are speaking now of this new work in the Silversmith Witness-The new work on the Silver.

smith that was put on the map yesterday. Now, this is a very unfortunate position of affairs. One expert says the admission was made with reference to all the drift west of some point between E to 43 tance west of D27. The other expert (the person who is alleged to have made the dmission) says the admission was made as to the drift west of station 50-51 (the next turn of the drift to the south). The judge seems to have been of the one that the admission was made as to a third p'ace, viz: D27, for he very pertinently asks Sizer: "How is it that D27 came to be chosen as the point at which this work

was to be done?" See page 1804.

Now how is this dispute to be settled: Not by the judge's recollection as he does not agree with either of the experts. The nflict between them must be determine by their own evidence

nent seems extraordinary because M Sizer had at the trial in February, 1904, taken such strong grounds, asserting tha there was another black fissure at 43,

Mr. Emendorf's story is that (1093) the original p'an was that after exam eastern portion of the Star mine they were to inspect the western portion of No. 5 level around this drift into the Silversmith. In the extract I have given from his evidence (1710) it will be seen that he states they did not proceed on No. 3 level further west than station 43. From this evidence I find that on the second day's inspection there is nothing to establish the third day they went, as arranged to the mine.

of Mr. Sizer we find the following (1852) no doubt with reference to the place where the admission was made: Q .- Will you say on your inspection with his lordship the chief justice and Mr. El-

endorf, you went on to point 50? Q.: That you went beyond 45?

as far as 50? Q.: Have you a note of that?

A.: No; I made no note of it.

Q.: You are not in a position to speak

A.: I am depending on my recollection. Q.: My instructions are different. But you are positive of this, that you did not dmit that from D27 on there was a vein and that it was the vein you have called the Silversmith?
His lordship: Where is point 52?

Mr. Bodwell: Point 52 is in that new drift His lordship: Don't you remember being

Witness: I went to 52 and saw this new drift at the time of the inspection, but my recollection is that you did not go there. His lordship: My recollection is different, tatement about that I said we went as

ertainly passed 51. His lordship: There is ore to be found at 52 and 51 at the face of the drift.

Witness: Then that proves we did go

nere (p. 1853.)

That piece of evidence evidently taker chief justice's notes taken on the spot (1818) seems to show that they did not stop at 43 but proceeded as far as 51 or 52 where ore was found at the face of the drift. This corroborates Sizer's conboth experts are agreed that when the imission was made it was determined not to go any further (1800) I have come to onclusion that the admission made by Sizer was applicable only to the tion of No. 5 level west of station 50 and

This is a matter of considerable impe ance because the defendants relying on this admission gave no further evidence as to the drift being in the vein after passing D or E going westerly. I am not satisfied that it is.

The learned chief justice does not refer expressly to this incident in his final judgnt, but at p. 2026 he says in effect that in selecting D 27 as the westerly point for his crosscut he was guided by what the two experts, Sizer and Elmendorf, had said when he made the examination in Decem-

As I have already said that was, in my opinion, a misapprehension on his part, and I cannot help thinking it was in conquence of these two disagreements that Sizer's testimony was regarded by the chief justice as too e astic to be reliable.

From questions interposed by the learnd chief justice at the hearing held in July, 1905, it would seem that the presence of slicken sides in the drift from C to D minus 27, was strong evidence that the rift was run in the vein. I refer to his questioning Elmendorf, p. 1769; Sizer, 1803.

and Fowler, 2002 as to this. Now, if this was his idea, I think he was in error. It true that Emendorf in February, 1903, spoke of slickenslides being found in veins, p. 261; but Fowler and zer both said in July, 1905, that slickensides can be found in any place of movenent in the country rock, p. 1885, and p. 2002, and Cavanaugh at p. 433 says the same thing. Elmendorf at p. 1768 does not rely

slickensides. Slickensides, a miner's term for the striae, furrows, or polished surfaces covering the walls of fissures, and sometimes the surfaces of soft rock. They result from friction of two portions of rock movng one against the other under great ssure. The phenomenon seems to be not uncommon. It may resu't from the friction of the mass of a vein moving in a issure. Slickensides are not neces an indication of vein matter. In the col owing example noted by James D. Dana, not only the fissure wa'ts but small bits

of East Haven, Conn., on the border of New Haven, the successive beds of granite sandstone have been shoved over

one another upward along the plane of bedding, producing great slickensided surfaces; and these surfaces have generaly very thin white coating, apparent y due to ground-up feldspar. In the same region there are also ordinary faults with slicked walls; and in many places the rock is in fragments and all the fragmen

even those no larger than the hand, in-dicate participation in the movement by the slickensides which cover them."—See Jas. D. Dana's Manual of Geology, (1895.) Having regard to the statement at p. 2069 of the learned chief justice that after hearing evidence, he was satisfied that the 5th level shows the continuous vein, it is of importance that attention should be drawn to this point. If the learned chief justice had conceived the idea that the resence of slickensides necessarily indivein matter (see p. 1802 Q. 4) he would no doubt regard this drift as in vein matter, and would have another rea-

son for disbelieving Sizer's testimony. Before us, Mr. Sizer gave his evidence in a satisfactory way and the conclusion have arrived at with reference to him s that he is a close and accurate observer of facts and of good memory and not desirous of misleading the court.

Leaving that subject and turning to Mr.

Fowler's testimony as to the work from C to D27, which he visited in July, 1905, just day or so before giving his evidence at the second trial, he says, 1927: "From B to C you are crosscutting the black fissure. The new drift was on its left hand side going in a wall or plane and between this wall and the old drift there is a p!llar some six or seven feet, separating the old drift from the new drift. Near the wall of the black fissure." This hanging new drifts and goes on to the north.

cound at pp. 1687 and 1688.
eH was again crossexamined (July, 1905) hat is on the south side; then at p. 1687, he is asked: "Are you sure the wall is not on the right side of the drift as you go in?" To which he replied: "Yes; I am rounding country, entitled to speak with ure." I now give the questions and ans-

Q: There is no wall on the right hand side as you as you go in from C?

A: What kind of wall?

A: What kind of wall?

Q: Well you have said there was only one wall; I want to know what side it is

On the left hand from C, going in. Q: And that is the only wall? A: Where we started at C there is-Q: There is a wall on the right hand

side as well as the left? Q: And when you get a little way in the wall on the right hand side disappears?

A. We didn't follow that:

Q. When it disappears on which side is

A: The right hand side.

Q: It goes out on the right hand side? Now, why did he deny that there were two walls revealed by this work? The significance of his suppression of the existence of this wall was shown to some extent when Fowler and Sizer gave their evidence in July, 1906. Sizer's is as follows: Q: You heard Mr. White's evidence in which he said there was something that had the appearance of a wall running off out of this new drift to the north. What

is that? A: That is the hanging wall of the black

In connection with this subject it will be convenient to give Mr. Elmendorf's evidence, p. 1765. Q: Did you find another wa going off

to the south in that drift?

A: Going off to the south in that drift?

Q. Yes; north I mean . At what point?

A: No sir; there is nothing I consider a that is what you mean.

Q: You saw nothing that looks as much ike a wall as what you call a wall? A: No sir; there is a block of porphyry in there, but nothing that looks like a wall going in that direction.

White saw the wall, denied its existence, but afterwards acknowledged it. Mr. Elmendorf, after demanding particulars, is able to say 'there is nothing

there that I consider a wall. evidence given before this court after the work was done by Zwicky shows every reason for believing that there was a wall. And it is by the light of that evidence that I think it was so unfortunat that Mr. Oscar White allowed the crosscut B to X to be blocked up, right on the

eve of the trial in July, 1905. There seems to me to be established an absolute cut off between this wall which the plaintiffs call the hanging wa'l of the black fissure and all west of it. Mr Fowler's evidence is most clear on that point,

To the chief justice at the mine in July, 1905, he said: "There is absolutely no connection between the plane under which the new drift has been run, and what was to the east of the hanging wall of the black fissure.'

To the chief justice at the trial he said in answer to the question: Q: What in your opinion negatives conclusively the theory that this is a con-

tinuous vein C? A: As far as I have seen the absolute disconnection between what lies west of point C and what lies east of point C by reason of that limiting plane which I find to continue across the o'd drift and the new drift ordered to be made by your lordship. That, to my mind, is the chief disconnection between everything to the west of what we call the black fissure

everything to the east. He denies that there is any vein matter to be found west of C, although admitting that the new drift is run on a plane and that something in the nature of sicken- judge and maintained it steadfastly

sides is to be found there. was then asked as to 43 to 50 and re-

cicularly closely; I didn't see anything that was remarkable or worthy of any special attention at the time; I didn't see

any vein matter.' Q: From 43 to 50 is that tunnel or drift; that work from 43 to 50, is that in your opinion any part of the fissure which has ollowed down from the turn we call the

black disgure.
A: Certainly not. Q: Is that work from 43 to 50 and part, in your opinion, of the Silversmith vein, shown over on these workings in the Silver-

A: Certainly not. It may not be out of date to mention that this examination of Fowler followed that of Sizer, who had just denied making the damaging admission imputed to him by Emendorf, the order of events being as follows: December, 1904, alleged admission by

May, 1908, inspection by chief justice, and Fowler and Oscar White. July, 1905, inspected by E-mendorf Fow-ler and Sizer. Whether Elmendorf and Sizer visited this mine together, I cannot say, but Sizer and Elmendorf did (1900). It is impossible to suppose that Sizer wou'd not communicate to Fowler the fact that

he had made the admission attributed to him, if he had indeed made it,_ July 26th, Elmendorf gives evidence of alleged admission, "as he understands it." Sizer denies making such admission.

July 28. Fow er gives this answer as to

the drift from 43 to 50: "I didn't examine

it particularly closely." This answer, to my mind shows that Fowler had not been made aware until after his inspection of the mine in July that this alleged admission had been made by Sizer. That fact and the simplicity of the answer strengthens my belief that Mr. wall he says passes across the old and size never made or even supposed that new drifts and goes on to the north. Now I turn to Mr. Oscar White on this him. Mr. Fowler, a mining engineer repoint. It is another instance of his will- siding in this province since 1889, with nine point. It is another income and will be or ten years' experience in the Slocan country, and who at one time was familiar with the workings of the Ruth mine, a as to the new work C to D27, and having mine only a few hundred feet to the north stated (1675 that there was only one wall, stated (1676 that there was on the left hand side going in, which was on the south side; then at p. 1687.

all the witnesses, except Mr. Osoar White what is on the south side; then at p. 1687. Slocan country is also considerable, is, by virtue of his long familianty with the sur-

> most weight.
> For these reasons, I think the defendants case has failed. Judgment should there-fore be reversed, with costs here and below. The judgment should direct an en quiry as to the amount of ore taken, and contain a declaration that the Slocan Star ocation does not give to the defendants any rights to the west of the west end line of that claim, and that the vein or lode on the Silversmith location has not been shown to extend to the Rabbit Pa or Heber Fraction. There should be an injunction also, but the terms of the judgment had better be spoken of later.

(JUDGMENT OF MORRISON, J.) The judgment of Mr. justice Morrison, the court and ho'ds that the appeal should be dismissed with costs, is appended: This is an action for damages and an

injunction against the taking of ore from

the Rabbit Paw and Heber fraction. Markedly divergent theories were advanc-ed at the trial, and when it was deemed advisable that the workings and condition of the mines should be inspected, the Cearned trial judge, accompanied by two hereto, visited the mine, ordered centain cond view. From the voluminous evidence before us, I gather that a thorough inspection was made. At the close of the evidence following this view of the locus in quo counsel for the plaintiff requested that further work be done on the ground tablish his theory, and that without additional work as indicated by him, it was useless for him to proceed with his case. This was refused, and the learned judge then gave the judgment appealed from, wall crossing that draft to the north, if which is a result mainly of his inspections. Upon appeal to this court, however, such leave was given the plaintiff to have cerif necessary, such further evidence as the parties might be advised respecting the sues as developed at the trial. Pursuant to this leave the work was done by a Mr. Zwicky, and in due course, his evidence and that of the chief witnesses at the trial, as well as the evidence of a Mr. Boehmer, an American expert, was given before us on this appeal

From a close reading of the proceedings on appeal. Icannot discover any tangib e vidence. It is all highly theoretical, not to say rhetorical, and the arguments of ounsel were equally vituperative

With regard to the position in which the plaintiff's counsel considered he stood at the dose of the trial, it seems to me necessary for him to adduce evidence of a nature much stronger than before to es-tablish his theory. If the new evidence does not add to it, but simply reaffirms the evious evidence it is not enough

Otherwise, giving the fullest effect both sides, apart from the question of onus, which I submit now is on the plaintiff, the net result would be as before. one theory opposed to the other. But with this difference, that the defendant is supported by the opinion of the carned trial judge, based mainly upon his inspection and so should prevail with us.

I joined in the order for the perfor of the new work solely in the belief created by the strenuous argument of coun-sel that the new work would clearly demonstrate the contention of the plaintiff. and had I anticipated that the would be to afford a breathing spell for a resumption of the wonderful display of theories as to the formation of the earth's interior by clever experts, I should have hesitated before concurring.

The leading respective experts appear to be men of ability who advanced diametrically opposite scientific theories. assumed that position before the trial giving their evidence on appeal.

The trial judge, however, not only

plied, p 1931. "I d'd not examine it par- heard their theories, but, as it were, saw

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OUICKLY!

those theories worked out. One who hears a man tell how he performed a certain piece of work is not in so favorable a poition to determine the nature of the work performed as if he saw him do it or saw

the work after it was done.

For my part, I find it as difficult to appreciate the value of the voluminous evidence in this case, as it is to under-stand the extent, trend and course of the different subterranean formations by hand-ling the small fragments of "rock" pro-duced as exhibits, and about which there is such a hopeless divergence of scientific

The proof must be clear and unmistakable. And in respect to this new work ordered by us to be done. I do not think it is either. The evidence is so perplexing that taking it a one one must arrive at the conclusion urged upon us by the plaintiff by a process of guess work and surmise. Indeed, so inclusive is this new evidence that a view by this court is as necessary as it was by the trial judge.

This may not be an inopportune time to emphasize the necessity for a change in the law whereby a view by the judge and two assessors shall be conclusive as to questions of fact, leaving an appeal only questions of law. I would dismiss the appear.

HAS BALANCE TO GOOD

IMPROVED CONDITION OF AGRI-CULTURAL SOCIETY.

STATEMENT OF ACCOUNTS FOR THE PAST YEAR.

A special meeting of the directors of the Nelson Agricultural and Industrial society was held yesterday morning because of the departure of C. W. Busk for Europe. The business before the meeting was the preparation of a statement of accounts for the past year. This has been done and is here pre
Ether, Arthur Gilker, Hugh Gunn, Willie Gunn, David Hardie, Dawn Hume, Charles Steele.

Pearcy Albert Poupore, Charles Steele.

Division 2, Miss Kate Scan an, teacher—Division 2, sented. Last year there was a balance against the society of about a thousand dollars. This has all been wheel of and there is now a slight balance to the credit of the association. The ac-

Donations and subscriptions. . \$1,792.00

-1	Domesons and papaceth	CTOTATO	AT1197
١	Membership tickets		1,038
	Privileges sold		40
-	Entry fees on exhibits.		15
1	Gate receipts		3,177
-	Grand stand receipts		437
1	Provincial government	grant	1,000
1	Disbursements-		Ge Freys
	Printing and advt\$	496.74	
1	Drayage on exhibits	15.25	184
	Labor preparing build-	N. Carlotte	
1	ing and exhibits	334.50	
1	Decorations	37.20	115
	Freight on exhibits	57.28	
1	Judges' expenses	155.75	
	General expenses of	Sec. 2. 8	3.
	ehxibition	462.65	T. A
	Prizes for exhibits,	467.75	
ı	Cots premium cups	60.00	
1	Nat Reiss company 1	,641.44	
1	Horse races	804.07	F
4	Firemen's tournament.	350.00	
1	Drilling contest	315.00	
1	Band	225.00	24
1	Secretary's salary	489.96	
1	Insurance	5.75	1 1 1 9 1
į	Repairs, maintenance.	32.51	
	Depreciation and writ-		,
	ten off		
	Rent and taxes, C. P.		
	R. land		
	Interest and discount.		
	Cost new extention	7.70	for.

Balance, gain on ex- hibition for 1907 673.05
Total\$7,500.65 \$7,500.65 Assets—
Valuation Nov. 1, '06. \$2,884.50
Less depreciation 288.45
\$2,596.05
Cash on hand 40.27
Cash with Imperial Bank 701.73
Outstanding donations 75.00
Premium cups 35.00
Provincial exhibition grant 200,00
Toeal\$3,648.05
Secretary, salary for year\$ 500.00

Sundry accts. 1906.... 64.00

C. P. R., rent, taxes..... Kootenay Wire Works. Vouchers for prizes unpaid, etc Accts, payable outstanding.... 276.63 assets 1906..\$1,990.72 Add. gain ex. 1907.... 673,05

Total\$3,648.05 HYMAN RETURNS.

Back From the Land of the Mikado-

Lemieux's Mission. Francisco, Nov. 29.—Returning to his home in London, Ont., from tour in China and Japan, Charles Smith Hyman, former Canadian minister of public works, arrived here yesterday on the steamer Korea. He said that the Japanese had no hard feelings against Canadians on account of the treatment of Japanese at Vancouver a

few months ago.
"I heard very few expressions" hostility either against Canada or the United States. There have been inlammatory articles, but the mass the people did not seem to attach any

Lemieux mission was largely an ex-perimental one, for the Canadian gov-ernment has not idea in advance of

what it was prepared to grant and what it would accede to.

ATTENDANCE AT SCHOOL VEMBER

AVERAGE LOWER THAN USUAL ON ACOUNT OF ILLNESS The enrolled school attendance for the

month of November was 524 and the avrage actual attendance was 465,44. These gures include the high, public and Hun schoos.

The Wilson Banner for the month was

won by principal Sullivan's cass, division No. 1.

The average attendance for the month

was lower than usual owing to illness of several pupils. All the figures in detail are

	Enrol.	Artt.	P.C.
Division 1	19	17.64	92.84
	19	17.52	92.21
		1	
Total	38	35.16	92.52
		and the	A siego
P	UBLIC SCHOO	Barrier M. Calento 1953	er which
	Enrol.	Att.	P.C.
Division 1	26	24.00	92.31
Division 2	30	27.63	92.08
Division 3		34.43	88.27
Division 4		37.05	88.21
Division 5		45.80	89.80
Division 6	THE RESERVE OF THE PROPERTY OF	37.40	89.04
Division 7		32.45	87.70
Division 8		45.72	87.92
Division 9 .		31.35	89.57
Division 10 .		42.45	88.44
		100	6.
Total	402	358.28	89.12

HUME SCHOOL Enrol, Att. P.C.
Division 1 29 25 86.20
Division 2 55 47 85.45 The list of those who attended perfectly

at the public school throughout the month is as follows: Division 1, A. Sullivan, principal—Lottie Annable, Beatrice, Ebbs, Cyde Emory, Enid Etter, Beatrice Fennell, Hugh Flet-

Pearcy Albert Poupore, Charles Steele. Division 2, Miss Kate Scan'an, teacher— Ina Stead, Georgia Patrick, Edna Graves Hester Pierre, Bert Donaldson, Clifford Irvine, Frank Pogue, Robert Macleod, Keith Kettlewell, Mary Dona'dson, Ida Zuehlke, Anna Palmquist, Division 3 Miss E. S. DeBou, teacher-Gertrude Annable, Arthur A'ban, Waldo Ferguson, Ada Helistrom, Nellie Etter, Louis Johnstone, Alfred Mahson Arthur Marks Gadys McoDnald Lula McVicar,

George Norman, Almida Palmquist, Ed-mund Traves, Rachel Wilson, Edward Murphy George Ellott, Beu'ah Thomson. Division 4, Miss Thomas, teacher-Laur-ence Amas, Minnie Anderson, Esther Bard Donald Black Leila Buggine, Berenice Cummins, Annie Donaldson, Maud Heppe I, Mildred Irvine Jack Laughton Ruth Man-hart, May Manson, Earle Marks, Vernon Montgomery, Kathleen Montgomery, Edna Murphy, Rita McCutcheon, Bruce Macdonald, Willie McVicar, Lily Oates, Hilda Palmquist, Edith Ross, Frederica Starkey, Hazel Thomson, Charlie Traves.

Division 5, Miss L. Dade, teacher—George Amas, Ray Alban, Eric Beeston, Helen Boyd Eddie Boyes, Sharlie Bradshaw, Everett Brusch John Craig, Stella Dynes, Geo Ferguson, Joe Greyerbiehl, William Goulding, Norman Hal', Carl Hamilton, Kath-Ceen Irving, Jack Leslie, Alex, Lidgate, McKeown Alice McGregor, Hazel Newitt, Hilton Nagle, Myrtle Palmquist, Violet Ross, Arthur Simons, Mary Waldie,

Division 6 Miss Moffatt, teacher—Fred Burchell, Esmer Cavanaugh, Myrtle Dan-ough, Robert Dinwoodie, Noel Irvine, Lese Lithofield, Aggie Leslie, Muriel Marks, Gladys McKeown, Elleen Mackensie, Victor Mastberg, Hamilton Neelands, Lloyd Newburn, Frank Semens, Isabel Thompson Marion Waldie, Division 7, Miss C. Milligan, teacher

Christina Allan, Margaret Arthur, Alexandra Ballam, Helen Baillile, Joy Cummins, Gadys Dinwoodle, Dan Jones, Agnes Law-son Ernest Machin, Ethel McGregor, Chas. Middleton, Lydia Murphy, Clayton Arthur Wilkinson, Catherine Wallach, Rose Garde, Violet Garde, Frank Wallace Division 8, Miss M Taylor, teacher-Violet Boyes, Gordon Bradshaw, Harry Burchill Edith Cavanaugh, Tony DeFero, Thelma DeWitt, Allan Di l, Jessie Donaldson, Hewitt Ferguson, Emmet Hamilton, Reggi Hay, Walton Heppel, Ethel Hodge, Hare'd Hodge, Newton, Powell, Herbie Jordon

Ronald Lidgate Gregg Thomson, William Wilson, John Ballam. Division 9. Miss McVicar, teacher-Nelson Ball, Wilfred Car ie, Jack Dinwoodie, Carlton Duck, Douglas Forin, Ira Hall, Jeannette Hannah, Roy Hodge, Stewart Houson, Percy Marks, Lillian McDonald Bessie McKenzie, Phy lis Ruddick, Fred Stetle, Gerge Svoboda, Willie Wallach, Wilfred

Division 10, Miss E. Thom, teacher-Hec tor Blakey, William Oraig, Hugh Davidson, Katle Darough, Howard Duck, Jack McPhee, Leslie Hall, Freda Hume, Elsle Hodge Constance Joy, Howard Murphy, Edward McGregor, Mary Shaw, Katie Mc Kenzie, Katie McInnis, Andrew Moe.

HUME SCHOOL The following pupi's at the Hume scho were perfect in attendance during the month of November:

month of November:
Division 1, Miss Bate, principal—Freda
Bullock, Nel is Ba'ding, Tomy Malegard,
Arthur Maurer, Murdo McLood, Rhode MoGregor, Edith Gilchrist, Bruce Gilchrist,
Elizabeth Lynch, Thouvald Hausen. Division 2, Miss McLennar, tea Ella Brown, Syd. Desireau, Vera Gib

Habegarde, Fred Hartwick, Davis

Hodgin, Leonard Jackson, John Jeroma Tommy Jerome, Angus McLeod, Bertis McGregor, Gladys, McPhee, Myrtle Mc Phee, John Marquis, Grace Maurer, James Ringrose, Wa'ter Ryan, Jack Merrison Gladys Rendall, Willie Rendal, Agnes Phi berg, Charlie Peterson, Beatrice

Hamilton, Nov. 29-Hugh Murray, gran secretary of the grand lodge of Canada A.F. and A.M., and one of the best known Masons in Canada, died suddenly morning at his home, aged 65 years. was taken suddenly ill at his office on Monday, but it was thought the i lines was not of a serious nature. He leaves one son and four daughters.

FROM BLOOD POISONING Toronto, Nov. 29-This morning, Robe F. Tate, resident engineer of the Macken-zie and Mann company, died at the West-ern hospital from blood poisoning. Mr.

Tate was 53 years of age and for the last ten years had been connected with hi late employers, and for several years had held the position of resident engineer. He was a sen of the late A. J. Tate of Belle-

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POPULAR CANADIAN PARCEL 5 pairs Lace \$6.30 postage free. (White or Ecru.) Contains: 2 pairs superb Diningroom Cur-tains; 3) yds. long, 60 lns. wide. 1 pair exquisite Drawingroom Curtains, 4 yds. long, 2 yds. wide. 2 pairs choice Bedroom Curtains, 3 yds. long,

2 pairs choice Bedroom Curtains, 3 yds. long,
43 ins. vide.

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Letter orders have thoughtin stanting. We are here in content of the sales with the sales w

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retailers' guild or association or any References: Any bank, railway or express company in the city, or the names of twenty thousand satisfied patrons in the four provinces. WRITE FOR OUR PRICE LIST TODAY

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MRS. T. H. J. RYAN.

Have just returned from New York wit a fine fine of Robes, Laces, Dress-goods, Trimmings and Novelties. Call and in-spect my line while visiting the city of pokane. Suite 313 Holland Bldg., Spokar Wash. Phone Main 991.

LAND NOTICES NELSON LAND DISTRICT, DISTRICT

OF WAST KOOTENAY
TAKE NOTICE that R. G. Affleck of
Winnipeg, Man, occupation, barrister, winness, Man. occupation, barrister, intends to apply for permission to purchase the following described lands:

Commencing at a post planted on the south boursary of township X.I.A., enthe west side of the Nelson and Fort Sheppard right of way, thence west 50 chains, nore or less to the S.W. corner of section township K.I.A.; thence south a ong the seast boundary of the Nelson and Fort

boundary of the Nelson and Fort

Sheppard land grant, 70 chains more or less to the west boundary of the Nelson and Fort Sheppard railway right of way; thence northerly and easterly along said right of way to point of commencement, R. G. AFFLECK, Locator.

BOYD C. AFFLECK, Agent. Dated Nov. 18, 1907.

NELSON LAND DISTRICT, DISTRICT OF WEST KOOTENAY TAKE NOTICE that I, Donald Dewar, of Arrowhead, B.C., timber cruiser, intends to apply for a special timber license over the following described lands:

Commencing at a post planted about two miles east from the east end of Summit lake and on the south side of Bonanza mit lake and on the south side of Bonanza creek, and marked "D. Dewar's northeast corner post," thence west 100 chains; thence south 40 chains; thence east 160 chains; thence north 40 chains to point of commencement, being same ground covered by T.L. No. 10218.

D. DEWAR.

Sixty days after date, I, E. R. Vipond, contractor, of Poplar, B.C., intend to apply for permission to purchase the following described land in West Kootenay district: Commecing at a post planted at the S.E. corner of K. and S. lot 833, thence east 40 chains; thence north 40 chains; thence west 40 chains; thence south 40 chains to point of commencement, 160 acres more or less. nore or less.

Dated this 24th day of Oct., 1907.

NELSON LAND DISTRICT-DISTRICT

NEISON LAND DISTRICT-DISTRICT OF WEST KOOTENAY:
TAKE NOTICE that Norman Wenmoth of Hayfield, England, occupation, farmer, intends to apply for permission to purchase the following land:
Commencing at a post planted at the N. W. corner of Lot 7740, Pend d'Orellie River; thence north 20 chains; thence east 30 chains; thence south 20 chains; thence west 20 chains, containing 40 acres, more or less, NORMAN WENMOTH,

Dated 19th October, 1907. NELSON LAND DISTRICT, DISTRICT

NELSON LAND DISTRICT, DISTRICT OF WEST KOOTENAY.

TAKE NOTICE that I, Joseph Blackburn, of Nelson, B.C., occupation, electrician, intends to apply for permission to purchase the following described lands:

Commencing at a post planted at the S.E. corner of lot 3333, in West Kootenay district, thence south 40 chains, more or less; thence 7 chains, more or less, west, to S.E. corner of lot 7874; thence north 40 chains to N.E. corner of 7874; thence east 7 chains to S.E. corner of 1874; thence east 7 chains to S.E. corner of 1874; thence east 7 chains to S.E. corner of 1874; thence east 7 chains to S.E. corner of lot 3332, comprising 30 acres more or less.

JOSEPH BLACKBURN

Dated Oct, 15, 1907.

NELSON LAND DISTRICT, DISTRICT OF WEST KOOTENAY.

TAKE NOTICE that Adran LaBrash of Nakusp, intends to apply for permission to purchase the following described land:
Commencing at a post planted at Lessell's southwest corner, about one mile west on Lower Arrow Lake, and marked "Adran LaBrash's northwest corner," thence south 30 chains; thence cast 40 chains; thence north 30 chains; thence west 40 chains to point of commencement and containing

point of commencement and containing 20 acres more or less. ADRAN LABRASH. ALEXANDER DUCHARME, Agent.

Dated 18th Dec. 1907. CERTIFICATE OF REGISTRATION OF

"Companies Act, 182"

I HEREBY CERTIFY that the "Morning Bell Mining and Smelting Company" has this day been registered as an Extra-Provincial Company under the Companies Act, 1887, to carry out or effect all or any of the objects of the Company to which the the objects of the Company to which the legislative authority of the Legislature of

British Columbia extends.

The head office of the company is situ-The head office of the company is situ-ated at Spokane, Washington.
The amount of the cap'tal stock of the company is two hundred and fifty thousand dollars, divided into one million shares of

We make prompt shipments.

We absolutely guarantee satisfaction and delivery.

All goods guaranteed or money refunded.

It is a duty to you, to your family and to your pecket hook to investigate our least of the aristence of the company.

B.C. is the attorney for the company.

The head office of the company in this province is situate at the town of Koch's Siding and Noah Eastman, lumberman, whose address is is the attorney for the company.

The head office of the company in this province is situate at the town of Koch's Siding and Noah Eastman, lumberman, whose address is is the same, is the attorney for the company. The time of the existence of the is forty-nine years from the 16th of Janu

ary. 1907. The company is specially limited under The company is specially limited under Section 56 of the sald Act and no liability beyond the amount actually pald upon shares or stock in the company by the subscribers thereto or holders thereof shall attach to such subscriber or holder.

GIVEN under my hand and seal of office at Victoria, Province of British Columbia, this 12th day of August, 1907.

S. Y. WOOTTON,

Registrar of Joint Stock Companies.

Registrar of Joint Stock Companies The objects for which the Company habeen established and registered are res tricted to acquiring managing, developing, working and selling mines, mineral claims and mining properties, and the winning, getting, treating, refining and marketing of mineral therefrom.

LAND REGISTRY ACT TAKE NOTICE that an application has been made to register Mary Ann Stugeon as the owner in Fee Simple under two several tax sale Deeds from R. J Stenson, Collector of the Slocan Assessment District to C. V. Gagnon, bearing date the 21st day of November, 1906, and the 22nd day of August, 1905, respectively. of all and singular those certain pare and tracts of land and premises situs ying and being in the District of Kootens

lying and being in the District of Kootenay in the Province of British Columbia, more particularly known an described as:

All minerals, precious and base, save coal and petroleum, under lots four thousand four hudred and seventy (4.70) "Mountain Ohief No. 3" Mineral Claim, and four thousand four hundred and seventy-one (4.71) "Sarnia" Mineral Claim, both in Group One in the District of Kootenay, and said minerals have been transferred by the said C. V. Gagnon and the said Mary Ann Sturgeon.

Mary Ann Sturgeon.

You and each of you are requested to contest the claim of the tax purchaser within fourteen days from the date of the service of this notice upon you, and in default of a cavest of certificate of lis-pendens being filled within such period, you, will be forever estopped and debarred from

the said land, and I shall register Ann Sturgeon as the owner theseof. DATEID at the Land Registry (Nelson, Province of British Columbia 23rd day of July, A.D., 1907. H. T. MACLEOD,

ALFRED HILL WILSON HILL FLORENCE L MOINNES ROBERT SCOTT LENNIB JOSEPH STURGEON

NOTICE TO DELINQUENT CO-OWNER

DONALD McDONNELL

NOTICE TO DELINQUENT CO-OWNER.

To James Livingstone, or any other person or persons to whom he may have transferred his interest in the Alberta Mineral cliam, situated on the First North Fork of Lemon Creek, in the Slocan City Mining Division of West Kootenay district, and recorded in the Mining Recorder's office at Slocan, B.C.

You, and each of you, are hereby notified that I have expended the sum of four hundred and ten dollars (\$410.09) in labor and recording fees upon the above named mineral claim in order to hold the same under the provisions of Sec. 24 of the Mineral Act; and that if, within 90 days from the date of this notice, you fail or refuse the date of this notice, you fall or refuse to contribute your proportion of the afore-said expend'ture, which is two nundred and five dollars (\$205.00) for the four years ending the 12th day of July, 1907, together with all costs of advertising, your interest in the said claim will become vested in the undersigned, under Sec. 4 of the Mineral Act, Amendment Act, 1900.

Dated at Slocan, B.C., this 16th day of July 1907.

NOTICE

TO LOUIS ERNST AND WILLIAM BL-LIS.
TAKE NOTICE that the Governor

J. T. BEAUCHESNE.

Company of Adventurers of England, trading into Hudson's Bay, have commenced an action against you for payment of the sum of \$3500 and interest, the amount due to them under and by virtue of an agreement for sale to you of Section 25, Township 10, Range 3, west of the fifth Meridian in the province of Alberta, and in default of payment of this said sum, that you of August, 1907. JONES, NICHOLS & PESCOD,

- Plaintiffs' Advoc CERTIFICATE OF THE REGISTRATI OF AN EXTRA-PROVINCIAL COMPANY

"Companies Act, 1897"

HEREBY CERTIFY that the So HERRIBY CERTIFY that the showdest Gold Mining Company, Limited, has this day been registered as an Extra-Frovincial Company under the "Companies Act. 1881," to carry out or effect all or any of the objects of the Company, to which the legislative authority of the legislature of British Columbia extends.

The head office of the Company is situate in the city of Spokane, state of Washington, U.S.A.

The amount of the capital of the company is stated in the city of Spokane, state of Washington, U.S.A.

Ington, U.S.A.

The amount of the capital of the company is twelve thousand five hundred dollars, divided into one million two hun-

dred and fifty thousand shares of

The time of the existence of the company is fifty years from the first day of June, ninteen hundred and seven.

The company is specially limited under section 56 of the above act and no libality beyond the amount actually paid upon shares or stock in the company by the subscribers thereto or holders thereof shau tatach to such subscriber or holder.

Given under my hand and seal of office at Victoria, Province of British Columbia, this fifth day of July, one thousand nine hundred and seven.

his fifth day of hundred and seven.
S. Y. WOUTTON,
Telat Stock Con Registrar of Joint Stock Companies.
The objects for which the company has been established and registered are:

1. To own, purchase and otherwise acquire, mines and mining properties, and to sell and otherwise dispose of mines and mining properties, in any part of the state of Washington, United States of America, and in the Province of British Columbia.
Canada.

2. To purchase, lease and otherwise own. control and sell such real and personal property as may be necessary to the due prosecution of the business of this cor-

poration.

3. To purchase, appropriate and other-dise acquire and to sell and dispose of, and to maintain such water rights and water power as may be necessary to the due prosecution of the business of this corporation.

4. To develop and operate mines cont ing precious metals, and to sell the products thereof.

5. To construct, maintain, purchase and otherwise acquire any and all buildings, devices, structures, machinery and improvements essential to the due prosecution of the business of this corporation

as above set forth,
6. To build and construct flu and other structures for the creation of water power and to maintain the same, such as may be essential to the conduct of the mining business of this corporation.

7. To mortgage and issue mortgage bonds upon any of the foregoing kinds, classes and descriptions of property that may be by this corporat mowned and acquired.

of rock as slickensided: "In the Triassic